

U

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
SEVENTY-NINTH CONGRESS
OF THE UNITED STATES OF AMERICA

1945

AND

PROCLAMATIONS, TREATIES, AND INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES

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CONTENTS

	Page
LIST OF PUBLIC LAWS.....	v
PUBLIC LAWS.....	3
INDEX.....	I

iii

LIST OF PUBLIC LAWS

CONTAINED IN THIS VOLUME

THE SEVENTY-NINTH CONGRESS OF THE UNITED STATES FIRST SESSION, 1945

Public Law		Date	Page
1	--- <i>Naval Reserve Officers' Training Corps.</i> AN ACT To further amend section 22 of the Act approved March 4, 1925, entitled "An Act providing for sundry matters affecting the naval service, and for other purposes", by changing the limitation on the total personnel of the Naval Reserve Officers' Training Corps, and for other purposes.....	Feb. 13, 1945....	3
2	--- <i>U. S. Capitol telephone operators.</i> AN ACT Relating to the compensation of telephone operators on the United States Capitol telephone exchange.....	Feb. 13, 1945....	4
3	--- <i>Pearl Harbor, construction work.</i> AN ACT To grant to the Hawaiian Electric Company, Limited, the right to construct certain ditches, tunnels, and oil pipe lines in Pearl Harbor, Territory of Hawaii.....	Feb. 24, 1945....	4
4	--- <i>Federal Loan Agency, continuance.</i> AN ACT To provide for the effective administration of certain lending agencies of the Federal Government.....	Feb. 24, 1945....	5
5	--- <i>Census of Agriculture.</i> JOINT RESOLUTION Making an additional appropriation for the fiscal year 1945 for the Census of Agriculture.....	Feb. 28, 1945....	6
6	--- <i>Public Health Service.</i> JOINT RESOLUTION Making an additional appropriation for the fiscal year 1945 for the Public Health Service.....	Feb. 28, 1945....	7
7	--- <i>Manitowoc, Wis., lighthouse.</i> AN ACT To repeal the Act entitled "An Act to authorize the conveyance of the old lighthouse keeper's residence in Manitowoc, Wisconsin, to the Otto Oas Post, Numbered 659, Veterans of Foreign Wars of the United States, Manitowoc, Wisconsin", approved June 16, 1938.....	Feb. 28, 1945....	7
8	--- <i>Canton, Ohio, conveyance of land.</i> AN ACT To authorize the Secretary of the Navy to grant to the city of Canton, Ohio, for highway purposes only, a strip of land situated within the United States Naval Ordnance Plant at Canton, Ohio.....	Feb. 28, 1945....	7
9	--- <i>Pearl Harbor, easement.</i> AN ACT To authorize the Secretary of the Navy to convey to Oahu Railway and Land Company an easement for railway purposes in certain lands situated at Halawa, Ewa, Oahu, Territory of Hawaii.....	Feb. 28, 1945....	8
10	--- <i>San Diego County, Calif., lease of land.</i> AN ACT To authorize the Secretary of the Navy to lease certain lands situated in San Diego County, State of California.....	Feb. 28, 1945....	8
11	--- <i>Navy, furlough of officers.</i> AN ACT To amend section 1442, Revised Statutes, relating to furlough of officers by the Secretary of the Navy.....	Feb. 28, 1945....	9
12	--- <i>War crops, acreage allotments.</i> AN ACT To amend the Agricultural Adjustment Act of 1938, as amended, and sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, to encourage the growing of war crops by protecting the allotments of producers of cotton, wheat, and peanuts.....	Feb. 28, 1945....	9
13	--- <i>Navy, public works.</i> AN ACT To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.....	Mar. 1, 1945....	9
14	--- <i>Rivers and harbors, improvements.</i> AN ACT Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.....	Mar. 2, 1945....	10

Public Law		Date	Page
15	<i>Insurance regulation.</i> AN ACT To express the intent of the Congress with reference to the regulation of the business of insurance.....	Mar. 9, 1945....	33
16	<i>Eastport, Maine, conveyance.</i> AN ACT To authorize an exchange of lands between the city of Eastport, Maine, and the United States, and the conveyance of a roadway easement to the city of Eastport, Maine.....	Mar. 13, 1945....	34
17	<i>Camp Croft, S. C., easement.</i> AN ACT To authorize the Secretary of War to grant to the Duke Power Company a one-hundred-and-eighty-foot perpetual easement across Camp Croft, in the State of South Carolina.....	Mar. 13, 1945....	36
18	<i>West Point Military Reservation, N. Y., easement.</i> AN ACT To authorize the Secretary of War to grant to the Orange and Rockland Electric Company a one-hundred-and-fifty-foot perpetual easement across the West Point Military Reservation in the State of New York.....	Mar. 13, 1945....	36
19	<i>General in Marine Corps.</i> AN ACT To establish the grade of general in the Marine Corps, and for other purposes.....	Mar. 21, 1945....	36
20	<i>Admiral in Coast Guard.</i> AN ACT To establish the grade of admiral in the Coast Guard, and for other purposes.....	Mar. 21, 1945....	37
21	<i>Internal Revenue Code, amendment.</i> AN ACT To permit the Administrator, War Shipping Administration, and the United States Maritime Commission, during the national emergency, to pay the tax imposed under section 1410 of the Internal Revenue Code without regard to the \$3,000 limitation in section 1426 (a) (1) of the Internal Revenue Code.....	Mar. 24, 1945....	38
22	<i>Height of buildings, District of Columbia.</i> AN ACT To amend an Act regulating the height of buildings in the District of Columbia, approved June 1, 1910, as amended.....	Mar. 24, 1945....	38
23	<i>House of Representatives, folding of pamphlets.</i> JOINT RESOLUTION Providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives.....	Mar. 29, 1945....	38
24	<i>War Department Civil Appropriation Act, 1946.</i> AN ACT Making appropriations for the fiscal year ending June 30, 1946, for civil functions administered by the War Department, and for other purposes.....	Mar. 31, 1945....	39
25	<i>D. C. Weights and Measures Act, amendment.</i> AN ACT To amend section 8 of the Act entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes", approved March 3, 1921.....	Mar. 31, 1945....	45
26	<i>Appropriations, supplemental, 1946.</i> JOINT RESOLUTION Making supplemental appropriations for the fiscal year ending June 30, 1945, in lieu of certain appropriations contained in H. R. 2374, Seventy-ninth Congress, first session, and for other purposes.....	Mar. 31, 1945....	46
27	<i>National Housing Act, amendment.</i> AN ACT To amend the National Housing Act, as amended, and for other purposes.....	Mar. 31, 1945....	47
28	<i>Public Debt Act of 1945.</i> AN ACT To increase the debt limit of the United States, and for other purposes.....	Apr. 3, 1945....	47
29	<i>Settlement of Mexican Claims Act Amendments of 1945.</i> JOINT RESOLUTION Relative to determination and payment of certain claims against the Government of Mexico.....	Apr. 3, 1945....	49
30	<i>Commodity Credit Corporation, continuation.</i> AN ACT To continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes.....	Apr. 12, 1945....	50
31	<i>Lend-Lease Act, extension.</i> AN ACT To extend for one year the provisions of an Act to promote the defense of the United States, approved March 11, 1941, as amended.....	Apr. 16, 1945....	52
32	<i>San Jacinto Military Reservation, Tex.</i> AN ACT Granting to Galveston County, a municipal corporation of the State of Texas, certain easements and rights-of-way over, under, and upon the San Jacinto Military Reservation in Galveston County, Texas.....	Apr. 17, 1945....	52
33	<i>Foreign Service Buildings Act, 1926, amendment.</i> AN ACT To amend the Act entitled "An Act for the acquisition of buildings and grounds in foreign countries for use of the Government of the United States of America", approved May 7, 1926, as amended, to permit of the sale of buildings and grounds and the utilization of proceeds of such sale in the Government interest.....	Apr. 19, 1945....	53

LIST OF PUBLIC LAWS

vii

Public Law		Date	Page
34	--- <i>Arkansas River compact.</i> AN ACT Granting the consent of Congress to the States of Colorado and Kansas to negotiate and enter into a compact for the division of the waters of the Arkansas River.....	Apr. 19, 1945---	53
35	--- <i>Fact Finders' Act, amendment.</i> AN ACT To amend the Fact Finders' Act.....	Apr. 19, 1945---	54
36	--- <i>Dallas County, Tex., easement.</i> AN ACT Authorizing the Administrator of Veterans' Affairs to grant an easement in certain lands of the Veterans' Administration, Dallas, Texas, to Dallas County, Texas, for highway purposes.....	Apr. 23, 1945---	54
37	--- <i>Los Angeles, Calif.</i> AN ACT To authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the city of Los Angeles, California, for fire-station purposes, the title to certain land located at Veterans' Administration facility, Los Angeles, California.....	Apr. 23, 1945---	55
38	--- <i>Treasury and Post Office Departments Appropriation Act, 1946.</i> AN ACT Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes.....	Apr. 24, 1945---	56
39	--- <i>Reclamation Project Act of 1939, amendments.</i> AN ACT To amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes.....	Apr. 24, 1945---	75
40	--- <i>First Deficiency Appropriation Act, 1946.</i> AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.....	Apr. 25, 1945---	77
41	--- <i>Employment of females, D. C.</i> AN ACT To extend to June 30, 1946, the period during which females may be employed in the District of Columbia for more than eight hours a day, or forty-eight hours a week, under temporary permits.....	Apr. 27, 1945---	95
42	--- <i>Smaller War Plants Corporation.</i> AN ACT To extend the life of the Smaller War Plants Corporation.....	Apr. 27, 1945---	95
43	--- <i>D. C. Weights and Measures Act, amendment.</i> AN ACT To amend an Act entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes", approved March 3, 1921, as amended.....	Apr. 27, 1945---	96
44	--- <i>Temporary teachers, D. C.</i> AN ACT To amend section 16 of the Act entitled "An Act to amend the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes", approved June 4, 1924.....	Apr. 27, 1945---	99
45	--- <i>D. C. Code, amendment.</i> AN ACT To amend the Code of Laws of the District of Columbia by adding a new section 548a, and providing for the recording of veterans' discharge certificates.....	Apr. 27, 1945---	100
46	--- <i>District Training School.</i> AN ACT To amend section 14 of the Act entitled "An Act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes", approved March 3, 1925, and to amend section 15 thereof, as amended.....	Apr. 28, 1945---	100
47	--- <i>Prisoners of war, etc., escapes.</i> AN ACT Relating to escapes of prisoners of war and interned enemy aliens.....	Apr. 30, 1945---	101
48	--- <i>Foreign Service of the United States.</i> AN ACT To enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State.....	May 3, 1945---	102
49	--- <i>Independent Offices Appropriation Act, 1946.</i> AN ACT Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes.....	May 3, 1945---	106

Public Law		Date	Page
50	<i>U. S. Naval Academy Centennial.</i> JOINT RESOLUTION Providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Maryland.....	May 3, 1945---	134
51	<i>Regular Army and Philippine Scouts.</i> AN ACT To amend section 2, Public Law 140, Seventy-seventh Congress.....	May 4, 1945---	135
52	<i>Department of Agriculture Appropriation Act, 1946.</i> AN ACT Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes....	May 5, 1945---	136
53	<i>Additional appropriations, 1945.</i> JOINT RESOLUTION Making additional appropriations for the fiscal year ending June 30, 1945.....	May 5, 1945---	166
54	<i>Selective Training and Service Act of 1940, extension.</i> AN ACT To extend the Selective Training and Service Act of 1940, as amended.....	May 9, 1945---	166
55	<i>Securities Act of 1933, amendment.</i> AN ACT To amend section 3 (b) of the Securities Act of 1933, as amended, so as to permit exemption of security issues not exceeding \$300,000 from the provisions of such Act.....	May 15, 1945---	167
56	<i>Klamath Indians.</i> AN ACT Amending the Act of June 25, 1938 (52 Stat. 1207), authorizing the Secretary of the Interior to pay salary and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath business committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe, as amended, and for other purposes.....	May 15, 1945---	167
57	<i>Army of the U. S., general officers.</i> AN ACT To provide a method for the wartime reduction of temporary grades held by general officers of the Army of the United States.....	May 15, 1945---	168
58	<i>Suppression of prostitution.</i> AN ACT To extend the provisions of the Act of July 11, 1941 (Public Law 163, Seventy-seventh Congress).....	May 15, 1945---	168
59	<i>Regular Army, promotion of certain officers.</i> AN ACT To extend the provisions of the Act of November 29, 1940 (Public Law 884, Seventy-sixth Congress).....	May 15, 1945---	168
60	<i>Freight forwarders.</i> AN ACT To amend section 409 of the Interstate Commerce Act, as amended.....	May 16, 1945---	169
61	<i>Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency Appropriation Act, 1946.</i> AN ACT Making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes..	May 21, 1945---	169
62	<i>Naval Appropriation Act, 1946.</i> AN ACT Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes.....	May 29, 1945---	201
63	<i>Bridge, Mississippi River.</i> AN ACT Authorizing the State of Minnesota Department of Highways to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Hastings, Minnesota.....	May 29, 1945---	223
64	<i>Bridge, Big Sandy River.</i> AN ACT To authorize Slater Branch Bridge and Road Club to construct, maintain, and operate a free suspension bridge across the Tug Fork of the Big Sandy River at or near Williamson, West Virginia.....	May 29, 1945---	223
65	<i>Bridge, Mississippi River.</i> AN ACT Granting the consent of Congress to the State of Louisiana to construct, maintain, and operate a free highway bridge across the Mississippi River at or near New Orleans, Louisiana.....	May 29, 1945---	224
66	<i>Bridge, Pigeon River.</i> AN ACT Authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River.....	May 29, 1945---	224
67	<i>Military Personnel Claims Act of 1945.</i> AN ACT To provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service.....	May 29, 1945---	225
68	<i>Maritime Commission, construction fund.</i> JOINT RESOLUTION Repealing a portion of the appropriation and contract authorization available to the Maritime Commission.....	May 29, 1945---	226
69	<i>Navy officers, shore duty.</i> AN ACT To suspend until six months after the termination of the present wars section 2 of the Act of March 3, 1883 (22 Stat. 481), as amended.....	May 29, 1945---	226
70	<i>Rhode Island, conveyance of land.</i> AN ACT To authorize the Secretary of the Navy to convey to the State of Rhode Island, for highway purposes only, a strip of land within the naval advance base depot at North Kingstown, Rhode Island.....	May 29, 1945---	226

LIST OF PUBLIC LAWS

ix

Public Law		Date	Page
71	<i>Lake Champlain Bridge Commission.</i> JOINT RESOLUTION Granting the consent of Congress to an agreement amending the original agreement entered into by the States of New York and Vermont relating to the creation of the Lake Champlain Bridge Commission	May 31, 1945	227
72	<i>Regular Army, wartime enlistments.</i> AN ACT To provide for enlistments in the Regular Army during the period of the war, and for other purposes	June 1, 1945	230
73	<i>U. S. Military Academy, chaplain.</i> AN ACT To authorize an increase in the pay of the chaplain at the United States Military Academy while serving under reappointment for an additional term or terms	June 2, 1945	230
74	<i>Tlingit and Haida Indians of Alaska.</i> AN ACT To amend the Act of Congress entitled "An Act for the relief of the Tlingit and Haida Indians of Alaska", approved June 5, 1942	June 4, 1945	231
75	<i>Emergency flood-control work.</i> AN ACT To provide for emergency flood-control work made necessary by recent floods, and for other purposes	June 5, 1945	231
76	<i>Cooperative agricultural extension work.</i> AN ACT To provide for the further development of cooperative agricultural extension work	June 6, 1945	231
77	<i>Pearl Harbor catastrophe.</i> JOINT RESOLUTION To extend the statute of limitations in certain cases	June 7, 1945	233
78	<i>Interstate petroleum pipe lines.</i> AN ACT To amend section 9 of the Act entitled "An Act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce", approved July 30, 1941, as amended	June 8, 1945	233
79	<i>Criminal Code, amendments.</i> AN ACT To amend the Criminal Code so as to punish anyone injuring a party, witness, or juror on account of his having acted as such	June 8, 1945	234
80	<i>War Mobilization and Reconversion Act of 1944, Advisory Board members.</i> AN ACT To exempt the members of the Advisory Board appointed under the War Mobilization and Reconversion Act of 1944 from certain provisions of the Criminal Code	June 9, 1945	235
81	<i>National Defense Act, amendment.</i> AN ACT To amend section 47c of the National Defense Act of June 3, 1916, as amended, so as to authorize credit to students now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps for military training received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps	June 9, 1945	235
82	<i>Emergency flood-control work, appropriation.</i> JOINT RESOLUTION Making an appropriation for emergency flood-control work and for other purposes	June 12, 1945	235
83	<i>Labor-Federal Security Appropriation Act, 1945, 1946, supplemental appropriations.</i> JOINT RESOLUTION Making a supplemental appropriation for the fiscal year ending June 30, 1945, for the Children's Bureau, Department of Labor, and for other purposes	June 12, 1945	236
84	<i>Federal Reserve Act, amendments.</i> AN ACT To amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes	June 12, 1945	237
85	<i>Legislative Branch Appropriation Act, 1946.</i> AN ACT Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1946, and for other purposes	June 13, 1945	238
86	<i>Radio operators aboard ship.</i> AN ACT To further extend the effectiveness of the Act approved December 17, 1941, relating to additional safeguards to the radio communications service of ships of the United States, as amended, and for other purposes	June 13, 1945	259
87	<i>Defense Housing Act, amendments.</i> AN ACT To amend the Act entitled "An Act to expedite the provisions of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended	June 23, 1945	260
88	<i>Government corporations, subsidy payments.</i> AN ACT To permit the continuation of certain subsidy payments and certain purchase and sale operations by corporations created pursuant to section 5d (3) of the Reconstruction Finance Corporation Act, as amended, and for other purposes	June 23, 1945	260

Public Law	Date	Page
89 --- <i>Regular Navy and Naval Reserve, retired officers.</i> AN ACT To amend an Act entitled "An Act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes", approved July 24, 1941, as amended, and for other purposes-----	June 29, 1945---	262
90 --- <i>Gila reclamation project, Ariz.</i> AN ACT Authorizing the Secretary of the Interior to convey certain lands on the Gila reclamation project, Arizona, to the University of Arizona-----	June 29, 1945---	262
91 --- <i>Hops.</i> AN ACT To repeal section 3 of the Act approved April 13, 1938, as amended, relating to hops-----	June 29, 1945---	263
92 --- <i>National Defense Act, amendment.</i> AN ACT To amend the National Defense Act, as amended, so as to eliminate provisions for retirement of wing commanders of the Air Corps-----	June 29, 1945---	263
93 --- <i>Royal C. Johnson Veterans Memorial Hospital.</i> AN ACT To provide for designation of the United States Veterans' Administration hospital at Sioux Falls, South Dakota, as the Royal C. Johnson Veterans Memorial Hospital-----	June 29, 1945---	263
94 --- <i>Army, Dental Corps officers.</i> AN ACT To remove the limitation on the right to command of officers of the Dental Corps of the Army which limits such officers to command in that corps-----	June 29, 1945---	264
95 --- <i>Revenue Act of 1942, amendments.</i> JOINT RESOLUTION Extending the time for the release of powers of appointment for the purposes of certain provisions of the Internal Revenue Code-----	June 29, 1945---	264
96 --- <i>Salt Springs land, Ala.</i> AN ACT Authorizing the State of Alabama to lease or sell and convey all or any part of the Salt Springs land granted to said State by the Act of March 2, 1819-----	June 29, 1945---	264
97 --- <i>Sioux Indians, appropriation for claims.</i> AN ACT Authorizing an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. 484), and for other purposes-----	June 30, 1945---	265
98 --- <i>Federal Farm Loan Act, etc., amendments.</i> AN ACT To amend the Federal Farm Loan Act, the Emergency Farm Mortgage Act of 1933, the Federal Farm Mortgage Corporation Act, the Servicemen's Readjustment Act of 1944, and for other purposes-----	June 30, 1945---	265
99 --- <i>Export control.</i> AN ACT To continue in effect section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended, relating to the exportation of certain commodities-----	June 30, 1945---	270
100 --- <i>Postal service.</i> AN ACT Authorizing the Postmaster General to continue to use post-office clerks and city letter carriers interchangeably-----	June 30, 1945---	270
101 --- <i>Requisition of certain articles and materials.</i> AN ACT To amend section 3 of the Act entitled "An Act to authorize the President to requisition certain articles and materials for the use of the United States, and for other purposes", approved October 10, 1940, as amended, for the purpose of continuing it in effect-----	June 30, 1945---	270
102 --- <i>Requisition of property for national defense.</i> AN ACT To amend the Act entitled "An Act to authorize the President of the United States to requisition property required for the defense of the United States", approved October 16, 1941, as amended, for the purpose of continuing it in effect-----	June 30, 1945---	271
103 --- <i>District of Columbia Appropriation Act, 1946.</i> AN ACT Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1946, and for other purposes-----	June 30, 1945---	271
104 --- <i>Renegotiation Act, amendment.</i> AN ACT To extend through December 31, 1945, the termination date under the Renegotiation Act-----	June 30, 1945---	294
105 --- <i>Postal rates.</i> JOINT RESOLUTION To continue the temporary increases in postal rates on first-class matter, and for other purposes-----	June 30, 1945---	295
106 --- <i>Federal Employees Pay Act of 1945.</i> AN ACT To improve salary and wage administration in the Federal service; to provide pay for overtime and for night and holiday work; to amend the Classification Act of 1923, as amended; to bring about a reduction in Federal personnel and to establish personnel ceilings for Federal departments and agencies; to require a quarterly analysis of Federal employment; and for other purposes-----	June 30, 1945---	295
107 --- <i>Antitrust laws.</i> AN ACT To amend the Act suspending until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws, so as to continue such suspension until June 30, 1946-----	June 30, 1945---	306

LIST OF PUBLIC LAWS

xi

Public Law		Date	Page
108	<i>Price control and stabilization.</i> JOINT RESOLUTION Extending the effective period of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.	June 30, 1945	306
109	<i>Reconstruction Finance Corporation.</i> JOINT RESOLUTION To transfer to the Reconstruction Finance Corporation the functions, powers, duties, and records of certain corporations.	June 30, 1945	310
110	<i>D. C. Code, amendment.</i> AN ACT To amend section 927 of the Code of Law of the District of Columbia, relating to insane criminals.	July 2, 1945	311
111	<i>Inter-American Statistical Institute.</i> AN ACT To amend the joint resolution of January 27, 1942, entitled "Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute"	July 2, 1945	311
112	<i>Selective Service System.</i> AN ACT To authorize an award of merit for uncompensated personnel of the Selective Service System.	July 2, 1945	312
113	<i>Canal Zone Code, amendment.</i> AN ACT To amend the Canal Zone Code.	July 2, 1945	312
114	<i>Mexican Border Service Medal.</i> AN ACT To provide for the issuance of the Mexican Border Service Medal to certain members of the Reserve forces of the Army on active duty in 1916 and 1917.	July 2, 1945	313
115	<i>D. C. Traffic Act, amendment.</i> AN ACT To amend paragraph (c) of section 6 of the District of Columbia Traffic Act, as amended by Act approved February 27, 1931.	July 2, 1945	313
116	<i>Five Civilized Tribes of Oklahoma.</i> AN ACT To validate titles to certain lands conveyed by Indians of the Five Civilized Tribes and to amend the Act entitled "An Act relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma", approved January 27, 1933, and to validate State court judgments in Oklahoma and judgments of the United States District Courts of the State of Oklahoma.	July 2, 1945	313
117	<i>Nurses' Examining Board, D. C.</i> AN ACT To increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia.	July 2, 1945	315
118	<i>National service life insurance.</i> AN ACT To extend five-year-level-premium-term policies for an additional three years.	July 2, 1945	315
119	<i>Navy mail clerks.</i> AN ACT To permit waiving of the bonds of Navy mail clerks and assistant Navy mail clerks, and for other purposes.	July 2, 1945	315
120	<i>Government housing facilities.</i> AN ACT To permit members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, Public Health Service, and their dependents, to occupy certain Government housing facilities on a rental basis without loss of rental allowances.	July 2, 1945	316
121	<i>Kermit Roosevelt fund.</i> JOINT RESOLUTION To provide for the establishment, management, and perpetuation of the Kermit Roosevelt fund.	July 2, 1945	316
122	<i>D. C. firemen, salaries.</i> AN ACT To amend an Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia."	July 3, 1945	318
123	<i>Interior Department Appropriation Act, 1946.</i> AN ACT Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes.	July 3, 1945	318
124	<i>Labor-Federal Security Appropriation Act, 1946.</i> AN ACT Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1946, and for other purposes.	July 3, 1945	361
125	<i>Defense Housing Act, amendment.</i> AN ACT To amend section 204 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, to increase the amount authorized to be appropriated therein, and for other purposes.	July 3, 1945	383
126	<i>Military Appropriation Act, 1946.</i> AN ACT Making appropriations for the Military Establishment for the fiscal year ending June 30, 1946, and for other purposes.	July 3, 1945	384
127	<i>Reduction of appropriations.</i> JOINT RESOLUTION Reducing certain appropriations available in the fiscal year ending June 30, 1945.	July 3, 1945	407

Public Law		Date	Page
128	<i>Dog tax, D. C.</i> AN ACT To amend an Act entitled "An Act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes", approved June 19, 1878, as amended...	July 5, 1945---	409
129	<i>D. C. Alley Dwelling Act, amendment.</i> AN ACT To amend the District of Columbia Alley Dwelling Act, approved June 12, 1934, as amended.....	July 5, 1945---	410
130	<i>Foreign-trade agreements.</i> AN ACT To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes.....	July 5, 1945---	410
131	<i>Gallinger Municipal Hospital, D. C.</i> AN ACT To remove restrictions to the appointment of retired officers of the United States Public Health Service or retired civilian employees of the United States Government or District of Columbia government as Superintendent of Gallinger Municipal Hospital in the District of Columbia, and for other purposes.....	July 5, 1945---	411
132	<i>Second Deficiency Appropriation Act, 1945.</i> AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1946, and for other purposes.....	July 5, 1945---	412
133	<i>Government records, disposal.</i> AN ACT To amend the Act entitled "An Act to provide for the disposal of certain records of the United States Government".....	July 6, 1945---	434
134	<i>Postal Service.</i> AN ACT To reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes.....	July 6, 1945---	435
135	<i>Armed forces medal.</i> AN ACT Providing for a medal for service in the armed forces during the present war.....	July 6, 1945---	461
136	<i>D. A. R., conveyance.</i> AN ACT To authorize the Secretary of War to convey to the Captain William Edmiston Chapter of the Daughters of the American Revolution a certain building and tract or parcel of land situated in Montgomery County, Tennessee.....	July 6, 1945---	462
137	<i>Army Medical Corps.</i> AN ACT To give recognition to the non-combatant services under enemy fire performed by officers and enlisted men of the Medical Corps of the Army.....	July 6, 1945---	462
138	<i>Servicemen's Readjustment Act of 1944, amendment.</i> AN ACT To amend section 100 of Public Law Numbered 346, Seventy-eighth Congress, June 22, 1944, to grant certain priorities to the Veterans' Administration, and for other purposes.....	July 6, 1945---	463
139	<i>Federal Food, Drug, and Cosmetic Act, amendments.</i> AN ACT To amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of penicillin or any derivative thereof, and for other purposes.....	July 6, 1945---	463
140	<i>Naval petroleum and oil-shale reserves.</i> AN ACT Further amending the part of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes", approved June 4, 1920, as amended, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves.....	July 6, 1945---	465
141	<i>Marine Band.</i> AN ACT To authorize the attendance of the Marine Band at the national encampment of the Grand Army of the Republic to be held at Columbus, Ohio, September 9 to 14, inclusive, 1945.....	July 6, 1945---	465
142	<i>Naval Petroleum Reserve Numbered 1.</i> JOINT RESOLUTION Authorizing the production of petroleum for the national defense from Naval Petroleum Reserve Numbered 1.....	July 6, 1945---	465
143	<i>Truckee-Carson Irrigation District.</i> AN ACT For the relief of the Truckee-Carson Irrigation District.....	July 14, 1945---	466
144	<i>Rocky Mountain National Park, Colo.</i> AN ACT To authorize an exchange of certain lands with William W. Kiskadden in connection with the Rocky Mountain National Park, Colorado.....	July 14, 1945---	466
145	<i>Bridge, Mississippi River.</i> AN ACT To revive and reenact the Act entitled "An Act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Mississippi, and Helena, Arkansas, and for other purposes", approved May 17, 1939.....	July 14, 1945---	467

Public Law		Date	Page
146	--- <i>Purchase of public lands in Alaska.</i> AN ACT To amend an Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609)-----	July 14, 1945---	467
147	--- <i>Bridge, Saint Croix River.</i> AN ACT To extend the times for commencing and completing the construction of a bridge across the Saint Croix River at or near Hudson, Wisconsin-----	July 14, 1945---	468
148	--- <i>Louisiana State University and Agricultural and Mechanical College.</i> AN ACT To transfer certain lands situated in Rapides Parish, Louisiana, to board of supervisors of Louisiana State University and Agricultural and Mechanical College-----	July 14, 1945---	468
149	--- <i>San Carlos Act, amendment.</i> AN ACT To amend section 3 of the San Carlos Act (43 Stat. 475-476), as supplemented and amended, and for other purposes-----	July 14, 1945---	469
150	--- <i>Cheyenne, Wyo.</i> AN ACT Authorizing the conveyance of certain lands to the city of Cheyenne, Wyoming-----	July 14, 1945---	469
151	--- <i>D. C. police and firemen, salaries.</i> AN ACT To provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia-----	July 14, 1945---	470
152	--- <i>Bridge, Missouri River.</i> AN ACT Granting the consent of Congress to the State of North Dakota to construct, maintain, and operate a free highway bridge across the Missouri River-----	July 16, 1945---	471
153	--- <i>Bridge, Yellowstone River.</i> AN ACT Authorizing the construction of a free highway bridge across the Yellowstone River near Fairview, Montana-----	July 16, 1945---	471
154	--- <i>Bridge, Columbia River.</i> AN ACT To extend the times for commencing and completing the construction of a bridge across the Columbia River in Clatsop County, Oregon-----	July 16, 1945---	472
155	--- <i>U. S. Capitol.</i> JOINT RESOLUTION Relating to the appropriation for the roofs and skylights over the Senate and House wings of the Capitol, and for other purposes-----	July 17, 1945---	472
156	--- <i>National War Agencies Appropriation Act, 1946.</i> AN ACT Making appropriations for war agencies for the fiscal year ending June 30, 1946, and for other purposes-----	July 17, 1945---	473
157	--- <i>San Carlos Irrigation project, Ariz.</i> AN ACT To authorize the Secretary of the Interior to modify the provisions of a contract for the purchase of a power plant for use in connection with the San Carlos irrigation project-----	July 21, 1945---	487
158	--- <i>D. C. Teachers' Salary Act of 1945.</i> AN ACT To fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes-----	July 21, 1945---	488
159	--- <i>Treaty of Greene Ville Celebration.</i> JOINT RESOLUTION To provide for the observance and celebration of the one hundred and fiftieth anniversary of the signing of the treaty with the Indians of the Northwest Territory, known as the Treaty of Greene Ville-----	July 21, 1945---	501
160	--- <i>Pymatuning Lake compact.</i> AN ACT To permit amendment of the existing compact or agreement between the State of Ohio and the Commonwealth of Pennsylvania relating to Pymatuning Lake-----	July 24, 1945---	502
160-A	--- <i>D. C. Teachers' Salary Act, 1945, amendment.</i> JOINT RESOLUTION To amend the District of Columbia Teachers' Salary Act of 1945-----	July 24, 1945---	502
161	--- <i>U. S. Employees' Compensation Act, amendments.</i> AN ACT To amend the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", as amended-----	July 28, 1945---	503
162	--- <i>Roseburg Rifle Range, Oreg.</i> AN ACT To provide the transfer by the Secretary of War of the Roseburg Rifle Range, Douglas County, Oregon, to the Reconstruction Finance Corporation, and for other purposes-----	July 28, 1945---	505
163	--- <i>Marketing of tobacco.</i> JOINT RESOLUTION Relating to the marketing of fire-cured and dark air-cured tobacco under the Agricultural Adjustment Act of 1938, as amended-----	July 28, 1945---	506
164	--- <i>Subsidy payments.</i> AN ACT Relating to the payment of subsidies by the Commodity Credit Corporation and the Reconstruction Finance Corporation-----	July 31, 1945---	506

Public Law		Date	Page
165	<i>Toll bridges.</i> AN ACT To amend section 8 of the Act entitled "An Act to amend the Act entitled 'An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes', approved July 11, 1916, as amended and supplemented, and for other purposes", approved July 13, 1943.....	July 31, 1945....	507
166	<i>Shore-line investigations.</i> AN ACT Authorizing general shore-line investigations at Federal expense, and to repeal an Act for the improvement and protection of the beaches along the shores of the United States, approved June 26, 1936.....	July 31, 1945....	508
167	<i>Springfield Township, Pa.</i> AN ACT To authorize the Secretary of Agriculture to grant and convey to Springfield Township, Montgomery County, Pennsylvania, certain lands of the United States in Springfield Township, Montgomery County, Pennsylvania, for highway purposes and for ornamental-park purposes.....	July 31, 1945....	508
168	<i>Territorial papers of the U. S.</i> AN ACT To authorize the Secretary of State to continue to completion the collecting, editing, and publishing of official papers relating to the Territories of the United States.....	July 31, 1945....	510
169	<i>Merchant seamen's service insignia.</i> AN ACT To amend the Act entitled "An Act to provide for the issuance of devices in recognition of the services of merchant sailors", approved May 10, 1943 (57 Stat. 81), and for other purposes.....	July 31, 1945....	511
170	<i>Damages by U. S. forces abroad.</i> AN ACT To amend the Act approved January 2, 1942, as amended, approved April 22, 1943, entitled "An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries".....	July 31, 1945....	511
171	<i>Bretton Woods Agreements Act.</i> AN ACT To provide for the participation of the United States in the International Monetary Fund and the International Bank for Reconstruction and Development.....	July 31, 1945....	512
172	<i>Tax Adjustment Act of 1945.</i> AN ACT To facilitate reconversion, and for other purposes.....	July 31, 1945....	517
173	<i>Export-Import Bank Act of 1945.</i> AN ACT To provide for increasing the lending authority of the Export-Import Bank of Washington, and for other purposes.....	July 31, 1945....	526
174	<i>United Nations Food and Agriculture Organization.</i> JOINT RESOLUTION Providing for membership of the United States in the Food and Agriculture Organization of the United Nations.....	July 31, 1945....	529
175	<i>Borough of Beach Haven, N. J.</i> AN ACT For the relief of the Borough of Beach Haven, Ocean County, New Jersey.....	July 31, 1945....	530
176	<i>National Employ the Physically Handicapped Week.</i> JOINT RESOLUTION To establish the first week in October of each year as National Employ the Physically Handicapped Week.....	Aug. 11, 1945....	530
177	<i>Internal Revenue Code, amendment.</i> AN ACT To amend sections 2720 (a) and 3260 (a) of the Internal Revenue Code relating to the transfer tax, and the tax on manufacturers and dealers, in the case of certain small-game guns.....	Aug. 11, 1945....	531
178	<i>Ozark National Forest, Ark.</i> AN ACT To amend paragraph 682 of title 16 of the United States Code.....	Aug. 11, 1945....	531
179	<i>Sebastian Martin grant lands, N. Mex.</i> AN ACT To authorize the War Food Administrator or the Secretary of Agriculture to adjust boundary disputes by settling claims to certain so-called Sebastian Martin grant lands, in the State of New Mexico.....	Aug. 11, 1945....	532
180	<i>Internal Revenue Code, amendment.</i> AN ACT To exempt certain mechanical pencils having precious metals as essential parts from the tax with respect to jewelry, and so forth.....	Aug. 11, 1945....	532
181	<i>Surplus Property Administrator.</i> AN ACT To provide for administration of the Surplus Property Act of 1944 by a Surplus Property Administrator.....	Sept. 18, 1945....	533
182	<i>Veterans Regulations, amendment.</i> AN ACT To amend the Veterans Regulations to provide additional rates of compensation or pension and remedy inequalities as to specific service-incurred disabilities in excess of total disability.....	Sept. 20, 1945....	533
183	<i>Alaska, sale of public lands.</i> AN ACT To authorize the sale of certain public lands in Alaska to the Catholic bishop of Alaska, in trust for the Roman Catholic Church.....	Sept. 24, 1945....	535
184	<i>National Motor Vehicle Theft Act, amendment.</i> AN ACT To amend the Act of October 29, 1919, entitled "An Act to punish the transportation of stolen motor vehicles in interstate or foreign commerce.".....	Sept. 24, 1945....	536

LIST OF PUBLIC LAWS

XV

Public Law		Date	Page
185	U. S. Antarctic Expedition of 1939-1941. AN ACT To provide for the presentation of medals to members of the United States Antarctic Expedition of 1939-1941	Sept. 24, 1945	536
186	Navy, Marine Corps, and Coast Guard personnel, transportation. AN ACT To provide for pay and allowances and transportation and subsistence of personnel discharged or released from the Navy, Marine Corps, and Coast Guard because of under age at the time of enlistment, and for other purposes	Sept. 24, 1945	536
187	Daylight saving time, termination. AN ACT To provide for termination of daylight saving time	Sept. 25, 1945	537
188	Alaska land offices, functions. AN ACT To authorize the Commissioner of the General Land Office and the registers of the land offices in Alaska to perform functions under the Alaska real property ownership declaration law	Sept. 26, 1945	537
189	Franklin Delano Roosevelt Hospital. JOINT RESOLUTION To provide for designation of the Veterans' Administration Hospital at Crugers-on-Hudson, near Peekskill, New York, as "Franklin Delano Roosevelt Hospital"	Sept. 26, 1945	538
190	Armed Forces Voluntary Recruitment Act of 1945. AN ACT To stimulate volunteer enlistments in the Regular Military and Naval Establishments of the United States	Oct. 6, 1945	538
191	Pulaski's Memorial Day. JOINT RESOLUTION Authorizing the President of the United States of America to proclaim October 11, 1945, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski	Oct. 11, 1945	543
192	Arlington, Virginia, exchange of lands. AN ACT To authorize the exchange of certain lands in the vicinity of the War Department Pentagon Building in Arlington, Virginia	Oct. 11, 1945	543
193	Nationality Act of 1940, amendment. AN ACT To amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad	Oct. 11, 1945	544
194	Bridge, Saint Lawrence River. AN ACT To revive and reenact the Act entitled "An Act creating the Saint Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Saint Lawrence River at or near Ogdensburg, New York", approved June 14, 1933, as amended	Oct. 16, 1945	544
195	Alaska, postmasters. AN ACT To provide further for the appointment of postmasters for fourth-class post offices in the Territory of Alaska	Oct. 16, 1945	544
196	Toll bridge, Saint Louis River. AN ACT To revive and reenact the Act entitled "An Act to authorize the city of Duluth, in the State of Minnesota, to construct a toll bridge across the Saint Louis River, between the States of Minnesota and Wisconsin, and for other purposes", approved August 7, 1939	Oct. 16, 1945	545
197	Spring Common Bridge, Youngstown, Ohio. AN ACT Authorizing the reconstruction of the Spring Common Bridge on Mahoning Avenue, across the Mahoning River in the municipality of Youngstown, Mahoning County, Ohio	Oct. 16, 1945	545
198	Kansas, additional district judge. AN ACT Authorizing the appointment of an additional judge for the district of Kansas	Oct. 16, 1945	545
199	Iowa, conveyance. AN ACT To provide for the conveyance to the State of Iowa of the Agricultural Byproducts Laboratory on the campus of the Iowa State College of Agriculture and Mechanic Arts	Oct. 18, 1945	546
200	Surplus Property Act of 1944, amendment. JOINT RESOLUTION To extend in the case of aluminum plants and facilities the time during which disposition of such plants and facilities is prohibited under the Surplus Property Act of 1944, as amended	Oct. 22, 1945	546
201	Bonneville Project Act, amendment. AN ACT To amend the Bonneville Project Act	Oct. 23, 1945	546
202	Railroad Unemployment Insurance Act, State of Kentucky. JOINT RESOLUTION To facilitate the execution of subsection (d) of section 13 of the Railroad Unemployment Insurance Act, as amended	Oct. 26, 1945	550
203	Ben Hill County, Georgia. AN ACT To transfer Ben Hill County, Georgia, from the Waycross division of the southern judicial district of Georgia to the Americus division of the middle judicial district of Georgia	Oct. 29, 1945	550
204	San Francisco-Oakland Bay Bridge. AN ACT For the relief of the State of California	Oct. 29, 1945	550

Public Law	Date	Page
205 --- <i>Immigration Act of 1924, amendment.</i> AN ACT To amend section 28 (c) of the Immigration Act of 1924.....	Oct. 29, 1945...	551
206 --- <i>Immigration Act of Feb. 5, 1917, amendment.</i> AN ACT To amend section 23 of the Immigration Act of February 5, 1917...	Oct. 29, 1945...	551
207 --- <i>Providence Hospital, Washington, D. C.</i> AN ACT To amend an Act relating to the incorporation of Providence Hospital, Washington, District of Columbia, approved April 8, 1864.....	Oct. 29, 1945...	551
208 --- <i>Boundary line, D. C. and Virginia.</i> AN ACT To establish a boundary line between the District of Columbia and the Commonwealth of Virginia, and for other purposes.....	Oct. 31, 1945...	552
209 --- <i>Woman's Enfranchisement Day.</i> JOINT RESOLUTION Requesting the President to proclaim November 2, 1945, as Woman's Enfranchisement Day in commemoration of the day when women throughout the United States first voted in a Presidential election.....	Oct. 31, 1945...	555
210 --- <i>Internal Revenue Code, amendment.</i> JOINT RESOLUTION Permitting alcohol plants to produce sugars or sirups simultaneously with the production of alcohol until July 1, 1946....	Nov. 5, 1945...	555
211 --- <i>Klamath Falls, Oreg., District Court.</i> AN ACT To amend section 102 of the Act of Congress of March 3, 1911 (36 Stat. 1122; title 28, U. S. C., sec. 183), to fix a term of the United States District Court at Klamath Falls, Oregon, on the first Tuesday in June.....	Nov. 6, 1945...	555
212 --- <i>Harry L. Englebright Dam, California.</i> AN ACT To name the dam at the Upper Narrows site on the Yuba River, in the State of California, the "Harry L. Englebright Dam".....	Nov. 6, 1945...	556
213 --- <i>Harbors, improvement.</i> AN ACT Authorizing the improvement of certain harbors in the interest of commerce and navigation..	Nov. 7, 1945...	556
214 --- <i>Revenue Act of 1945.</i> AN ACT To reduce taxation, and for other purposes.....	Nov. 8, 1945...	556
215 --- <i>Philippine funds.</i> AN ACT To provide for covering into the Treasury of the Philippines certain Philippine funds in the Treasury of the United States.....	Nov. 8, 1945...	577
216 --- <i>Civil Service Retirement Act, amendment.</i> AN ACT To amend the Civil Service Retirement Act approved May 29, 1930, as amended, in order to protect the retirement rights of persons who leave the service to enter the armed forces of the United States.....	Nov. 9, 1945...	577
217 --- <i>Butte Falls, Oregon, fish hatchery.</i> AN ACT To authorize the conveyance of the United States Fish Hatchery property at Butte Falls, Oregon, to the State of Oregon.....	Nov. 14, 1945...	578
218 --- <i>Naval service, reimbursement for property loss.</i> AN ACT To amend the Act entitled "An Act to provide for reimbursement of officers, enlisted men, and others, in the naval service of the United States for property lost, damaged, or destroyed in such service", approved October 27, 1943, so as to make the provisions thereof effective with respect to losses occurring on or after October 31, 1941.....	Nov. 14, 1945...	578
219 --- <i>Bridge, Missouri River, Mont.</i> AN ACT To revive and reenact the Act entitled "An Act granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Montana", approved July 28, 1937.....	Nov. 14, 1945...	579
220 --- <i>Toll bridge, Wabash River, Ill.</i> AN ACT Authorizing the city of Saint Francisville, Illinois, to construct, maintain, and operate a toll bridge across the Wabash River at or near Saint Francisville, Illinois.....	Nov. 14, 1945...	580
221 --- <i>Bridge, Mississippi River, Minn.</i> AN ACT To extend the times for commencing and completing the construction of a bridge across the Mississippi River at Mill Street in Brainerd, Minnesota.....	Nov. 14, 1945...	581
222 --- <i>Prizes.</i> AN ACT To facilitate further the disposition of prizes captured by the United States, and for other purposes.....	Nov. 14, 1945...	581
223 --- <i>Nevada, U. S. District Court.</i> AN ACT To provide for terms of the District Court of the United States for the District of Nevada.....	Nov. 15, 1945...	582
224 --- <i>Guam, relief of residents.</i> AN ACT For the relief of the residents of Guam through the settlement of meritorious claims.....	Nov. 15, 1945...	582
225 --- <i>Guam, transfer of land.</i> AN ACT To authorize the Secretary of the Navy to transfer land for resettlement in Guam, and for other purposes.....	Nov. 15, 1945...	584

LIST OF PUBLIC LAWS

xvii

Public Law		Date	Page
226	<i>Armed forces, compensation.</i> AN ACT To provide for the adjustment of the compensation of certain members or former members of the armed forces of the United States who, before the expiration of their terminal leave, have performed, or shall hereafter perform, civilian services for the United States, its Territories or possessions, or the District of Columbia, and for other purposes	Nov. 21, 1945	584
227	<i>Nationality Act of 1940, amendment.</i> AN ACT To amend section 342 (b) of the Nationality Act of 1940	Nov. 21, 1945	585
228	<i>U. S. Military Academy and U. S. Naval Academy, appointments.</i> AN ACT To provide for the appointment of additional cadets at the United States Military Academy, and additional midshipmen at the United States Naval Academy, from among the sons of persons who have been or shall hereafter be awarded the Congressional Medal of Honor	Nov. 24, 1945	586
229	<i>U. S. Military Academy and U. S. Naval Academy, appointments.</i> AN ACT Authorizing appointments to the United States Military Academy and the United States Naval Academy of sons of members of the land or naval forces of the United States who were killed in action or have died of wounds or injuries received, or disease contracted, in active service during the present war, and for other purposes	Nov. 24, 1945	586
230	<i>Pay Readjustment Act of 1942, amendment.</i> AN ACT To include stepparents, parents by adoption, and any person who has stood in loco parentis among those persons with respect to whom allowances may be paid under the Pay Readjustment Act of 1942, and for other purposes	Nov. 24, 1945	587
231	<i>Oil and gas leases.</i> AN ACT To provide for the extension of certain oil and gas leases	Nov. 30, 1945	587
232	<i>Flood control, Mississippi River.</i> AN ACT To amend section 4 of the Act entitled "An Act for the control of floods on the Mississippi River and its tributaries and for other purposes", approved May 15, 1928	Nov. 30, 1945	587
233	<i>D. C. Code, amendment.</i> AN ACT To amend the Code of Laws for the District of Columbia to authorize any corporation formed under authority of subchapter 3 of chapter 18 of such code to specify in its bylaws that a less number than a majority of its trustees may constitute a quorum for the transaction of the business of the corporation	Nov. 30, 1945	588
234	<i>D. C. Code, amendment.</i> AN ACT Relating to the sale, in the District of Columbia, of certain small rockfish	Nov. 30, 1945	588
235	<i>D. C. Code, amendment.</i> AN ACT To amend the Code of Laws for the District of Columbia with respect to the making and publishing of annual reports by trust companies	Nov. 30, 1945	588
236	<i>Maryland, conveyance.</i> AN ACT To provide for the opening of a road within the boundaries of the District of Columbia Training School property in Anne Arundel County, Maryland	Nov. 30, 1945	589
237	<i>Tax-exempt property, D. C.</i> JOINT RESOLUTION Providing for the continuance of the tax-exempt status of certain property in the District of Columbia when used and occupied by any department, agency, or instrumentality of the United States of America or by the American Red Cross	Nov. 30, 1945	589
238	<i>U. S. Naval Academy, midshipmen's store.</i> AN ACT To establish the status of funds and employees of the midshipmen's store at the United States Naval Academy	Dec. 3, 1945	590
239	<i>Navy or Coast Guard vessels.</i> AN ACT To exempt Navy or Coast Guard vessels of special construction from the requirements as to the number, position, range, or arc of visibility of lights, and for other purposes	Dec. 3, 1945	590
240	<i>Postal employees, rewards.</i> AN ACT Authorizing payments of rewards to postal employees for inventions	Dec. 3, 1945	591
241	<i>Veterans, claims.</i> AN ACT To provide that veterans may obtain copies of public records in the District of Columbia, without the payment of any fees, for use in presenting claims to the Veterans' Administration	Dec. 3, 1945	591
242	<i>D. C. Emergency Rent Act, amendment.</i> AN ACT To extend for the period of one year the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended	Dec. 3, 1945	592
243	<i>Revised Statutes, amendment.</i> AN ACT To amend section 3646 of the Revised Statutes, as amended, relating to the issuance of checks in replacement of lost, stolen, destroyed, mutilated, or defaced checks of the United States, and for other purposes	Dec. 3, 1945	592

Public Law		Date	Page
244	<i>Navy Nurse Corps, pay and allowances.</i> AN ACT To adjust the pay and allowances of members of the Navy Nurse Corps, and for other purposes	Dec. 3, 1945	594
245	<i>Articles for Government of the Navy, amendment.</i> AN ACT To amend article 6 of the Articles for the Government of the Navy.	Dec. 4, 1945	595
246	<i>Navy, damage claims.</i> AN ACT To provide for the compromise and settlement by the Secretary of the Navy of certain claims for damage to property under the jurisdiction of the Navy Department, to provide for the execution of releases by the Secretary of the Navy upon payment of such claims, and for other purposes	Dec. 5, 1945	596
247	<i>Soldiers of War with Spain, etc.</i> AN ACT Granting travel pay and other allowances to certain soldiers of the War with Spain and the Philippine Insurrection who were discharged in the Philippine Islands	Dec. 5, 1945	596
248	<i>Government corporations.</i> AN ACT To provide for financial control of Government corporations	Dec. 6, 1945	597
249	<i>Post offices, clerical assistance.</i> AN ACT Relating to clerical assistance at post offices, branches, or stations serving military and naval personnel, and for other purposes	Dec. 7, 1945	603
250	<i>Navy, postgraduate school.</i> AN ACT To authorize the head of the postgraduate school of the United States Navy to confer masters and doctors degrees in engineering and related fields	Dec. 7, 1945	603
251	<i>Claims of postmasters.</i> AN ACT To amend the Act entitled "An Act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty", approved March 17, 1882, as amended	Dec. 7, 1945	603
252	<i>Senate, contingent expenses.</i> JOINT RESOLUTION Making an appropriation for contingent expenses of the Senate	Dec. 10, 1945	605
253	<i>U. S. Naval Academy, discharge of midshipmen.</i> AN ACT To authorize the discharge of midshipmen from the United States Naval Academy by the Secretary of the Navy because of unsatisfactory conduct or aptitude	Dec. 11, 1945	605
254	<i>Alaska, postmasters.</i> AN ACT To amend the Act authorizing postmasters in Alaska to administer oaths and affirmations	Dec. 11, 1945	605
255	<i>U. S. Military Academy and U. S. Naval Academy, appointees.</i> AN ACT To provide for a temporary increase in the age limit for appointees to the United States Military Academy and the United States Naval Academy	Dec. 11, 1945	606
256	<i>Transportation Act of 1940, amendment.</i> AN ACT To amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic	Dec. 12, 1945	606
257	<i>Criminal Code and Revised Statutes, limitations.</i> JOINT RESOLUTION To limit the operation of sections 109 and 113 of the Criminal Code, and sections 361, 365, and 366 of the Revised Statutes, and certain other provisions of law	Dec. 14, 1945	607
258	<i>Philippine Islands, national elections.</i> JOINT RESOLUTION To provide for national elections in the Philippine Islands	Dec. 14, 1945	608
259	<i>UNRRA, appropriation.</i> JOINT RESOLUTION Making an additional appropriation for the United Nations Relief and Rehabilitation Administration	Dec. 14, 1945	609
260	<i>Motor vehicles, D. C.</i> AN ACT To amend Section 12 of the Act entitled "An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940	Dec. 15, 1945	610
261	<i>Taxation of rolling stock, D. C.</i> AN ACT To provide for the taxation of rolling stock of railroad and other companies operated in the District of Columbia, and for other purposes	Dec. 15, 1945	610
262	<i>UNRRA, participation of U. S.</i> AN ACT To enable the United States to further participate in the work of the United Nations Relief and Rehabilitation Administration	Dec. 18, 1945	612
263	<i>Reorganization Act of 1945.</i> AN ACT To provide for the reorganization of Government agencies, and for other purposes	Dec. 20, 1945	613
264	<i>United Nations Participation Act of 1945.</i> AN ACT To provide for the appointment of representatives of the United States in the organs and agencies of the United Nations, and to make other provision with respect to the participation of the United States in such organization	Dec. 20, 1945	619
265	<i>Civil Service Retirement Act, amendment.</i> AN ACT To amend further the Civil Service Retirement Act approved May 29, 1930, as amended	Dec. 21, 1945	621
266	<i>Tennessee, railroad right-of-way.</i> AN ACT To authorize the State of Tennessee to convey a railroad right-of-way through Montgomery Bell Park	Dec. 21, 1945	622

LIST OF PUBLIC LAWS

xix

Public Law		Date	Page
267	--- <i>Oregon, lands in Deschutes County.</i> AN ACT To exclude certain lands in Deschutes County, Oregon, from the provisions of Revised Statutes 2319 to 2337, inclusive, relating to the promotion of the development of the mining resources of the United States.....	Dec. 21, 1945....	622
268	--- <i>Servicemen's Readjustment Act of 1944, amendment.</i> AN ACT To amend the Servicemen's Readjustment Act of 1944, and for other purposes.....	Dec. 28, 1945....	623
269	--- <i>First Deficiency Appropriation Act, 1946.</i> AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes.....	Dec. 28, 1945....	632
270	--- <i>Second War Powers Act, 1942, amendment.</i> AN ACT To amend the Second War Powers Act, 1942, as amended.....	Dec. 28, 1945....	658
271	--- <i>Alien spouses of members of armed forces.</i> AN ACT To expedite the admission to the United States of alien spouses and alien minor children of citizen members of the United States armed forces.....	Dec. 28, 1945....	659
272	--- <i>U. S. Commissioner, appointment.</i> AN ACT To amend section 20 of the Act of May 28, 1896 (29 Stat. 184; 28 U. S. C. 527), so as to provide that nothing therein contained shall preclude a referee in bankruptcy or a national park commissioner from appointment also as a United States commissioner.....	Dec. 28, 1945....	659
273	--- <i>U. S. Naval Academy, tailor shop.</i> AN ACT To establish the status of funds and employees of the midshipmen's tailor shop at the United States Naval Academy.....	Dec. 28, 1945....	660
274	--- <i>U. S. Naval Academy, cobbler and barber shops.</i> AN ACT To establish the status of funds and employees of the midshipmen's cobbler and barber shops at the United States Naval Academy.....	Dec. 28, 1945....	660
275	--- <i>Dibble General Hospital, California.</i> AN ACT To permit the inclusion of land occupied by Dibble General Hospital within the corporate limits of the city of Menlo Park, California.....	Dec. 28, 1945....	661
276	--- <i>Judicial Code, amendment.</i> AN ACT To amend section 112 of the Judicial Code to change the times for holding the terms of the District Court for the Eastern District of the State of Washington.....	Dec. 28, 1945....	661
277	--- <i>Navy, laws for settlement of claims.</i> AN ACT To provide the Navy with a system of laws for the settlement of claims uniform with that of the Army.....	Dec. 28, 1945....	662
278	--- <i>Fire Department pilots, etc., D. C.</i> AN ACT To extend the provisions of the Act of July 14, 1945, providing for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to pilots and marine engineers of the Fire Department.....	Dec. 28, 1945....	662
279	--- <i>Judicial Code, amendment.</i> AN ACT To amend section 74 of the Judicial Code, as amended, to change the terms of the District Court for the District of Connecticut.....	Dec. 28, 1945....	663
280	--- <i>Panama Canal.</i> AN ACT To authorize an investigation of means of increasing the capacity and security of the Panama Canal.....	Dec. 28, 1945....	663
281	--- <i>Regular Army.</i> AN ACT To provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes.....	Dec. 28, 1945....	663
282	--- <i>Export-Import Bank of Washington.</i> AN ACT To authorize the Export-Import Bank of Washington to extend its operations to include the Philippine Islands.....	Dec. 28, 1945....	666
283	--- <i>Classified executive civil service.</i> AN ACT To amend the Act entitled "An Act extending the classified executive civil service of the United States", approved November 26, 1940, so as to eliminate the time limit within which incumbents of positions covered into the classified service pursuant to such Act may be recommended for classification.....	Dec. 28, 1945....	666
284	--- <i>Navy, dental care for personnel.</i> AN ACT To provide more efficient dental care for the personnel of the United States Navy.....	Dec. 28, 1945....	666
285	--- <i>Tariff Act of 1930, amendment.</i> AN ACT To amend the Tariff Act of 1930, as amended, so as to permit the designation of freight forwarders as carriers of bonded merchandise.....	Dec. 28, 1945....	667
286	--- <i>Texas Rural Communities, conveyance.</i> AN ACT To transfer certain land and personal property in Limestone County, Texas, to the State of Texas, acting by and through the State Board of Control.....	Dec. 28, 1945....	667

LIST OF PUBLIC LAWS

Public Law		Date	Page
287	--- <i>Pledge of allegiance.</i> JOINT RESOLUTION Giving official recognition to the pledge of allegiance to the flag of the United States-----	Dec. 28, 1945---	668
288	--- <i>Navy V-12 program.</i> JOINT RESOLUTION Providing for the continuance to the end of June 1946, of the Navy's V-12 program-----	Dec. 28, 1945---	668
289	--- <i>Congress, date of meeting.</i> JOINT RESOLUTION fixing the date of meeting of the second session of the Seventy-ninth Congress-----	Dec. 28, 1945---	668
290	--- <i>George Washington Carver Day.</i> JOINT RESOLUTION Designating January 5, 1946, as George Washington Carver Day---	Dec. 28, 1945---	668
291	--- <i>International organizations.</i> AN ACT To extend certain privileges, exemptions, and immunities to international organizations and to the officers and employees thereof, and for other purposes-----	Dec. 29, 1945---	669
292	--- <i>Housing, veterans.</i> JOINT RESOLUTION To amend section 502 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, to authorize an additional appropriation for the purpose of providing housing for distressed families of servicemen and for veterans and their families, and for other purposes-----	Dec. 31, 1945---	674
293*	--- <i>Veterans' Administration, Department of Medicine and Surgery.</i> AN ACT To establish a Department of Medicine and Surgery in the Veterans' Administration-----	Jan. 3, 1946---	675

*The total number of public laws enacted during the 1st session of the 79th Congress was 294 since Public Law 160-A must be included.

PUBLIC LAWS

PUBLIC LAWS

ENACTED DURING THE

FIRST SESSION OF THE SEVENTY-NINTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Wednesday, January 3, 1945, and adjourned sine die on Friday, December 21, 1945

FRANKLIN D. ROOSEVELT, President until his death, April 12, 1945; HARRY S. TRUMAN, President on and after April 12, 1945; HENRY A. WALLACE, Vice President to January 20, 1945; HARRY S. TRUMAN, Vice President from January 20, 1945, to April 12, 1945; KENNETH MCKELLAR, President of the Senate *pro tempore*; SAM RAYBURN, Speaker of the House of Representatives.

[CHAPTER 1]

AN ACT

To further amend section 22 of the Act approved March 4, 1925, entitled "An Act providing for sundry matters affecting the naval service, and for other purposes", by changing the limitation on the total personnel of the Naval Reserve Officers' Training Corps, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 22 of the Act approved March 4, 1925 (43 Stat. 1276), as amended, is hereby amended to read as follows:

"SEC. 22. (a) A Naval Reserve Officers' Training Corps is hereby authorized to be established and operated under such regulations as the President may prescribe, which regulations shall, so far as may be practicable, conform to the provisions of the National Defense Act approved June 3, 1916, sections 40 to 53, inclusive (39 Stat. L. 191-194), as amended: *Provided*, That the powers conferred therein upon the Secretary of War with regard to the Reserve Officers' Training Corps are hereby conferred upon the Secretary of the Navy with regard to the Naval Reserve Officers' Training Corps: *Provided further*, That all expenditures in connection with the establishment and operation of the Naval Reserve Officers' Training Corps shall be specifically appropriated therefor: *Provided further*, That members of the Naval Reserve Officers' Training Corps shall be eligible for appointment as Naval Reserve officers under the same conditions as provided by law for the appointment of Naval Reserve officers from other citizens of the United States, and when so appointed shall have the same status and be entitled to the same benefits in all respects as provided by law for other members of the Naval Reserve: *Provided further*, That the word 'naval' wherever used in this section shall be construed to include Marine Corps: *And provided further*, That until the expiration of one year after the cessation of hostilities in the present war as declared by the President or by concurrent resolution of Congress, the total personnel

February 13, 1945
[H. R. 621]
[Public Law 1]

Naval Reserve Officers' Training Corps.
34 U. S. C., Supp. IV, § 821 (a).

Establishment and operation.
Post, p. 204.

10 U. S. C. § 331 et seq.; Supp. IV, § 383 et seq.
Powers of Secretary of Navy.

Specific appropriation required.

Eligibility as Naval Reserve officers.

Status and benefits.

"Naval" to include Marine Corps.

Total personnel.

of the Naval Reserve Officers' Training Corps shall not at any one time exceed twenty-four thousand and thereafter the total personnel of such corps shall not at any one time exceed fourteen thousand."

Approved February 13, 1945.

[CHAPTER 2]

AN ACT

February 13, 1945
[H. R. 1427]
[Public Law 2]

Relating to the compensation of telephone operators on the United States Capitol telephone exchange.

U. S. Capitol tele-
phone exchange.
Compensation of
operators.
Post, pp. 242, 245.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after February 1, 1945, the basic rates of compensation of telephone operators on the United States Capitol telephone exchange (whether under the jurisdiction of the Clerk of the House of Representatives or under the jurisdiction of the Sergeant at Arms and Doorkeeper of the Senate) shall be as follows:

(a) Chief operator, \$3,000 per annum.
(b) Assistant chief operator, \$2,400 per annum, and \$200 per annum additional so long as the position is held by the present incumbent.

(c) Others, \$1,800 per annum plus—

- (1) \$240 per annum additional in the case of those having more than twenty-five years of service;
- (2) \$180 per annum additional in the case of those having more than twenty and not more than twenty-five years of service;
- (3) \$150 per annum additional in the case of those having more than fifteen and not more than twenty years of service;
- (4) \$120 per annum additional in the case of those having more than ten and not more than fifteen years of service; and
- (5) \$60 per annum additional in the case of those having more than five and not more than ten years of service.

Service computa-
tion.

In computing such years of service, the term "service" means service as a telephone operator on the United States Capitol telephone exchange (whether under the jurisdiction of the Clerk of the House of Representatives or under the jurisdiction of the Sergeant at Arms and Doorkeeper of the Senate) and shall not be limited to continuous service.

Amounts author-
ized.

SEC. 2. The necessary amounts to carry into effect the increases herein provided, from February 1 to June 30, 1945, hereby are authorized to be paid from the appropriations for salaries of officers and employees of the Senate and of the House of Representatives for the fiscal year 1945.

58 Stat. 334, 340.
Post, p. 78.

Approved February 13, 1945.

[CHAPTER 3]

AN ACT

February 24, 1945
[H. R. 1808]
[Public Law 3]

To grant to the Hawaiian Electric Company, Limited, the right to construct certain ditches, tunnels, and oil pipe lines in Pearl Harbor, Territory of Hawaii.

Pearl Harbor, T. H.
Construction of
ditches, tunnels, and
oil pipe lines.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right is hereby granted to the Hawaiian Electric Company, Limited, a Hawaiian corporation, its successors and assigns, to construct, maintain, and operate intake and discharge ditches and tunnels for the purpose of taking salt water from and discharging it into Pearl Harbor, Oahu, Territory of Hawaii, and to lay, maintain, and operate oil pipe lines from ship's moorings to the company's properties at Waiiau, Ewa, said Oahu, in the area in Pearl Harbor between the southern boundaries of

the company's presently owned properties at said Waiau as shown on the company's map W-1614, dated September 26, 1940, filed in the Office of the Secretary of the Navy, and the minus twenty-foot contour line in Pearl Harbor, the said area being contained on the east by a line running from the easternmost point of the said southern boundaries, the coordinates of which point are one thousand six hundred and twenty-five and thirty-four one-hundredths feet south and six thousand nine hundred and forty-two one-hundredths feet east, referred to Government survey triangulation station Ewa Church, in a true southerly direction, and on the west by a line running from the westernmost point on said southern boundaries, the coordinates of which point are one thousand five hundred and eight and forty one-hundredths feet south and five thousand eight hundred and ninety-six and seventy one-hundredths feet east, referred to Government survey triangulation station Ewa Church, in a true southerly direction, subject to the restriction that such ditches, tunnels, and pipe lines shall be constructed, maintained, and operated in such manner as not to interfere with navigation or Government use of such area: *Provided*, That the location and plans of the ditches, tunnels, and oil pipe lines are submitted to and approved by the Secretary of the Navy before construction is commenced: *And provided further*, That this grant is subject to the right of the Secretary of the Navy, from time to time, to require the company to relocate within said area at its own expense such tunnels, ditches, and pipe lines, and to alter and deepen such ditches and to alter and lower the level of tunnels and pipe lines when such is necessary in his judgment for the purpose of improving navigation or Government use of such area.

Approved February 24, 1945.

Location and plans subject to approval.

Relocation, etc.

[CHAPTER 4]

AN ACT

To provide for the effective administration of certain lending agencies of the Federal Government.

February 24, 1945
[S. 375]
[Public Law 4]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Loan Agency, created by section 402 of the President's Reorganization Plan Numbered I under authority of the Reorganization Act of 1939, shall continue as an independent establishment of the Federal Government and shall continue to be administered under the direction and supervision of the Federal Loan Administrator in the same manner and to the same extent as if Executive Order 9071, dated February 24, 1942, transferring the functions of the Federal Loan Agency to the Department of Commerce, had not been issued.

Federal Loan Agency. Continuation as independent establishment. 53 Stat. 1429, 561. 5 U. S. C. §§ 1332 note, 133-133r.

50 U. S. C., Supp. IV, app. § 601 note.

SEC. 2. All powers, functions, and duties of the Department of Commerce and of the Secretary of Commerce which relate to the Federal Loan Agency (together with the respective personnel, records, and property, including office equipment, relating to the exercise of such functions, powers, and duties) are hereby transferred to the Federal Loan Agency to be administered under the direction and supervision of the Federal Loan Administrator.

Transfer of functions, etc.

SEC. 3. The unexpended balance of the funds made available to the Secretary of Commerce by Public Law 365, Seventy-eighth Congress, approved June 28, 1944, for administrative expenses of supervising loan agencies, shall be transferred to the Federal Loan Agency to be used for the administrative expenses of that Agency.

Transfer of funds. 58 Stat. 415.

SEC. 4. No functions, powers, or duties shall be transferred from the Federal Loan Agency under the provisions of title I of the First War Powers Act, 1941, or any other law unless the Congress shall otherwise by law provide.

55 Stat. 838. 50 U. S. C., Supp. IV, app. §§ 601-605.

Audit of financial transactions of all Government corporations.
Post, p. 81.

SEC. 5. (a) The financial transactions of all Government corporations shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts of the respective corporations are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the respective corporations and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians. The audit shall begin with the current fiscal year.

Report to Congress.

(b) A report of each such audit for each fiscal year ending on June 30 shall be made by the Comptroller General to the Congress not later than January 15 following the close of the fiscal year for which such audit is made. The report shall set forth the scope of the audit of each corporation and shall include a statement (showing intercorporate relations) of assets and liabilities, capital and surplus, or deficit; a statement of surplus or deficit analysis; a statement of income and expense; and such comments and information as may be deemed necessary to keep Congress informed of the operations and financial condition of the several corporations, together with such recommendations with respect thereto as the Comptroller General may deem advisable, including a report of any impairment of capital noted in the audit and recommendations for the return of such Government capital or the payment of such dividends as, in his judgment, should be accomplished. The report shall also show specifically every program, expenditure, or other financial transaction or undertaking, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President and to the corporation concerned at the time submitted to the Congress.

Payment of expenses.

(c) The expenses of auditing the financial transactions of all Government corporations as provided in section 5 (a) of this Act may be paid out of appropriations to the General Accounting Office and appropriations in such sums as may be necessary are hereby authorized for the purpose: *Provided*, That by agreement between the General Accounting Office and said corporation the expenses of said audit may be paid from funds of such corporation.

Approved February 24, 1945.

[CHAPTER 5]

JOINT RESOLUTION

Making an additional appropriation for the fiscal year 1945 for the Census of Agriculture.

February 28, 1945
[H. J. Res. 85]
[Public Law 5]

Census of agriculture, additional appropriation.
58 Stat. 417.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the amount named in the appropriation contained in the Department of Commerce Appropriation Act, 1945, for preparing for, taking, compiling, and publishing the quinquennial Census of Agriculture of the United States is hereby increased by \$6,784,000.

Approved February 28, 1945.

[CHAPTER 6]

JOINT RESOLUTION

Making an additional appropriation for the fiscal year 1945 for the Public Health Service.

February 28, 1945
[H. J. Res. 100]
[Public Law 6]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, an additional amount of \$184,000, fiscal year 1945, for "Pay of personnel and maintenance of hospitals", Public Health Service, including the objects specified under this head in the Federal Security Agency Appropriation Act, 1945, and including the lease of a hospital and auxiliary facilities and not to exceed \$55,000 for the necessary major repair, remodeling, and alteration thereof without regard to section 3709 of the Revised Statutes and section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a).

Public Health Service.
Additional appropriation.
Post, p. 419.

58 Stat. 558.

41 U. S. C. § 5.
47 Stat. 412.

Approved February 28, 1945.

[CHAPTER 7]

AN ACT

To repeal the Act entitled "An Act to authorize the conveyance of the old lighthouse keeper's residence in Manitowoc, Wisconsin, to the Otto Oas Post, Numbered 659, Veterans of Foreign Wars of the United States, Manitowoc, Wisconsin", approved June 16, 1938.

February 28, 1945
[S. 210]
[Public Law 7]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 16, 1938, ch. 472 (52 Stat. 756), entitled "An Act to authorize the conveyance of the old lighthouse keeper's residence in Manitowoc, Wisconsin, to the Otto Oas Post, Numbered 659, Veterans of Foreign Wars of the United States, Manitowoc, Wisconsin", is hereby repealed.

Manitowoc, Wis.
Lighthouse keeper's residence.

Approved February 28, 1945.

[CHAPTER 8]

AN ACT

To authorize the Secretary of the Navy to grant to the city of Canton, Ohio, for highway purposes only, a strip of land situated within the United States Naval Ordnance Plant at Canton, Ohio.

February 28, 1945
[S. 213]
[Public Law 8]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to grant to the city of Canton, Ohio, for use as a public highway, under such conditions as may be approved by the Secretary of the Navy, all right, title, and interest of the United States of America in and to a strip of land containing approximately one and forty-four one-hundredths acres, twenty-five feet in width off the north side of the northwest quarter, section 18, township 10, range 8, Canton, Stark County, Ohio, and extending from Raff Road, southwest, west to the township line between Canton and Perry Townships.

Canton, Ohio.
Conveyance of land.

SEC. 2. That if any part of the above-described lands hereby granted to the city of Canton shall be used for any other purpose or purposes, or shall cease to be maintained by the city of Canton for the purpose for which granted, such part shall revert to the United States.

Reversionary provision.

Approved February 28, 1945.

[CHAPTER 9]

AN ACT

February 28, 1945
[S. 216]
[Public Law 9]

To authorize the Secretary of the Navy to convey to Oahu Railway and Land Company an easement for railway purposes in certain lands situated at Halawa, Ewa, Oahu, Territory of Hawaii.

Pearl Harbor Navy
Yard, T. H.
Easement for rail-
way purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and is hereby, authorized to convey to Oahu Railway and Land Company an easement for railway purposes in and over a forty-foot strip of land at Pearl Harbor Navy Yard in Halawa, Ewa, Oahu, Territory of Hawaii, containing approximately two and two hundred and seventy-eight one-thousandths acres, metes and bounds description of which is on file in the Navy Department, in consideration of that company's waiving and relinquishing any and all claim to compensation for the taking by the United States of the company's right-of-way easement over and across approximately two and five hundred and seventy-seven one-thousandths acres of land described in condemnation proceedings pending in the District Court of the United States for the Territory of Hawaii entitled "United States of America, petitioner, against Certain Lands at Halawa, Ewa, Oahu, Territory of Hawaii, and Oahu Railway and Land Company, a corporation defendant", being civil numbered 493.

Approved February 28, 1945.

[CHAPTER 10]

AN ACT

February 28, 1945
[S. 218]
[Public Law 10]

To authorize the Secretary of the Navy to lease certain lands situated in San Diego County, State of California.

San Diego County,
Calif.
Lease of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to lease for a period not to exceed twenty-five years, upon such terms and conditions as may be approved by the Secretary of the Navy, to the Southern California Telephone Company, a corporation, organized under the laws of the State of California, a parcel of land situated in section 32, township 9 south, range 6 west, San Bernardino base and meridian, consisting of two hundred and fifty-eight one-thousandths of an acre, more or less, comprising a part of the United States Marine Corps training area, Camp Joseph H. Pendleton, San Diego County, California, and a parcel of land situated in Pueblo lot 1311 of the Pueblo Lands of San Diego County, California, consisting of an acre, more or less, comprising a part of the United States Marine Corps rifle range, Camp Matthews, in said county and State, the metes and bounds descriptions of which said lands are on file in the Navy Department, for the construction, maintenance, and operation of repeater station facilities: *Provided,* That when the lands shall cease to be used for said purposes, the lease shall be automatically terminated and the lands shall revert to the United States.

Reversionary pro-
vision.

SEC. 2. That the Secretary of the Navy be, and he is hereby authorized to execute on behalf of the United States all instruments necessary to accomplish the aforesaid purposes.

Approved February 28, 1945.

[CHAPTER 11]

AN ACT

To amend section 1442, Revised Statutes, relating to furlough of officers by the Secretary of the Navy.

February 28, 1945
[S. 219]
[Public Law 11]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1442, Revised Statutes (34 U. S. C. 228), is hereby amended by striking out the period at the end of the sentence and inserting in lieu thereof "and Marine Corps, and any officer of the Coast Guard while the Coast Guard is operating as part of the Navy. This section shall not apply to reserve officers of such organizations.", so that said section when amended shall read as follows: "The Secretary of the Navy shall have authority to place on furlough any officer on the active list of the Navy and the Marine Corps, and any officer of the Coast Guard while the Coast Guard is operating as part of the Navy. This section shall not apply to reserve officers of such organizations."

Approved February 28, 1945.

Navy, Marine
Corps, and Coast
Guard.
Furlough of officers.

[CHAPTER 15]

AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended, and sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, to encourage the growing of war crops by protecting the allotments of producers of cotton, wheat, and peanuts.

February 28, 1945
[S. 338]
[Public Law 12]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in establishing acreage allotments under subtitle B of title III of the Agricultural Adjustment Act of 1938, as amended, or under the Soil Conservation and Domestic Allotment Act, as amended, the Secretary of Agriculture, under regulations prescribed by him, may provide that for any crop year (beginning with the crop year 1945) during the present emergency any farm, with respect to which a cotton, wheat, or peanut allotment was established for the 1942 crop, shall be regarded as a farm on which cotton, wheat, or peanuts, as the case may be, were planted and grown, if the Secretary determines that, with respect to cotton or wheat, because of the production of war crops designated by him on such farm, or, with respect to cotton, wheat, or peanuts, because the owner or operator was serving in the armed forces of the United States, the cotton, wheat, or peanut production history of the farm for such year is not representative of the normal history of the farm.

The Secretary may also provide with respect to any such farm that the past acreage of peanuts shall be adjusted upward to the extent that the acreage used for growing peanuts on such farm in such year is below the normal history of the farm.

Approved February 28, 1945.

War crops, acreage
allotments.
52 Stat. 45.
7 U. S. C. §§ 1311-
1356; Supp. IV, § 1312
et seq.
49 Stat. 163, 1148.
16 U. S. C. § 590a *et*
seq.; Supp. IV, § 590f
et seq.

Adjustment respect-
ing peanuts.

[CHAPTER 16]

AN ACT

To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

March 1, 1945
[H. R. 626]
[Public Law 13]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to establish or develop the following naval shore activities by the construction of such temporary or permanent public works as he may consider necessary, including buildings, facilities, accessories, and services, with which shall be included the authority to acquire the necessary land, and to continue or complete

Navy, public works.
Construction author-
ized.

the construction of any project heretofore authorized or undertaken, which projects have been specifically approved by the Secretary of the Navy, with approximate costs as indicated: Ship repair and laying-up facilities, \$230,222,000; fleet training facilities, amphibious and operational, \$12,000,000; aviation facilities, \$59,416,500; storage facilities, \$19,950,000; Marine Corps housing and training, \$14,190,000; ordnance facilities, \$65,500,000; personnel training and housing facilities, \$40,022,000; hospital facilities, \$28,519,000; shore radio facilities, \$3,230,000; Naval Research Laboratory, \$225,000; miscellaneous structures and facilities, \$41,265,000; advance base construction, material and equipment, \$986,000,000: *Provided*, That the approximate cost indicated for each of the classes of projects enumerated above may, in the discretion of the Secretary of the Navy, be varied upward or downward, but the total cost shall not exceed \$1,500,539,500.

Cost variance and limitation.

Report to Congress.

SEC. 2. The Secretary of the Navy from time to time, but not less frequently than every sixty days, shall transmit to the Congress a full report of all acquisitions of land, by lease or otherwise, effected under the authority of this Act.

Appropriation authorized. *Post*, p. 211.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effectuate the purpose of this Act.

Approved March 1, 1945.

[CHAPTER 19]

AN ACT

March 2, 1945

[S. 35]

[Public Law 14]

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Rivers and harbors improvements.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

Policy of Congress.

In conformity with this policy—

Navigation or flood control. Plans, reports, etc.

(a) Plans, proposals, or reports of the Chief of Engineers, War Department, for any works of improvement for navigation or flood control not heretofore or herein authorized, shall be submitted to the Congress only upon compliance with the provisions of this paragraph (a). Investigations which form the basis of any such plans, proposals, or reports shall be conducted in such a manner as to give to the affected State or States, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and, to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. If such investigations in whole or part are concerned with the use or control of waters arising west of the ninety-seventh meridian, the Chief of Engineers shall give to the Secretary of the Interior, during the course of the investigations,

Investigations.

Waters arising west of 97th meridian.

information developed by the investigations and also opportunity for consultation regarding plans and proposals, and to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. The relations of the Chief of Engineers with any State under this paragraph (a) shall be with the Governor of the State or such official or agency of the State as the Governor may designate. The term "affected State or States" shall include those in which the works or any part thereof are proposed to be located; those which in whole or part are both within the drainage basin involved and situated in a State lying wholly or in part west of the ninety-eighth meridian; and such of those which are east of the ninety-eighth meridian as, in the judgment of the Chief of Engineers, will be substantially affected. Such plans, proposals, or reports and related investigations shall be made to the end, among other things, of facilitating the coordination of plans for the construction and operation of the proposed works with other plans involving the waters which would be used or controlled by such proposed works. Each report submitting any such plans or proposals to the Congress shall set out therein, among other things, the relationship between the plans for construction and operation of the proposed works and the plans, if any, submitted by the affected States and by the Secretary of the Interior. The Chief of Engineers shall transmit a copy of his proposed report to each affected State, and, in case the plans or proposals covered by the report are concerned with the use or control of waters which rise in whole or in part west of the ninety-seventh meridian, to the Secretary of the Interior. Within ninety days from the date of receipt of said proposed report, the written views and recommendations of each affected State and of the Secretary of the Interior may be submitted to the Chief of Engineers. The Secretary of War shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the proposed report together with the submitted views and recommendations of affected States and of the Secretary of the Interior. The Secretary of War may prepare and make said transmittal any time following said ninety-day period. The letter of transmittal and its attachment shall be printed as a House or Senate document.

(b) The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the ninety-eighth meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the ninety-eighth meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

(c) The Secretary of the Interior, in making investigations of and reports on works for irrigation and purposes incidental thereto shall, in relation to an affected State or States (as defined in paragraph (a) of this section), and to the Secretary of War, be subject to the same provisions regarding investigations, plans, proposals, and reports as prescribed in paragraph (a) of this section for the Chief of Engineers and the Secretary of War. In the event a submission of views and recommendations, made by an affected State or by the Secretary of War pursuant to said provisions, sets forth objections to the plans or proposals covered by the report of the Secretary of the Interior, the proposed works shall not be deemed authorized except upon approval by an Act of Congress; and subsection 9 (a) of the Reclamation Project Act of 1939 (53 Stat. 1187) and subsection 3 (a) of the Act of August 11, 1939 (53 Stat. 1418), as amended, are hereby amended accordingly.

SEC. 2. The following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized in the interest of

Representative for State.

"Affected State or States."

Coordination with other plans.

Reports to affected States and to Secretary of Interior.

Views and recommendations.

Report to Congress.

Use of waters in western States for navigation.

Irrigation works. Investigations and reports.

Effect of adverse views.

53 Stat. 1193.
43 U. S. C. § 485h (a).
54 Stat. 1120.
16 U. S. C. § 590a-1 (a); Supp. IV, § 590a-1 (a).
Projects authorized.

national security and the stabilization of employment, and shall be prosecuted as speedily as may be consistent with budgetary requirements, under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That no project herein authorized shall be appropriated for or constructed until six months after the termination of the present wars in which the United States is engaged unless the construction of such project has been recommended by an authorized defense agency and approved by the President as being necessary or desirable in the interest of the national defense and security, and the President has notified the Congress to that effect: *Provided further*, That penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission, and such recommendations shall be based upon consideration of the proper utilization and conservation in the public interest of the resources of the region:

Post-war appropriation and construction.
Post, p. 556.

Penstocks.

Maine.

Northeast Harbor, Maine; House Document Numbered 132, Seventy-sixth Congress;

Isle au Haut Thoroughfare, Maine; Senate Document Numbered 15, Seventy-seventh Congress;

Hendricks Harbor, Maine; Senate Document Numbered 40, Seventy-sixth Congress;

Portland Harbor, Maine; House Document Numbered 560, Seventy-sixth Congress; and the maintenance of Soldier Ledge Channel in Hussey Sound, Casco Bay, at a depth of forty feet, in accordance with the report of the Chief of Engineers dated October 26, 1942;

Josias River, Maine; House Document Numbered 227, Seventy-sixth Congress; except that the useful work done on the project by local interests shall be accepted toward the fulfillment of the requirements of local cooperation;

Massachusetts.

Newburyport Harbor, Massachusetts; House Document Numbered 703, Seventy-sixth Congress;

Gloucester Harbor and Annisquam River, Massachusetts; House Document Numbered 329, Seventy-seventh Congress;

Manchester Harbor, Massachusetts; House Document Numbered 447, Seventy-seventh Congress;

Salem Harbor, Massachusetts; House Document Numbered 701, Seventy-sixth Congress;

Marblehead Harbor, Massachusetts; House Document Numbered 85, Seventy-seventh Congress;

Boston Harbor, Massachusetts; in accordance with the report of the Chief of Engineers dated April 28, 1943;

Dorchester Bay and Neponset River, Massachusetts; House Document Numbered 394, Seventy-seventh Congress;

Weymouth Fore River, Massachusetts; House Document Numbered 291, Seventy-seventh Congress;

Cohasset Harbor, Massachusetts; House Document Numbered 425, Seventy-sixth Congress;

Duxbury Harbor, Massachusetts; Senate Document Numbered 115, Seventy-seventh Congress;

Chatham (Stage) Harbor, Massachusetts; House Document Numbered 456, Seventy-seventh Congress;

Wellfleet Harbor, Massachusetts; House Document Numbered 557, Seventy-sixth Congress;

Hyannis Harbor, Massachusetts; House Document Numbered 98, Seventy-seventh Congress;

Cape Cod Canal (Onset Bay), Massachusetts; House Document Numbered 431, Seventy-seventh Congress;

Nantucket Harbor, Massachusetts; House Document Numbered 115, Seventy-seventh Congress;

Menemsha Creek, Marthas Vineyard, Massachusetts; House Document Numbered 365, Seventy-sixth Congress;

Wickford Harbor, Rhode Island; Senate Document Numbered 105, Seventy-seventh Congress;

Rhode Island.

Great Salt Pond, Block Island, Rhode Island; House Document Numbered 330, Seventy-seventh Congress;

Pawcatuck River, Rhode Island and Connecticut; House Document Numbered 839, Seventy-sixth Congress;

Rhode Island and Connecticut.

Mystic River, Connecticut; House Document Numbered 349, Seventy-seventh Congress;

Thames River, Connecticut; House Document Numbered 367, Seventy-sixth Congress;

Connecticut River below Hartford, Connecticut; House Document Numbered 368, Seventy-sixth Congress;

Clinton Harbor, Connecticut; House Document Numbered 240, Seventy-sixth Congress;

Guilford Harbor, Connecticut; House Document Numbered 149, Seventy-seventh Congress;

New Haven Harbor, Connecticut; House Document Numbered 307, Seventy-sixth Congress, except the further improvement of Quinnipiac River;

Bridgeport Harbor, Connecticut; House Document Numbered 819, Seventy-sixth Congress;

Norwalk Harbor, Connecticut; House Document Numbered 220, Seventy-sixth Congress;

Mianus River, Connecticut; House Document Numbered 549, Seventy-eighth Congress;

Greenwich Harbor, Connecticut; House Document Numbered 125, Seventy-sixth Congress;

Great Lakes to Hudson River Waterway; in accordance with the report of the Chief of Engineers dated April 14, 1942;

Great Lakes to Hudson River.

Jamaica Bay, New York; House Document Numbered 700, Seventy-sixth Congress;

New York.

Jones Inlet, New York; House Document Numbered 409, Seventy-seventh Congress;

Northport Harbor, New York; House Document Numbered 109, Seventy-sixth Congress;

Peconic River, New York; House Document Numbered 237, Seventy-sixth Congress;

Lake Montauk Harbor, New York; House Document Numbered 369, Seventy-sixth Congress;

Orowoc Creek, New York; House Document Numbered 126, Seventy-sixth Congress;

Passaic River, New Jersey; House Document Numbered 430, Seventy-sixth Congress;

New Jersey.

Newark Bay, Hackensack and Passaic Rivers, New Jersey; in accordance with the report of the Chief of Engineers dated May 20, 1942;

Way Cake Creek, New Jersey; House Document Numbered 624, Seventy-seventh Congress;

Compton Creek, New Jersey; House Document Numbered 673, Seventy-sixth Congress;

Shark River, New Jersey; House Document Numbered 102, Seventy-sixth Congress;

New Jersey Intra-coastal Waterway; House Document Numbered 133, Seventy-sixth Congress;

Manasquan River, New Jersey; House Document Numbered 356, Seventy-seventh Congress;

Toms River, New Jersey; House Document Numbered 393, Seventy-seventh Congress;

Cold Spring Inlet, New Jersey; House Document Numbered 262, Seventy-seventh Congress;

Delaware River,
Philadelphia to sea.

Delaware River, Philadelphia to the sea; House Documents Numbered 580, Seventy-sixth Congress, and 340, Seventy-seventh Congress; and the maintenance of enlarged channel opposite the Philadelphia Navy Yard in accordance with the report on file in the Office, Chief of Engineers;

Camden, N. J.

Delaware River at Camden, New Jersey; House Document Numbered 353, Seventy-seventh Congress;

Delaware.

Inland waterway between Rehoboth Bay and Delaware Bay, Delaware; House Document Numbered 344, Seventy-seventh Congress;

Indian River, Delaware; House Document Numbered 330, Seventy-sixth Congress;

Delaware and
Maryland.

Nanticoke River, Delaware and Maryland; Senate Document Numbered 69, Seventy-seventh Congress;

Susquehanna River, above and below Havre de Grace, Maryland; Senate Document Numbered 67, Seventy-sixth Congress;

Baltimore Harbor and channels, Maryland; in accordance with the report of the Chief of Engineers dated June 30, 1942; and channel in Curtis Creek in accordance with plans on file in the Office, Chief of Engineers;

Mill Creek, Maryland; House Document Numbered 100, Seventy-sixth Congress;

Broadwater Creek, Maryland; House Document Numbered 622, Seventy-seventh Congress;

Cadle Creek, Maryland; House Document Numbered 465, Seventy-sixth Congress;

Channel to Island Creek, Saint George Island, Maryland; House Document Numbered 99, Seventy-sixth Congress;

Saint Catherines Sound, Maryland; House Document Numbered 242, Seventy-sixth Congress;

Black Walnut Harbor, Maryland; House Document Numbered 217, Seventy-sixth Congress;

Town Creek, Maryland; House Document Numbered 219, Seventy-sixth Congress;

Duck Point Cove, Maryland; House Document Numbered 241, Seventy-sixth Congress;

Lower Thoroughfare, Deals Island, Maryland; House Document Numbered 238, Seventy-sixth Congress;

Crisfield Harbor, Maryland; House Document Numbered 457, Seventy-sixth Congress;

Pocomoke River, Maryland; House Document Numbered 429, Seventy-sixth Congress;

Virginia.

Waterway on the coast of Virginia; House Document Numbered 268, Seventy-sixth Congress;

Occohannock Creek, Virginia; House Document Numbered 223, Seventy-eighth Congress;

Oyster Channel, Virginia; House Document Numbered 716, Seventy-sixth Congress;

Onancock River, Virginia; House Document Numbered 358, Seventy-sixth Congress;

Tangier Channel, Virginia; House Document Numbered 141, Seventy-seventh Congress;

Cranes Creek, Virginia; House Document Numbered 687, Seventy-sixth Congress;

Totuskey Creek, Virginia; House Document Numbered 686, Seventy-sixth Congress;

Hoskins Creek, Virginia; House Document Numbered 129, Seventy-seventh Congress;

Urbanna Creek, Virginia; House Document Numbered 285, Seventy-sixth Congress;

Whitings Creek, Virginia; House Document Numbered 582, Seventy-sixth Congress;

Broad Creek, Virginia; House Document Numbered 381, Seventy-sixth Congress;

Pamunkey River, Virginia; House Document Numbered 671, Seventy-sixth Congress;

Appomattox River, Virginia; House Document Numbered 223, Seventy-sixth Congress;

Hampton Creek, Virginia; House Document Numbered 559, Seventy-sixth Congress;

Cape Charles City Harbor, Virginia; in accordance with the report of the Chief of Engineers dated May 12, 1942;

Norfolk Harbor, Virginia; House Document Numbered 224, Seventy-sixth Congress;

Little River, Virginia; maintenance work in accordance with the report on file in the Office, Chief of Engineers;

James River, Virginia; House Document Numbered 738, Seventy-seventh Congress;

Inland waterway from Norfolk, Virginia, to Beaufort Inlet, North Carolina; House Document Numbered 117, Seventy-sixth Congress;

Chowan River, North Carolina, and Blackwater River, Virginia; House Document Numbered 101, Seventy-sixth Congress;

Pembroke Creek, North Carolina; House Document Numbered 235, Seventy-sixth Congress;

Channel from Pamlico Sound to Rodanthe, North Carolina; House Document Numbered 234, Seventy-sixth Congress;

Channel from Pamlico Sound to Avon, North Carolina; House Document Numbered 316, Seventy-sixth Congress;

Rollinson Channel, North Carolina; House Document Numbered 236, Seventy-sixth Congress;

Waterway connecting Swan Quarter Bay with Deep Bay, North Carolina; House Document Numbered 239, Seventy-sixth Congress;

Neuse and Trent Rivers, North Carolina; House Document Numbered 623, Seventy-seventh Congress;

Channel connecting Thoroughfare Bay with Cedar Bay, North Carolina; Senate Document Numbered 87, Seventy-sixth Congress;

Waterway connecting Pamlico Sound and Beaufort Harbor, North Carolina; House Document Numbered 99, Seventy-seventh Congress, and Senate Document Numbered 247, Seventy-seventh Congress;

Channel from Back Sound to Lookout Bight, North Carolina; House Document Numbered 746, Seventy-seventh Congress;

Beaufort Harbor, North Carolina; House Document Numbered 334, Seventy-sixth Congress;

Inland waterway, Beaufort to Cape Fear River, North Carolina, including waterway to Jacksonville, North Carolina; House Documents Numbered 660, Seventy-sixth Congress, and 346, Seventy-seventh Congress;

Cape Fear River, North Carolina, at and below Wilmington; House Document Numbered 131 and Senate Document Numbered 83, Seventy-sixth Congress;

Northeast (Cape Fear) River, North Carolina; Senate Document Numbered 170, Seventy-sixth Congress;

Virginia and North
Carolina.

North Carolina and
South Carolina.

Intracoastal Waterway from Cape Fear River, North Carolina, to Winyah Bay, South Carolina; House Document Numbered 327, Seventy-sixth Congress;

Winyah Bay, South Carolina; House Document Numbered 211, Seventy-sixth Congress;

Beresford Creek, South Carolina; House Document Numbered 602, Seventy-sixth Congress;

Charleston Harbor, South Carolina; House Document Numbered 156, Seventy-seventh Congress;

Shipyards River, South Carolina; report of the Chief of Engineers dated April 11, 1942;

Abbapoola Creek, South Carolina; House Document Numbered 97, Seventy-sixth Congress;

Russell Creek, South Carolina; Senate Document Numbered 41, Seventy-sixth Congress;

Georgia.

Savannah Harbor, Georgia; House Document Numbered 283, Seventy-sixth Congress;

Altamaha, Oconee, and Ocmulgee Rivers, Georgia; House Document Numbered 610, Seventy-seventh Congress;

Intracoastal Waterway,
N. C.—Fla.

Intracoastal Waterway from Cape Fear River, North Carolina, to Saint Johns River, Florida; House Document Numbered 114, Seventy-seventh Congress;

Florida.

Fernandina Harbor and Amelia River, Florida; House Document Numbered 284, Seventy-seventh Congress;

Saint Johns River, Florida, Jacksonville to the ocean; House Document Numbered 322, Seventy-seventh Congress, and Senate Document Numbered 230, Seventy-eighth Congress, and plans for the alteration of channel alinement on file in the office of the Chief of Engineers, with such modifications as he may deem advisable;

Saint Johns River, Florida, Palatka to Lake Harney; House Document Numbered 603, Seventy-sixth Congress;

Saint Johns River, Florida, Jacksonville to Lake Harney; House Document Numbered 445, Seventy-eighth Congress;

Intracoastal Waterway from Jacksonville, Florida, to Miami, Florida; in accordance with the report of the Chief of Engineers dated October 26, 1942;

Intracoastal Waterway from Jacksonville, Florida, to Miami, Florida; House Documents Numbered 261 and 336, Seventy-sixth Congress;

Canaveral Harbor, Florida; House Document Numbered 367, Seventy-seventh Congress;

Saint Lucie Inlet, Florida; House Document Numbered 391, Seventy-seventh Congress;

Lake Worth Inlet, Florida; House Document Numbered 530, Seventy-eighth Congress;

New River, Florida; House Document Numbered 553, Seventy-sixth Congress;

Miami Harbor, Florida; in accordance with the report of the Chief of Engineers dated June 24, 1942, with such modifications, including rearrangement of the harbor facilities and turning basin, as in the discretion of the Secretary of War and the Chief of Engineers may be advisable;

Miami River, Florida; in accordance with the report of the Chief of Engineers dated March 19, 1942;

Intracoastal Waterway from Miami to Key West, Florida; in accordance with the report of the Chief of Engineers dated October 26, 1942;

Caloosahatchee River and Lake Okeechobee Drainage Areas, Florida; House Document Numbered 696, Seventy-sixth Congress; and in

accordance with the report of the Chief of Engineers dated June 5, 1943;

Intracoastal Waterway from the Caloosahatchee River to the Anclote River, Florida; House Document Numbered 371, Seventy-sixth Congress;

Little Manatee River, Florida; House Document Numbered 552, Seventy-sixth Congress;

Tampa Harbor, Florida; Senate Document Numbered 16, and House Document Numbered 119, Seventy-seventh Congress, and Senate Document Numbered 183, Seventy-eighth Congress;

Anclote River, Florida; House Document Numbered 243, Seventy-sixth Congress;

Pithlachascotee River, Florida; House Document Numbered 86, Seventy-seventh Congress;

Saint Marks River, Florida; House Document Numbered 345, Seventy-seventh Congress;

Intracoastal Waterway from Apalachicola Bay to Saint Marks River, Florida; House Document Numbered 442, Seventy-sixth Congress;

Apalachicola, Chattahoochee, and Flint Rivers, Georgia and Florida; House Document Numbered 342, Seventy-sixth Congress; Georgia and Florida.

Saint Josephs Bay, Florida; Senate Document Numbered 17, Seventy-seventh Congress; and in accordance with the report on file in the Office, Chief of Engineers;

Watson Bayou, Florida; House Document Numbered 555, Seventy-sixth Congress;

Pensacola Harbor, Florida; in accordance with the report of the Chief of Engineers dated April 3, 1943;

Alabama-Coosa River, Alabama: Initial and ultimate development of the Alabama-Coosa River and tributaries for navigation, flood Alabama-Coosa River, Ala.

control, power development, and other purposes, as outlined in House Document Numbered 414, Seventy-seventh Congress, is hereby authorized substantially in accordance with the plans being prepared by the Chief of Engineers with such modifications thereof from time to time as in the discretion of the Secretary of War and the Chief of Engineers may be advisable for the purpose of increasing the development of hydroelectric power; and that for the initiation and accomplishment of the ultimate plan appropriations are authorized in such amounts as Congress may from time to time determine to be advisable, the total of such appropriations not to exceed the sum of \$60,000,000. The aforesaid authorization and approval shall include authorities for all powerhouses, power machinery, and appurtenances found to be desirable by the Secretary of War upon the recommendation of the Chief of Engineers and the Federal Power Commission; Hydroelectric power, development. Appropriations authorized.

Mobile Harbor, Alabama; in accordance with the report of the Chief of Engineers dated October 26, 1942; Alabama.

Warrior and Tombigbee Rivers, Alabama and Mississippi; House Documents Numbered 276, Seventy-sixth Congress, and 382, Seventy-seventh Congress; Alabama and Mississippi.

Dauphin Island Bay Channel, Alabama; House Document Numbered 333, Seventy-sixth Congress; Alabama.

Bayou Coden, Alabama; House Document Numbered 824, Seventy-seventh Congress;

Bayou La Batre, Alabama; House Document Numbered 281, Seventy-sixth Congress;

Biloxi Harbor, Mississippi; House Documents Numbered 258 and 326, Seventy-sixth Congress; Mississippi.

Pass Christian Harbor, Mississippi; Senate Document Numbered 214, Seventy-seventh Congress;

Bayou Galere, Mississippi; House Document Numbered 112, Seventy-sixth Congress;

Louisiana.

Bayous LaLoutre, Saint Malo, and Yscloskey, Louisiana; Senate Document Numbered 116, Seventy-seventh Congress;

Mississippi River, Baton Rouge, Louisiana, to the Gulf of Mexico; House Document Numbered 215, Seventy-sixth Congress;

Intracoastal Waterway in the vicinity of Algiers at New Orleans, Louisiana; Senate Document Numbered 188, Seventy-eighth Congress;

Bayous Petit Anse, Tigre and Carlin, Louisiana; House Document Numbered 594, Seventy-eighth Congress;

Calcasieu River and Pass, Louisiana; House Document Numbered 465, Seventy-seventh Congress;

Louisiana and Texas
Intracoastal Waterway.

Louisiana and Texas Intracoastal Waterway; House Documents Numbered 428, Seventy-sixth Congress, and 383, Seventy-seventh Congress;

Louisiana and Texas Intracoastal Waterway to Harlingen, Texas; House Document Numbered 402, Seventy-seventh Congress; the depths and widths to be the same as authorized for the main stem of the waterway in Public Law Numbered 675, enacted July 23, 1942;

56 Stat. 703.

Louisiana and Texas Intracoastal Waterway; Senate Document Numbered 248, Seventy-eighth Congress;

Texas.

Sabine-Neches Waterway, Texas; House Document Numbered 685, Seventy-sixth Congress, and Senate Documents Numbered 60 and 158, Seventy-seventh Congress;

Neches and Angelina Rivers, Texas; Senate Document Numbered 98, Seventy-sixth Congress;

The improvement of the Trinity River and tributaries, Texas, for navigation, flood control, and allied purposes is hereby approved and authorized in accordance with the reports contained in House Document Numbered 403, Seventy-seventh Congress;

Lavon Reservoir on East Fork of Trinity River, Texas; House Document Numbered 533, Seventy-eighth Congress;

Houston Ship Channel, Texas; House Documents Numbered 226 and 256, Seventy-sixth Congress; and in accordance with the report of the Chief of Engineers dated August 21, 1943;

Clear Creek and Clear Lake, Texas; House Document Numbered 319, Seventy-seventh Congress;

Chocolate and Bastrop Bayous, Texas; House Document Numbered 337, Seventy-sixth Congress: *Provided*, That the authorization is not to be construed as final approval for the improvement of Bastrop Bayou;

Channel from Pass Cavallo to Port Lavaca and Lavaca-Navidad Rivers, Texas, in accordance with the report of the Chief of Engineers dated December 10, 1943, House Documents Numbered 314, Seventy-sixth Congress, and 659, Seventy-seventh Congress;

Canyon Reservoir,
benefit charges.

Guadalupe River, Texas; House Document Numbered 247, Seventy-sixth Congress: *Provided*, That whenever any power project, not under Federal license, is benefited by the Canyon Reservoir project, the Federal Power Commission after notice to the owner or owners of such unlicensed project and after opportunity for hearing, shall determine and fix a reasonable and equitable annual charge to be paid to the United States on account of such benefits by said owner or owners or other recipients of such benefits;

Aransas Pass-Corpus Christi Channel, Texas; House Document Numbered 544, Seventy-eighth Congress;

Brazos Island Harbor, Texas; House Document Numbered 335, Seventy-sixth Congress, and House Document Numbered 347, Seventy-seventh Congress;

- Ouachita and Black Rivers, Arkansas and Louisiana; House Document Numbered 104, Seventy-sixth Congress; Arkansas and Louisiana.
- Mississippi River between the Ohio and Missouri Rivers; House Document Numbered 231, Seventy-sixth Congress; Mississippi River.
- Mississippi River between Missouri River and Minneapolis: The existing project for lock and dam numbered 2 is hereby modified in accordance with the recommendation in House Document Numbered 432, Seventy-seventh Congress;
- Mississippi River between Missouri River and Minneapolis: The construction of lock and dam numbered 26 at Alton, Illinois, is hereby declared to be in accord with the project authorized by the River and Harbor Act approved August 30, 1935; 49 Stat. 1028.
- Mississippi River between Missouri River and Minneapolis; House Documents Numbered 103 and 547, Seventy-sixth Congress; 263, Seventy-seventh Congress; and 449, Seventy-eighth Congress;
- Mississippi River between Missouri River and Minneapolis: The existing project is hereby modified to provide for remedial works in accordance with the recommendations of the district engineer in the report submitted in House Document Numbered 137, Seventy-sixth Congress, and for such remedial works or land acquisitions in any levee or drainage district, with respect to which payments, remedial works, or land acquisitions were recommended in Rivers and Harbors Committee Document Numbered 34, Seventy-fifth Congress, and authorized by the Act of August 26, 1937, as the Chief of Engineers deems advisable, in addition to or in lieu of the payments, remedial works, or land acquisitions so recommended and authorized; 50 Stat. 848.
- Illinois Waterway, Illinois, and Indiana Harbor and Canal, Indiana; House Document Numbered 145, Seventy-sixth Congress; Illinois and Indiana.
- Missouri River between Sioux City, Iowa, and the mouth; House Document Numbered 214, Seventy-sixth Congress; Missouri River.
- Scioto River at Portsmouth, Ohio; such works as the Chief of Engineers may find advisable to provide a harbor channel equivalent to that existing prior to initiation of the Portsmouth flood-control project; the cost of such works in no event to exceed \$75,000; Ohio.
- Coasts of the Great Lakes; harbors of refuge for light-draft vessels; House Document Numbered 446, Seventy-eighth Congress; Great Lakes.
- Baudette Harbor, Minnesota; House Document Numbered 216, Seventy-sixth Congress; Minnesota.
- Harbor at Knife River, Minnesota; House Document Numbered 686, Seventy-seventh Congress;
- Ashland Harbor, Wisconsin; House Document Numbered 337, Seventy-seventh Congress; Wisconsin.
- Menominee Harbor and River, Michigan and Wisconsin; House Document Numbered 228, Seventy-sixth Congress; Michigan and Wisconsin.
- Green Bay Harbor, Wisconsin; House Document Numbered 95, Seventy-sixth Congress;
- Sturgeon Bay and Lake Michigan Ship Canal, Wisconsin; House Document Numbered 421, Seventy-eighth Congress;
- Milwaukee Harbor, Wisconsin; Senate Document Numbered 29, Seventy-sixth Congress;
- Racine Harbor, Wisconsin; House Documents Numbered 816, Seventy-seventh Congress, and 255, Seventy-eighth Congress;
- Waukegan Harbor, Illinois; House Document Numbered 116, Seventy-seventh Congress; Illinois.
- Calumet Harbor and River, Illinois and Indiana; House Document Numbered 233, Seventy-sixth Congress; Illinois and Indiana.
- Saint Joseph Harbor, Michigan; House Document Numbered 129, Seventy-sixth Congress; Michigan.
- Grand Haven Harbor and Grand River, Michigan; House Document Numbered 661, Seventy-sixth Congress;

Manistee Harbor, Michigan; House Document Numbered 380, Seventy-seventh Congress;

Saint Marys River,
Mich.
South Canal.

Saint Marys River, Michigan, South Canal; in accordance with the report of the Chief of Engineers dated August 14, 1944, and contained in House Document Numbered 679, Seventy-eighth Congress, second session;

Hydroelectric plant.

Saint Marys River, Michigan; the construction of a new hydroelectric power plant in accordance with the plan recommended in House Document Numbered 339, Seventy-seventh Congress: *Provided*,

Limitation on construction at present.

That only the first step of the recommended development, involving an installation of approximately fourteen thousand kilowatts at an estimated cost of \$3,500,000, shall be constructed at this time, and no further development in addition to said first step shall be undertaken until hereafter authorized by law: *Provided further*,

Abandonment of present plant.

That the existing United States hydroelectric power plant at Sault Sainte Marie shall be abandoned upon completion of the new plant: *Provided further*,

Sale of electric energy; lease of surplus water.

That the electric energy generated in the operation of said new plant shall be sold by the Secretary of War, and any surplus water available to the United States which is not required for the operation of facilities owned by the United States may be leased by the Secretary of War upon such terms and conditions as he shall determine: *And provided further*,

Interim use of existing plant.

That pending construction of the new United States plant he may also enter into such arrangements for continued operation of the existing Government plant and the use of water as he may deem advisable in the public interest;

Michigan.

Saint Clair River at Southeast Bend, Michigan: The widening of the existing project channel, in accordance with alternative plan B, as outlined in the report of the district engineer in House Document Numbered 309, Seventy-seventh Congress, is hereby authorized;

Detroit River, Michigan; in accordance with the report of the Chief of Engineers dated October 26, 1942;

Ohio.

Sandusky Harbor, Ohio; House Document Numbered 328, Seventy-sixth Congress;

Lorain Harbor, Ohio; House Document Numbered 161, Seventy-seventh Congress; and in accordance with the report on file in the office, Chief of Engineers;

Cleveland Harbor, Ohio; House Document Numbered 232, Seventy-sixth Congress; and the extension of the channel in the Cuyahoga River in accordance with the report of the Chief of Engineers dated February 14, 1942;

Ashtabula Harbor, Ohio; House Document Numbered 321, Seventy-seventh Congress;

Pennsylvania.

Erie Harbor, Pennsylvania; protection of that portion of the peninsula south of the waterworks settling basins at an estimated annual cost of \$15,000 is hereby authorized;

Erie Harbor, Pennsylvania; in accordance with the report of the Chief of Engineers dated October 26, 1942;

New York.

Buffalo Harbor, New York; House Document Numbered 352, Seventy-eighth Congress;

Black Rock Channel and Tonawanda Harbor, New York; in accordance with the report of the Chief of Engineers dated April 16, 1942;

Wilson Harbor, New York; House Document Numbered 679, Seventy-sixth Congress;

Rochester Harbor, New York; House Document Numbered 139, Seventy-sixth Congress;

Sackets Harbor, New York; in accordance with the report of the Chief of Engineers dated January 6, 1944;

Cape Vincent Harbor, New York; House Document Numbered 363, Seventy-sixth Congress;

San Diego Harbor, California; House Document Numbered 390, Seventy-seventh Congress;

Newport Bay Harbor, California; Senate Document Numbered 138, Seventy-eighth Congress;

Santa Barbara Harbor, California; House Document Numbered 348, Seventy-seventh Congress;

Morro Bay, California; House Document Numbered 283, Seventy-seventh Congress; and further harbor development as desired by the Navy Department in accordance with the plans on file in the office, Chief of Engineers;

Monterey Harbor, California; House Document Numbered 266, Seventy-sixth Congress;

Monterey Bay (Moss Landing), California; in accordance with the report on file in the office, Chief of Engineers;

Redwood Creek, California; in accordance with the report of the Chief of Engineers dated November 3, 1941;

Oakland Harbor, California; House Document Numbered 466, Seventy-seventh Congress;

Oakland Harbor, California; in accordance with the report on file in the office, Chief of Engineers;

Richmond Harbor, California; House Document Numbered 715, Seventy-sixth Congress;

San Pablo Bay and Mare Island Strait, California; House Document Numbered 217, Seventy-seventh Congress;

Noyo Harbor, California; House Document Numbered 682, Seventy-sixth Congress;

Crescent City Harbor, California; House Document Numbered 688, Seventy-sixth Congress, and the construction of an inner breakwater in accordance with the plans on file in the office, Chief of Engineers;

Chetco River, Oregon; House Document Numbered 817, Seventy-seventh Congress;

Coquille River, Oregon; House Document Numbered 672, Seventy-sixth Congress;

Umpqua Harbor and River, Oregon; Senate Document Numbered 86, Seventy-sixth Congress;

Umpqua River, Oregon; Senate Document Numbered 191, Seventy-seventh Congress;

Yaquina Bay and Harbor, Oregon; Senate Document Numbered 119, Seventy-seventh Congress;

Depoe Bay, Oregon; House Document Numbered 350, Seventy-seventh Congress;

Salmon River, Oregon; House Document Numbered 551, Seventy-sixth Congress;

That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$120,000, to be immediately available as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for repairing damage to and checking erosion on the Bayocean Peninsula, in Oregon, caused by a storm in January 1939, in order to provide adequate protection to property on such peninsula and in Tillamook, Oregon;

Willamette River, Oregon: The construction of the New Willamette Falls lock and navigation works in accordance with the plan submitted in House Document Numbered 544, Seventy-fifth Congress;

Snake River, Oregon, Washington, and Idaho: The construction of such dams as are necessary, and open channel improvement for purposes of providing slack water navigation and irrigation in accordance with the plan submitted in House Document Numbered 704, Seventy-fifth Congress, with such modifications as do not change the requirement to provide slack-water navigation as the Secretary

California.

Oregon.

Bayocean Peninsula, Oregon, storm damages.

Oregon, Washington, and Idaho.

of War may find advisable after consultation with the Secretary of the Interior and such other agencies as may be concerned: *Provided*, That surplus electric energy generated at the dams authorized in this item shall be delivered to the Secretary of the Interior for disposition in accordance with existing laws relating to the disposition of power at Bonneville Dam: *Provided further*, That nothing in this paragraph shall be construed as conferring the power of condemnation of transmission lines;

Columbia River.
Replacement of Indian fishing grounds.

Columbia River at Bonneville, Oregon: The Secretary of War is hereby authorized, under such terms and conditions as he may deem advisable, to acquire lands and provide facilities in the States of Oregon and Washington to replace Indian fishing grounds submerged or destroyed as a result of the construction of Bonneville Dam: *Provided*, That not to exceed \$50,000 may be expended for this purpose from funds heretofore or hereafter appropriated for maintenance and improvement of existing river and harbor works: *Provided further*, That such lands and facilities shall be transferred to the Secretary of the Interior for the use and benefit of the Indians, and shall be subject to the same conditions, safeguards, and protections as the treaty fishing grounds submerged or destroyed;

Columbia River and tributaries above Celilo Falls to the mouth of Snake River, Oregon and Washington; Senate Document Numbered 28, Seventy-sixth Congress; and House Document Numbered 324, Seventy-seventh Congress;

Umatilla Dam.

Columbia River, Oregon and Washington: The construction of the Umatilla Dam for purposes of navigation, power development, and irrigation in accordance with the plan submitted in House Document Numbered 704, Seventy-fifth Congress: *Provided*, That surplus electric energy generated at said dam shall be delivered to the Secretary of the Interior for disposition in accordance with existing laws relating to the disposition of power at Bonneville Dam: *Provided further*, That nothing in this paragraph shall be construed as conferring the power of condemnation of transmission lines: *Provided further*, That said dam shall be so constructed as to provide a pool elevation of three hundred and forty feet above sea level if a dam of that height is found to be feasible. In the design, construction, and operation of the Umatilla Dam adequate provision shall be made for the protection of anadromous fishes by affording free access to their natural spawning grounds or by other appropriate means. Studies and surveys necessary for fish protection shall be made by the Fish and Wildlife Service of the Department of the Interior, and designs for structures and facilities required for fish protection shall be prepared in cooperation with that agency. Funds appropriated for the design, construction, or operation of said dam shall be available for transfer to the Department of the Interior for the foregoing purposes. The aforesaid dam heretofore referred to as the Umatilla Dam shall when completed be named the McNary Dam in honor of the late Senator Charles L. McNary, and shall be dedicated to his memory as a monument to his distinguished public service;

Surplus energy, disposition.

Transmission lines.
Pool elevation.

Fish conservation.

McNary Dam.

Columbia River between Vancouver, Washington, and Bonneville, Oregon; House Document Numbered 218, Seventy-sixth Congress;

Columbia and Willamette Rivers.

Columbia and Willamette Rivers below Vancouver, Washington, and Portland, Oregon; House Documents Numbered 341 and 630, Seventy-seventh Congress;

Washington.

Baker Bay, Columbia River, Washington; House Document Numbered 443, Seventy-sixth Congress;

Willapa River and Harbor, Washington; House Document Numbered 481, Seventy-sixth Congress;

Grays Harbor and Chehalis River to Aberdeen, Washington,

maintenance work in accordance with report on file in office, Chief of Engineers;

Quillayute River, Washington; House Document Numbered 218, Seventy-eighth Congress;

Port Angeles Harbor, Washington; House Document Numbered 331, Seventy-seventh Congress;

Olympia Harbor, Washington; House Document Numbered 699, Seventy-sixth Congress;

Tacoma Harbor, Washington; House Document Numbered 124, Seventy-sixth Congress;

Stillaguamish River, Washington; House Document Numbered 286, Seventy-seventh Congress;

Lake Crockett, Washington; House Document Numbered 303, Seventy-seventh Congress;

Metlakatla Harbor, Alaska; House Document Numbered 138, Seventy-sixth Congress;

Craig Harbor, Alaska; House Document Numbered 558, Seventy-sixth Congress;

Meyers Chuck Harbor, Alaska; House Document Numbered 222, Seventy-sixth Congress;

Wrangell Harbor, Alaska; House Document Numbered 284, Seventy-sixth Congress;

Wrangell Narrows, Alaska; House Document Numbered 260, Seventy-sixth Congress;

Sitka Harbor, Alaska; in accordance with the report of the Chief of Engineers dated March 14, 1944;

Skagway Harbor, Alaska; in accordance with the report of the Chief of Engineers dated April 11, 1942;

Petersburg Harbor, Alaska; House Document Numbered 670, Seventy-sixth Congress;

Port Alexander, Alaska; House Document Numbered 578, Seventy-sixth Congress;

Gastineau Channel, Alaska; House Document Numbered 325, Seventy-seventh Congress;

Elfin Cove, Alaska; House Document Numbered 579, Seventy-sixth Congress;

Seldovia Harbor, Alaska; House Document Numbered 702, Seventy-sixth Congress;

Keehi Lagoon, Oahu, Territory of Hawaii; House Document Numbered 379, Seventy-seventh Congress;

Port Allen Harbor, Hawaii; House Document Numbered 180, Seventy-seventh Congress;

San Juan Harbor, Puerto Rico; maintenance of existing entrance channel and turning basin to Army Terminal;

Ponce Harbor, Puerto Rico; in accordance with the report of the Chief of Engineers dated May 21, 1942; and

Fajardo Harbor, Puerto Rico; House Document Numbered 280, Seventy-sixth Congress.

SEC. 3. That the Secretary of War is hereby authorized to allot not to exceed \$300,000 from any appropriations heretofore or hereafter made for any one fiscal year for improvement of rivers and harbors, for removing accumulated snags and other debris, and for protecting, clearing, and straightening channels in navigable harbors and navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of navigation or flood control. The paragraph in section 1 of the River and Harbor Act approved July 25, 1912, relating to removal of temporary obstructions, as amended by section 3 of the River and Harbor Act approved July 3, 1930, and section 3 of the River and Harbor Act approved October 17, 1940, is hereby repealed.

Alaska.

Hawaii.

Puerto Rico.

Removal of debris;
channel improve-
ments.

37 Stat. 222; 46 Stat.
946; 54 Stat. 1200.
33 U. S. C. § 603.

Jurisdiction over
certain waters of Lake
Michigan.

SEC. 4. That (a) the consent, permission, and authority granted to the Commissioners of Lincoln Park, now superseded by the Chicago Park District, a municipal corporation organized and existing under the laws of the State of Illinois to exercise jurisdiction over the navigable waters of Lake Michigan which lie within the following-described boundaries:

Beginning at a point at the intersection of the existing bulkhead along Lake Shore Drive in Chicago, Illinois, with the existing pier which is parallel to and north of Ohio Street extended and south of Ontario Street extended; thence easterly along said pier to a point in a line parallel to and three hundred and fifty feet easterly of said bulkhead along the Lake Shore Drive; thence northwesterly along said last-described line to a point in a curve of two hundred feet radius and tangent both to said last-described line and to a line three hundred and fifty feet southerly from the southerly side of and parallel to the shore arm extension breakwater extending into Lake Michigan from a point near the intersection of Oak Street and Lake Shore Drive; thence along said curve to a point in said line last described; thence easterly along said line to a point in a line at right angles with said shore arm extension breakwater at the eastern extremity thereof; thence northward along said last-described line to said shore arm extension breakwater; thence westward along said shore arm extension breakwater to the shore line; and (b) the right granted to said the Commissioners of Lincoln Park, now superseded by the Chicago Park District, to destroy the navigability of the above-described waters altogether; and (c) the right granted to said the Commissioners of Lincoln Park, now superseded by the Chicago Park District, to erect an additional breakwater to connect the said shore arm extension breakwater near the intersection of Oak Street and Lake Shore Drive with the shore line; and (d) the transfer of possession of said shore arm extension breakwater to said the Commissioners of Lincoln Park, now superseded by the Chicago Park District, and the obligation for the permanent care, custody, and maintenance of said shore arm extension breakwater by the Commissioners of Lincoln Park, now superseded by the Chicago Park District, all as provided for by the Act entitled "An Act granting to the Commissioners of Lincoln Park the right to erect a breakwater in the navigable waters of Lake Michigan, and transferring jurisdiction over certain navigable waters of Lake Michigan to the Commissioners of Lincoln Park", approved March 3, 1931, be rescinded.

46 Stat. 1493.

The United States of America hereby resumes jurisdiction over the above-described waters and the above-described shore arm extension breakwater, and hereby discharges the Chicago Park District, successor to the superseded the Commissioners of Lincoln Park, from its liability for the permanent care, custody, and maintenance of said shore arm extension breakwater.

Said Chicago Park District shall signify its acceptance of this Act by written notice to the Secretary of War within sixty days after the passage of this Act, and this section shall become effective immediately upon its acceptance by said Chicago Park District. In the event of nonacceptance within sixty days this section shall become null and void.

Employment of
physicians.

SEC. 5. The Chief of Engineers may authorize the employment of physicians under agreement, to make such physical examinations of employees or prospective employees as he may consider essential, on a fee or regular employment basis, and all agreements heretofore entered into for such purposes are hereby validated, and the Comptroller General is authorized and directed to allow credit in the accounts of disbursing officers for reasonable payments heretofore made for such services.

SEC. 6. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless authorized by law: *Provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law: *Provided further*, That reports of surveys on beach erosion and shore protection shall include an estimate of the public interests involved, and such plan of improvement as is found justified, together with the equitable distribution of costs in each case: *And provided further*, That this section shall not be construed to interfere with the performance of any duties vested in the Federal Power Commission under existing law:

Beals Harbor, Maine.
 Blue Hill Harbor, Maine.
 Macks Point, Searsport, Maine, with a view to the construction of a harbor.
 Scarborough River, Maine, between Prouts Neck and Pine Point.
 Bunganuc Creek, Maquoite Bay, Maine.
 Cathance River, Maine.
 Winterport Harbor, Maine.
 Boothbay Harbor, Maine, particularly the Mill Cove area.
 Cundys Harbor, Maine.
 Wood Island Harbor, Maine, and the pool at Biddeford.
 For a continuous waterway between Portland, Maine, and Boston, Massachusetts, inland where possible.
 Waterway from Plum Island Sound to the Annisquam River, Essex County, Massachusetts.
 Ipswich River, Plum Island Sound and Fox Creek, Massachusetts.
 Mattapoisett, Massachusetts.
 Channel from Buzzards Bay to Buttermilk Bay, Massachusetts.
 Fall River Harbor, Massachusetts.
 Mystic River, Massachusetts.
 Falmouth Harbor, Massachusetts.
 Channel to Hog Island, Hingham Bay, Massachusetts.
 New Bedford and Fairhaven Harbors and the Acushnet River, Massachusetts; particularly with a view to provide greater depth in the eastern portion of the anchorage basin and for the improvement of navigation, flood control and related purposes.
 Eightmile River, Connecticut.
 Moriches Inlet, New York.
 Centerport Harbor, Long Island, New York.
 Shinnecock Inlet, Long Island, New York.
 Peconic River, Long Island, New York.
 At Smithtown, Long Island, New York.
 The southern coast of Long Island, from the New York City line to Montauk Point, New York, with a view to the protection and improvement of the beaches along said coast, such examination and survey to be made under the provisions of section 2 of the River and Harbor Act approved July 3, 1930, and the Act entitled "An Act for the improvement and protection of the beaches along the shores of the United States", approved June 26, 1936.

Preliminary examinations and surveys.

Supplemental reports, restriction.

Adoption of projects by law.

Beach erosion and shore protection reports.

Federal Power Commission, duties.

Maine.

Waterway, Maine-Mass.

Massachusetts.

Connecticut.
 New York.

46 Stat. 933; 49 Stat. 1982.
 33 U. S. C. §§ 427-430.
 Post, p. 508.

Nissequogue River, New York.
 Saint James Harbor, New York.
 Fire Island Inlet, New York.
 Saw Mill River, New York.
 Bronx River, New York.

Westchester Creek, New York.
 Hutchinson River, New York.
 Steinway Creek, Astoria, New York.

Champlain Canal, New York, with a view to its improvement without taking title to said canal and its appurtenances.

Hudson River, New York, from Albany to New York City.

Hudson River, at or near North Germantown, Columbia County, New York.

Hudson River at the mouth of Endikill Creek, New York, with a view to constructing a small boat anchorage basin.

Mohawk River, New York.

New York and New Jersey.

Arthur Kill, New York and New Jersey, between a point one thousand feet north of the mouth of Smiths Creek and a point one thousand feet south of Buckwheat Island.

Hackensack River, New Jersey.

Sandy Hook Bay, New Jersey, with a view to providing a channel to, and navigation improvements at, Leonardo.

Coast of New Jersey, from Sandy Hook to Cape May, with a view to the improvement and protection of the beaches along said coast, such examination and survey to be made under the provisions of section 2 of the River and Harbor Act approved July 3, 1930, and the Act entitled "An Act for the improvement and protection of the beaches along the shores of the United States", approved June 26, 1936.

46 Stat. 933; 49 Stat. 1982.
 33 U. S. C. §§ 427-430.
 Post, p. 508.

Salem River, Salem County, New Jersey.

Fishing Creek, Cumberland County, New Jersey.

Cheesequake Creek, New Jersey.

Pennsylvania.

Schuylkill River, Pennsylvania, particularly with a view to providing a deeper channel.

Schuylkill River, Pennsylvania, to determine whether navigation conditions may be improved, and if the increasing cost of maintenance due to silting in the channels of the Schuylkill and Delaware Rivers may be lessened, and flood heights controlled, by the construction of impounding and settling reservoirs to prevent the encroachment of mining wastes.

Delaware.

Mispillion River, Delaware, up to Milford.

Waterway from Indian River Inlet to Rehoboth Bay, Delaware.

Maryland.

Ocean City Harbor and Inlet, and Sinepuxent Bay, Maryland.

Marumscoc Creek, lower Somerset County, Maryland.

Websters Cove, Somerset County, Maryland, with a view to constructing a jetty in the project channel.

Twitch Cove and Big Thoroughfare River, Maryland, with a view to the construction of a boat basin at Ewell.

Pocomoke River, Maryland, from Old Rock Buoy to Williams Point.

Crisfield Harbor, Maryland.

Taylor's Landing, Worcester County, Maryland.

Channel from Charlestown, Northeast River, Maryland, to Havre de Grace.

Channel from Havre de Grace, Maryland, to Red Point, via Stump Point and Carpenter Point.

Bear Creek and Lynch Cove, Maryland.

Deep Creek and Fresh Water Pond, Maryland.

Honga River and Tar Bay, including channel into and harbor in Back Creek, Hooper Island, Maryland.

Channel in Honga River, to the plant of White and Nelson, Hoopersville, Maryland.

Harbor at Public Landing, Worcester County, Maryland.

Cambridge Harbor, Maryland.

Rockhall Harbor, Maryland.

Ross Cove (Magothy River), Maryland.

Coxes Creek, tributary of Stony Creek, Maryland.

Channels to Lake Ogleton and Walnut Lake, Anne Arundel County, Maryland.

Walnut Creek, Anne Arundel County, Maryland, lying between Bay Ridge and Arundel-on-the-Bay.

Channel from Kent Island Narrows to Well Cove, Chester River, Maryland.

Port Tobacco Creek, Maryland.

Hellens Creek, Calvert County, Maryland.

Channel from Rhodes Point to Tylerton, Somerset County, Maryland.

Saint Patricks Creek, Maryland.

Big Kingston Creek, Saint Marys County, Maryland.

Tanners Creek, Saint Marys County, Maryland.

Parkers Creek, Calvert County, Maryland.

Chester River Channel, Maryland.

Nanticoke River, Bivalve, Wicomico County, Maryland, with a view to providing a harbor for small boats.

Governor's Run, Calvert County, Maryland, with a view to providing a harbor for small boats.

Channel between Ramsey Bay and Chesapeake Bay, and other measures for the prevention of damage from erosion near the mouth of South River, Anne Arundel County, Maryland.

Area where Neale Creek, Maryland, empties into the Potomac River with a view to removing the sand bar and providing a safe harbor.

Potomac and Anacostia Rivers and adjacent waters in and near the District of Columbia, with a view to attaining a comprehensive and coordinated improvement and development of such waters and their shores. In determining the recommendations to be made with respect to such improvement and development, consultations shall be had with, and consideration given to the recommendations of, the National Capital Park and Planning Commission and the Commissioners of the District of Columbia.

District of Columbia.

Potomac River and tributaries at and below Washington, District of Columbia, with a view to elimination of the water chestnut.

Potomac River at and near Washington, District of Columbia.

Potomac and Anacostia Rivers at and near Washington, District of Columbia, with a view to providing a municipal sailing base.

Farnham Creek, Richmond County, Virginia.

Virginia.

Southwest side of Rappahannock River, in vicinity of Bowlers Wharf, Essex County, Virginia, to secure harbor of refuge and connecting channels.

Finneys Creek, Accomac County, Virginia, and the channel connecting said creek with Wachapreague Inlet and the Atlantic Ocean.

Jackson Creek, Westmoreland County, Virginia.

Bonum Creek, Westmoreland County, Virginia.

Kings Creek, Northampton County, Virginia.

Bransons Cove, lower Machodoc River, Virginia.

Taskmers Creek, Northumberland County, Virginia.

Davis Creek, Mathews County, Virginia.

Dyer Creek, Mathews County, Virginia.

Deep Creek, Accomac County, Virginia.

Browns Bay, Gloucester County, Virginia, and the channel connecting said bay with Mobjack Bay.

Parrotts Creek, Middlesex County, Virginia.

The Hague (Smith Creek), Virginia.

Southern Branch of Elizabeth River, Norfolk Harbor, Virginia.

Chuckatuck Creek, Nansemond and Isle of Wight Counties, Virginia.

Little Creek, Princess Anne County, Virginia.

Lynnhaven Inlet and Bay and connecting waters, Virginia, with a view to preparing a plan of improvement and estimate of cost, particularly to prevent shoaling, in the interest of shellfish production and navigation.

Virginia and North Carolina.

Inland waterway from Norfolk, Virginia, to Beaufort, North Carolina, with a view to providing a side channel twelve feet deep through Pasquotank River and Albemarle Sound to Elizabeth City.

Channel from the Thoroughfare to Albemarle Sound, North Carolina, either by way of lower Cashie River, Middle River, and Bachelors Bay, or by way of any other route.

Purviance Creek, New Hanover County, North Carolina.

South Carolina.

Little Pee Dee River, South Carolina, from junction of the Lumber River to the Great Pee Dee River, with a view to removing logs, debris, and other obstructions.

Santee-Congaree Buckingham Landing Site, South Carolina.

Jefferys Creek, Florence County, South Carolina.

Murrells Inlet, South Carolina.

Cooper River, South Carolina, from Charleston Harbor to the Pinopolis power plant.

Channel from the ocean through Saint Helena Sound or through Port Royal Sound to Beaufort, South Carolina.

Georgia.

North River, Georgia.

Georgia and Florida.

Saint Marys River, Georgia and Florida.

Saint Johns River, Florida, Palatka to Lake Harney.

Intracoastal Waterway from Jacksonville to Miami, Florida, with a view to providing an auxiliary side channel from the Intracoastal Waterway near Titusville through, and easterly of, Merritt Island via Banana Creek and River, to, or near, Eau Gallie, Florida.

Side channels, or spur channels, leading from the Intracoastal Waterway from Jacksonville to Miami, Florida, to, and turning basins or harbors at, the various communities on or near the banks of said waterway, having particular reference to providing such improvements to and at Titusville, Flagler Beach, New Smyrna, Fort Pierce, and to the Lighthouse Service depot at Taylor Creek, adjacent to Fort Pierce Harbor.

Saint Augustine Harbor, and vicinity, Florida.

Kissimmee River, Florida.

Jupiter Inlet, Florida.

Oklawaha River, Florida, from Lake Apopka through Lake Dora to Lake Eustis and adjoining waterways.

Oklawaha River, Florida, from Lake Eustis to Lake Griffin, and thence from Lake Griffin to Silver Springs Run.

Oklawaha River and its tributaries, Florida, with a view to improvement in the interest of navigation, flood control, and related purposes.

Interlocking channels.

For a system of interlocking open-river and canalized channels having a depth of twelve feet, and of suitable width, to be constructed through rivers and lakes, and by land cuts, as follows: From Palatka, Florida, to the Indian River at Sebastian, Melbourne, Eau Gallie, Cocoa, or such other locality as may be found most suitable; from Titusville westerly to the Saint Johns River, thence to Lake Tohopekaliga; from Lake Tohopekaliga to Leesburg, on Lake Harris; from Lake Harris to the Saint Johns River near Dexter Lake or

alternately from Lake Harris to the Wekiwa River, thence to the Saint Johns River; and from Lake Tohopekaliga via the Kissimmee River and Lake Okeechobee to a connection with the Okeechobee Cross-Florida Channel; all with a view to improvement in the interest of navigation, flood control, and water conservation.

Orange Lake Basin, Florida.

Wacasassa River and its tributaries, Florida, with a view to improvement in the interest of navigation, flood control, and related purposes.

Channel and harbor at Everglades, Collier County, Florida.

Bakers Haulover Inlet, Florida.

Waterway from packing house and railroad terminal at Belle Glade, Florida, to Lake Okeechobee and to the Intracoastal Waterway through the Hillsboro and West Palm Beach Canals.

Peace River, Florida.

Channel to Pahokee, on Lake Okeechobee, Florida.

Lake Okeechobee and its tributary streams, Florida, with a view to removing the water-hyacinth.

Fisheating Creek, Florida.

Channel from bridge at Bradenton, Florida, to deep water in Gulf of Mexico (Tampa Bay).

Channel from Tampa Bay to Safety Harbor, Florida.

Channel from Old Tampa Bay to Oldsmar, Florida.

Channel leading from Tampa Bay Channel directly north to the vicinity of Maximo Point near Saint Petersburg, Florida.

Channel leading from Tampa Bay Channel directly north to the vicinity of Mullet Key and with a view to providing a protected harbor and turning basin.

Saint Petersburg Harbor, Florida, to provide for a channel up to the depth of thirty feet from the main Tampa Bay ship channel past the port of Saint Petersburg in front of the recreation pier.

Hillsboro Inlet, Florida, in the vicinity of Pompano.

Channels through Big Pass and Little Pass, from Clearwater Bay, Florida, to deep water in the Gulf of Mexico.

Sarasota Bay, Florida: Channel from Caseys Pass (Venice Inlet), through Dona Bay to the bridge on the United States Highway Numbered 41, including a turning basin at the eastern terminus of the channel.

Hudson River, Florida.

Suwannee River, Georgia and Florida, with a view to improvement in the interest of navigation and flood control.

Channel from the deep water in Saint Joseph Sound to, and turning basin at, Ozona, Florida.

Chassahowitska River, Florida.

Crystal River, Florida.

Channel, turning basin, and improvements at Horseshoe, Dixie County, Florida.

Sante Fe River, from bridge on Federal Highway Numbered 41, near High Springs, to the Suwannee River, and from this bridge upstream to Camp Blanding, Kingsley Lake, Florida.

Waterways from Camp Blanding, Kingsley Lake, Florida, via Black Creek to Saint Johns River, and (or) via Black Creek and Doctors Inlet to Saint Johns River.

Gulf Intracoastal Waterway, to determine if existing project should be modified by constructing the waterway from Carrabelle, Florida, to Lanark, thence to Turkey Point, Alligator Harbor, Tide Creek, and Panacea.

Canal from Saint Marks to Tallahassee, Florida.

Georgia and Florida.

Alabama and Florida.

Chipola River, Alabama and Florida, with a view to its improvement in the interest of navigation, flood control, power, and other related purposes.

Waterway from the Intracoastal Waterway south across Santa Rosa Island, Florida, to a point at or near Deer Point Light.

La Grange Bayou, Florida.

Saint Josephs Bay, Florida.

Aucilla River, Florida.

East Pass from the Gulf of Mexico into Choctawhatchee Bay, Florida.

Bayou Texar, Florida.

Pensacola Harbor, Florida.

Alabama and Florida.

Entrance to Perdido Bay, Alabama and Florida, from the Gulf of Mexico to deep water in Perdido Bay, via the most practicable route.

Georgia and Florida.

Columbus, Georgia, to Pensacola, Florida: Waterway via Chattahoochee, Conecuh, and Escambia Rivers.

Florida and Alabama.

Waterway from the Escambia River to the Alabama River, Florida and Alabama.

Alabama and Mississippi.

Tombigbee River, Alabama and Mississippi, and canal connecting the Tombigbee and Tennessee Rivers.

Tennessee, Tombigbee, and Mobile Rivers, with a view to securing a through waterway of twelve feet depth and suitable width between the Ohio River and the Gulf of Mexico.

Fly Creek, Fairhope, Alabama.

Channel forty feet deep, to serve as a deepwater outlet to the Gulf of Mexico from the harbors of Mobile, Alabama, and Pascagoula, Biloxi, and Gulfport, Mississippi.

Pearl River, in the interest of flood control in Pearl River, Marion, Hinds, and Lawrence Counties, Mississippi.

Louisiana.

Grand Bayou Pass, Louisiana, from the Gulf of Mexico to Buras and Empire.

Bayou Schofield, Louisiana, from the Gulf of Mexico to Buras and Empire.

Ship canal to extend from the Mississippi River at a point at or near the city of New Orleans, Louisiana, to the Gulf of Mexico, by way of the best available route or routes.

Barge channel in vicinity of Baton Rouge, Louisiana, extending from the Mississippi River through Devils Swamp or along its eastern edge.

Grand Bayou, connecting Bayou Boeuf and Bayou Chevreuil, Louisiana.

Barataria Bay and connecting channels, Louisiana, to provide a continuous waterway from the Gulf of Mexico to the Intracoastal Waterway.

Bayou Boeuf, La Fourche Parish, Louisiana.

Lake Pontchartrain, Louisiana, with a view to the construction of a seaplane base in the vicinity of New Orleans and with a view to the protection of the shoreline and repairs to the existing protective works on Lake Pontchartrain at Mandeville, Louisiana.

For flood control, irrigation, navigation, and drainage, and for the prevention of stream pollution and salt-water intrusion, on all streams and bayous in southwest Louisiana, west of the West Atchafalaya Basin protection levee, and south of the latitude of Boyce; on all streams and bayous in Louisiana lying between the East Atchafalaya Basin protection levee and the Mississippi River; and on Amite and Tangipahoa Rivers and tributaries, Louisiana.

Mermentau River, Louisiana, from Grand Chenier to the Gulf.

Bell City Drainage Canal, Louisiana.

Bayou La Fourche, Louisiana, from the Gulf of Mexico to Leeville or to Golden Meadow.

Bayou La Fourche, Louisiana, from Donaldsonville to the Intracoastal Waterway, via Bayou Boeuf, Assumption Parish, or other streams, in the interest of navigation, flood control, beneficial uses of water, malarial control, prevention of stream pollution, and of the location of locks at the head of said bayou at or near Donaldsonville, Louisiana.

North Prong, Schooner Bayou, Vermilion Parish, Louisiana.

Gulf Intracoastal Waterway and connecting streams, lakes, and bays in Louisiana between Bayou Sale Ridge and the Calcasieu River in the interest of navigation, flood control, irrigation, and drainage, and for the prevention of stream pollution and salt-water intrusion.

The shore of Galveston Bay, Texas, with a view to preventing its erosion.

Texas.

Galveston Bay and contiguous waters, Texas, with a view to providing a seaplane channel.

Pine Island Bayou, Texas.

Cedar Bayou Pass, Corpus Christi Pass, and Pass at Murdocks Landing, Texas.

Little Bay, Texas.

Sabine River, and tributaries, Texas, in the interest of navigation, flood control and other water uses.

Neches River, and tributaries, Texas, in the interest of navigation, flood control, and other water uses.

Big Sandy Creek, Texas.

Cypress Creek, Texas.

Sabine-Neches Waterway, Texas, with a view to further improvements in the interest of navigation and the prevention of damage by floods.

Dickinson Bayou, Texas.

Jones Creek, Texas, with a view to improvement in the interest of navigation and flood control.

Waterway from the Neches River, by way of Pine Island Bayou and extension, to Trinity River, Texas.

Double Bayou, Texas.

Colorado River, Texas.

Waterway from Alvin, Texas, to the Intracoastal Waterway.

Ouachita River, with a view to the construction of a dam at or near Rockport, Arkansas, in the interest of navigation, flood control, and the development of hydroelectric power.

Arkansas.

Loosahatchie River, Tennessee, from its mouth to the O. K. Robertson Road and including the area west of the Illinois Central Railroad and north of Wolf River, with a view to extending the navigation facilities of Memphis Harbor.

Tennessee.

Mississippi River: Davenport (Iowa) harbor of refuge.

Mississippi River.

Mississippi River at Cassville, Wisconsin.

Mississippi River at Prairie du Chien, Wisconsin.

Mississippi River at Alma, Wisconsin.

Mississippi River at Maiden Rock, Wisconsin.

Illinois and Mississippi Canal, Illinois.

Saint Croix River Basin, Minnesota and Wisconsin, including consideration of the construction of dam below the mouth of Kettle River.

Illinois and Mississippi Canal, Ill.
Minnesota and Wisconsin.

Minnesota River, Minnesota, up to a point ten miles above New Ulm, with a view to improvement in the interest of navigation and related purposes.

Red River of the North drainage basin, Minnesota, South Dakota, and North Dakota.

Red River of the North drainage basin.

Missouri River in South Dakota and North Dakota.

Missouri River.

Missouri River in Nebraska.

Allegheny River, up to Olean, New York.

Allegheny River.

Tofte Harbor, Minnesota.

Minnesota.

- Grand Portage Harbor, Minnesota.
 Lake Kabetogama, Minnesota.
- Michigan. Waterway connecting Lake Superior and Lake Michigan, from Au Train Lake to Little Bay de Noc, Michigan.
 Harbor at mouth of Au Train River, Michigan.
 Shelldrake Harbor, Michigan.
 Saint Marys River at Sault Sainte Marie, Michigan, with a view to providing facilities for light-draft navigation.
 Harbor at Saint Ignace, Michigan.
- Wisconsin. Kenosha Harbor, Wisconsin.
- Michigan. Mackinac Harbor, Michigan.
 Galien River, Berrien County, Michigan.
 Pine River, Michigan.
 Pinconning River, Michigan.
 Clinton River, Michigan.
- Ohio and Indiana. Waterway from Lake Erie, at or near Toledo, Ohio, to the southerly end of Lake Michigan by way of the Maumee River and the city of Fort Wayne, Indiana, or other practicable route.
 Saint Marys River, Ohio and Indiana.
 Maumee River, Indiana and Ohio.
- Lake Erie, harbors of refuge. The coast of Lake Erie, with a view to the establishment of harbors of refuge for light-draft vessels for commercial and/or recreational purposes.
 Harbor at Ballast Island, Ohio.
 Vermilion Harbor, Ohio, with a view to improvement in the interest of navigation and related purposes.
 Rocky River, Ohio.
- Lake Erie and Lake Huron. The south shores of Lake Erie and of Lake Huron with a view to the establishments of harbors and harbors of refuge for light-draft commercial and fishing vessels and for recreational craft.
- Pennsylvania. At or near North East, Pennsylvania, with a view to constructing a harbor of refuge.
- New York. Harbor at Hamburg Township, New York.
 Little River (branch of Niagara River), at Cayuga Island, Niagara Falls, New York.
 Port Bay, New York.
 Oswego Harbor, New York.
 Chaumont River, New York.
 At and in the vicinity of Henderson, New York, with a view to constructing a harbor.
 At and in the vicinity of Sacketts Harbor, New York, with a view to providing additional harbor facilities.
- California. Point Dume, California.
 Santa Monica Harbor, California.
 The coast of southern California, with a view to the establishment of harbors for light-draft vessels.
 Pillar Point, Half Moon Bay, San Mateo County, California.
 Monterey Bay, California.
 Area at and in the vicinity of South Basin, San Francisco, California.
 Carquinez Strait and Alhambra Creek, California, with a view to providing harbor improvements at, and in the vicinity of, Martinez.
 Noyo River, California.
 Napa River, California.
 Humboldt Bay, California.
- Oregon. Bays, inlets, and rivers along the coast of Oregon with a view to providing an adequate number of deep draft harbors.
 Nelscott, Oregon, with a view to protection of the beach.
 Harbor at Empire, Oregon.

Alesea Bay, Oregon, with a view to the construction of a harbor of refuge.

Coos Bay, Oregon.

Channel at Charleston, South Slough, Oregon.

Tillamook Bay and Bar, Oregon.

Nehalem Bay and River.

Columbia Slough.

Astoria, Oregon, with a view to the construction of a mooring basin for fishing boats within the harbor.

Willapa Harbor, Washington, with a view to providing a channel to, and turning basin at, Tokeland Dock; also with a view to providing a mooring basin and breakwater at and near Nahcotta Dock, Nahcotta.

Washington.

Grays Harbor, Washington, with a view to constructing a channel into Bay City.

Grays Harbor, Washington, with a view to providing a breakwater and other improvements at and near Westport.

Grays Harbor, Washington, with a view of providing a deep-sea fishing base at Hoquiam.

Friday Harbor, Washington.

Sitka Harbor, Alaska.

Cordova Harbor, Alaska.

Kodiak Harbor, Alaska.

Neva Strait and Olga Strait, Alaska.

Upper Kvichak River, Alaska.

Skagway Harbor, Alaska.

Alaska.

Valdez Harbor, Alaska, with a view to its improvement and particularly with respect to the expansion of facilities for harborage of small boats.

Cook Inlet, Alaska, with a view to improvement for navigation, providing harbor facilities for the city of Anchorage, and the development of hydroelectric power.

Anchorage Harbor, Alaska, with a view to its improvement, and with the view of determining the advisability of providing additional harbor facilities for small boats.

Kalaupapa Landing, Island of Molokai, Hawaii.

Kalepolepa Boat Harbor, Island of Maui, Hawaii.

Humacao Playa, Punta Santiago, Puerto Rico.

Arecibo Harbor, Puerto Rico, with a view to determining whether modifications in the authorized project would be desirable.

Hawaii.

Puerto Rico.

Christiansted Harbor, Saint Croix, Virgin Islands, with a view to improvement for navigation.

Virgin Islands.

SEC. 7. The Secretary of War is hereby authorized and directed to ascertain as nearly as can be estimated the amounts of damages resulting to manufacturers on the Oswego River, by the improvement of the Oswego and Erie Canals by the State of New York in accordance with the project adopted by the River and Harbor Act, approved August 30, 1935.

Oswego River, property damages.

49 Stat. 1028.

Approved March 2, 1945.

[CHAPTER 20]

AN ACT

To express the intent of the Congress with reference to the regulation of the business of insurance.

March 9, 1945
[S. 340]
[Public Law 15]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby declares that the continued regulation and taxation by the several States of the business of insurance is in the public interest,

Regulation of insurance.
Intent of Congress.

and that silence on the part of the Congress shall not be construed to impose any barrier to the regulation or taxation of such business by the several States.

Subject to State laws.

SEC. 2. (a) The business of insurance, and every person engaged therein, shall be subject to the laws of the several States which relate to the regulation or taxation of such business.

Effect of Federal laws.

(b) No Act of Congress shall be construed to invalidate, impair, or supersede any law enacted by any State for the purpose of regulating the business of insurance, or which imposes a fee or tax upon such business, unless such Act specifically relates to the business of insurance: *Provided*, That after January 1, 1948, the Act of July 2, 1890, as amended, known as the Sherman Act, and the Act of October 15, 1914, as amended, known as the Clayton Act, and the Act of September 26, 1914, known as the Federal Trade Commission Act, as amended, shall be applicable to the business of insurance to the extent that such business is not regulated by State law.

26 Stat. 209.
15 U. S. C. §§ 1-7
38 Stat. 730.
15 U. S. C. §§ 12-27,
44; Supp. IV, § 16 note;
18 U. S. C. § 412;
28 U. S. C. §§ 381-383,
386-390; 29 U. S. C.
§ 52.
Post, p. 306.
38 Stat. 717.
15 U. S. C. §§ 41-53.

SEC. 3. (a) Until January 1, 1948, the Act of July 2, 1890, as amended, known as the Sherman Act, and the Act of October 15, 1914, as amended, known as the Clayton Act, and the Act of September 26, 1914, known as the Federal Trade Commission Act, as amended, and the Act of June 19, 1936, known as the Robinson-Patman Anti-discrimination Act, shall not apply to the business of insurance or to acts in the conduct thereof.

49 Stat. 1526.
15 U. S. C. §§ 13-13b,
21a.

Boycotts, etc.

(b) Nothing contained in this Act shall render the said Sherman Act inapplicable to any agreement to boycott, coerce, or intimidate, or act of boycott, coercion, or intimidation.

49 Stat. 449.
29 U. S. C. §§ 151-
166.
52 Stat. 1060.
29 U. S. C. §§ 201-
219; Supp. IV, §§ 207,
211.
41 Stat. 988.
46 U. S. C. § 861
note; Supp. IV, § 865
et seq.

SEC. 4. Nothing contained in this Act shall be construed to affect in any manner the application to the business of insurance of the Act of July 5, 1935, as amended, known as the National Labor Relations Act, or the Act of June 25, 1938, as amended, known as the Fair Labor Standards Act of 1938, or the Act of June 5, 1920, known as the Merchant Marine Act, 1920.

Separability of provisions.

SEC. 5. As used in this Act, the term "State" includes the several States, Alaska, Hawaii, Puerto Rico, and the District of Columbia.

SEC. 6. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of the Act, and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected.

Approved March 9, 1945.

[CHAPTER 24]

AN ACT

March 13, 1945
[S. 217]
[Public Law 16]

To authorize an exchange of lands between the city of Eastport, Maine, and the United States, and the conveyance of a roadway easement to the city of Eastport, Maine.

Eastport, Maine.
Exchange of lands
on Moose Island.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to transfer, under such conditions as may be approved by the said Secretary, to the city of Eastport, Maine, without cost to the city of Eastport, Maine, all right, title, and interest in and to the following parcels of land situated on Moose Island, Washington County, Maine, metes and bounds descriptions of which are on file in the War Department:

Property to be
transferred by U. S.

Parcel 1.

Parcel 1. A parcel of land containing eight and ninety-four one-hundredths acres, more or less, adjacent to and lying south of the southerly shore line of Carrying Place Cove, being that parcel of land formerly owned by Andrew J. Malloy and being bounded on the

south by the northerly right-of-way line of Deep Cove or Barrett Road, on the east by a parcel of land formerly owned by Mrs. E. B. Townsend and on the west by a parcel of land formerly owned by David C. MacNichol.

Parcel 2. A parcel of land containing nine and eighty-one one-hundredths acres, more or less, adjacent to and lying south of the southerly shore line of Carrying Place Cove, being that parcel of land formerly owned by Mrs. E. B. Townsend and being bounded on the south by the northerly right-of-way line of Deep Cove or Barrett Road, on the east by the westerly right-of-way line of said road, and on the west by the easterly line of a parcel of land formerly owned by Andrew J. Malloy.

Parcel 2.

Parcel 3. A parcel of land containing nine and fifty-eight one-hundredths acres, more or less, adjacent to and lying between the southwestly right-of-way line of the Maine Central Railroad Company and Maine State Highway Numbered 190, being bounded on the northeast by said right-of-way line and on the northwest by two parcels of land now or formerly owned by C. H. Bishop and W. J. Murphy, respectively.

Parcel 3.

SEC. 2. The Secretary of War, in consideration of the transfer hereinabove authorized, is further authorized, on behalf of the United States, to accept from the city of Eastport, Maine, without cost to the United States, all right, title, and interest of the city in and to the following-described parcels of land situated on Moose Island, Washington County, State of Maine, metes and bounds descriptions of which are on file in the War Department.

Conveyance by city.

Parcel 1. A parcel of land containing five acres, more or less, adjacent to the northerly shore line of Carrying Place Cove, being bounded on the east by a tract of land now or formerly owned by R. C. Emery and on the west by a tract of land now or formerly owned by Melinda Taylor.

Parcel 1.

Parcel 2. A parcel of land containing fifteen and twenty-five one-hundredths acres, more or less, adjacent to and lying west of the westerly right-of-way line of the Maine Central Railroad Company and east and south of a large parcel of land now owned by the United States of America.

Parcel 2.

Parcel 3. A parcel of land containing four acres, more or less, lying between the easterly right-of-way line of the Maine Central Railroad Company and the westerly right-of-way line of Indian or Carlow Island Road.

Parcel 3.

Parcel 4. A parcel of land containing nine and five-tenths acres, more or less, adjacent to and lying easterly of that parcel of land described in section 3 hereof as parcel 1, being bounded on the north by the southerly shore line of Passamaquoddy Bay, on the west by a parcel of land belonging to the United States of America, and on the southwest by the northeasterly right-of-way line of Indian or Carlow Island Road.

Parcel 4.

SEC. 3. The Secretary of War is further authorized to transfer, under such conditions as may be approved by the said Secretary, to the city of Eastport, Maine, without cost to the city, a permanent easement for roadway purposes, in, over, and across the following-described parcel of land situated on Moose Island, Washington County, Maine, a metes and bounds description of which is on file in the War Department:

Roadway easement.

Parcel 1. A parcel of land containing twelve and eighty-three one-hundredths acres, more or less, lying in the northwesternmost corner of Moose Island, and being formerly owned by heirs of Anderson.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved March 13, 1945.

[CHAPTER 25]

AN ACT

March 13, 1945

[S. 222]

[Public Law 17]

To authorize the Secretary of War to grant to the Duke Power Company a one-hundred-and-eighty-foot perpetual easement across Camp Croft, in the State of South Carolina.

Camp Croft, S. C.,
easement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as he may deem advisable, to grant to the Duke Power Company, its successors and/or assigns, for transmission-line purposes, a one-hundred-and-eighty-foot perpetual easement over, across, in, and upon Camp Croft, in the State of South Carolina.

Approved March 13, 1945.

[CHAPTER 27]

AN ACT

March 13, 1945

[S. 290]

[Public Law 18]

To authorize the Secretary of War to grant to the Orange and Rockland Electric Company a one-hundred-and-fifty-foot perpetual easement across the West Point Military Reservation in the State of New York.

West Point Military
Reservation,
N. Y., easement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as he may deem advisable, to grant to the Orange and Rockland Electric Company, its successors, and/or assigns, for transmission-line purposes, a one-hundred-and-fifty-foot perpetual easement over, across, in, and upon the West Point Military Reservation in the State of New York.

Approved March 13, 1945.

[CHAPTER 29]

AN ACT

March 21, 1945

[H. R. 197]

[Public Law 19]

To establish the grade of general in the Marine Corps, and for other purposes.

General in Marine
Corps.
Establishment of
grade and rank.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade and rank of general is hereby established on the active list of the Regular Marine Corps. The President is authorized to nominate and, by and with the advice and consent of the Senate, to appoint an officer, now or hereafter holding the office of Commandant of the Marine Corps, to that grade and rank. At no time shall there be more than one such officer on the active list in such grade and rank.

Appointments.

Status of appointees.

SEC. 2. Appointments under authority of this Act shall be made without examination and shall continue in force during such period as the President shall determine. The permanent or temporary status of officers of the active list of the Marine Corps appointed to a higher grade pursuant to section 1 hereof shall not be vacated solely by reason of such appointment, nor shall such appointees be prejudiced in regard to promotion in accordance with the laws relating to the Marine Corps.

Pay and allowances.

SEC. 3. Appointees under this Act shall, while on active duty, receive the same pay and allowances as a rear admiral of the upper half, plus a personal money allowance of \$2,200 per annum.

Grade and rank
upon retirement.

SEC. 4. In the discretion of the President, by and with the advice and consent of the Senate, each officer who shall have served in the

grade and rank of general by virtue of an appointment under the provisions of this Act shall, upon retirement, have on the retired list the highest grade and rank held by him on the active list: *Provided*, That each such officer shall be entitled to retired pay equal to 75 per centum of the active-duty pay provided herein for an officer appointed pursuant to the provisions of this Act: *Provided further*, That no officer of the Marine Corps shall be appointed to the grade or rank of general on the active list of the Marine Corps except as provided in this Act.

Retired pay.

Restriction.

Effective period.

SEC. 5. This Act shall be effective only until six months after the termination of the wars in which the United States is now engaged as proclaimed by the President, or such earlier date as the Congress, by concurrent resolution, may fix.

Approved March 21, 1945.

[CHAPTER 30]

AN ACT

To establish the grade of admiral in the Coast Guard, and for other purposes.

March 21, 1945
[H. R. 1646]
[Public Law 20]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade and rank of admiral is hereby established on the active list of the Regular Coast Guard. The President is authorized to nominate and, by and with the advice and consent of the Senate, to appoint an officer, now or hereafter holding the office of Commandant of the Coast Guard, to that grade and rank. At no time shall there be more than one such officer on the active list in such grade and rank.

Admiral in Coast Guard.
Establishment of grade and rank.

SEC. 2. Appointments under authority of this Act shall be made without examination and shall continue in force during such period as the President shall determine. The permanent or temporary status of officers of the active list of the Coast Guard appointed to a higher grade pursuant to section 1 hereof shall not be vacated solely by reason of such appointment, nor shall such appointees be prejudiced in regard to promotion in accordance with the laws relating to the Coast Guard.

Appointments.

Status of appointments.

SEC. 3. Appointees under this Act shall, while on active duty, receive the same pay and allowances as a rear admiral of the upper half, plus a personal money allowance of \$2,200 per annum.

Pay and allowances.

SEC. 4. In the discretion of the President, by and with the advice and consent of the Senate, each officer who shall have served in the grade and rank of admiral by virtue of an appointment under the provisions of this Act shall, upon retirement, have on the retired list the highest grade and rank held by him on the active list: *Provided*, That each such officer shall be entitled to retired pay equal to 75 per centum of the active-duty pay provided herein for an officer appointed pursuant to the provisions of this Act: *Provided further*, That no officer of the Coast Guard shall be appointed to the grade or rank of admiral on the active list of the Coast Guard except as provided in this Act.

Grade and rank upon retirement.

Retired pay.

Restriction.

SEC. 5. This Act shall be effective only until six months after the termination of the wars in which the United States is now engaged as proclaimed by the President, or such earlier date as the Congress, by concurrent resolution, may fix.

Effective period.

Approved March 21, 1945.

[CHAPTER 36]

AN ACT

To permit the Administrator, War Shipping Administration, and the United States Maritime Commission, during the national emergency, to pay the tax imposed under section 1410 of the Internal Revenue Code without regard to the \$3,000 limitation in section 1426 (a) (1) of the Internal Revenue Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1426 (i) of the Internal Revenue Code is amended by adding at the end thereof the following: "The Administrator, War Shipping Administration, and the United States Maritime Commission, and their agents or persons acting on their behalf or for their account, may, for convenience of administration, make payments of the tax imposed under section 1410 without regard to the \$3,000 limitation in section 1426 (a) (1), but they shall not be required to obtain a refund of the tax paid under section 1410 of the Internal Revenue Code on that part of the remuneration of seamen in their employ not included in wages by reason of section 1426 (a) (1) of the Internal Revenue Code."

(b) The amendments made by this Act shall be effective as if made by section 1 (b) (1) of the Act entitled "An Act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes", approved March 24, 1943 (Public Law 17, Seventy-eighth Congress; 57 Stat. 45).

Approved March 24, 1945.

[CHAPTER 37]

AN ACT

To amend an Act regulating the height of buildings in the District of Columbia, approved June 1, 1910, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act to regulate the height of buildings in the District of Columbia", approved June 1, 1910, as amended, be, and it is hereby, further amended by adding at the end of section 5 of said Act the following proviso: "*And further provided,* That the building to be erected by the Georgetown University for a hospital as a part of the Georgetown University Medical School on parcels 28/31, 28/36, and 28/37 located on the south side of Reservoir Road Northwest, in the District of Columbia, approximately opposite Thirty-ninth Street, plans for which building are on file in the office of the Inspector of Buildings of the District of Columbia, be permitted to be erected to a height of not to exceed one hundred and ten feet above the finished grade of the land, as shown on said plans, at the middle of the front of the building."

Approved March 24, 1945.

[CHAPTER 44]

JOINT RESOLUTION

Providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act of May 10, 1916, as amended by the Act of August 29, 1916, the Doorkeeper of the House of Representatives is hereby authorized during the Seventy-ninth Congress to employ,

March 24, 1945

[H. R. 1429]

[Public Law 21]

War Shipping Administration and U. S. Maritime Commission.

57 Stat. 46.
26 U. S. C., Supp. IV, § 1426 (i).

Payment of employer's tax.

53 Stat. 175.
26 U. S. C. § 1410; Supp. IV, § 1410.

Post, p. 576.
53 Stat. 1383.
26 U. S. C. § 1426 (a) (1).

Retrospective coverage.

50 U. S. C., Supp. IV, app. § 1291 (b) (1).

March 24, 1945

[H. R. 2506]

[Public Law 22]

District of Columbia.

Height of buildings.
36 Stat. 453.
D. C. Code § 5-405.

Georgetown University Medical School.
Hospital building.

March 29, 1945

[H. J. Res. 142]

[Public Law 23]

House of Representatives.

Folding of pamphlets.

30 Stat. 120, 582.
5 U. S. C. §§ 58, 59.
Post, p. 278.

whenever necessary, the services of Government employees for folding speeches and pamphlets at the prevailing rates provided by law.

Approved March 29, 1945.

[CHAPTER 45]

AN ACT

Making appropriations for the fiscal year ending June 30, 1946, for civil functions administered by the War Department, and for other purposes.

March 31, 1945
[H. R. 2126]
[Public Law 24]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1946, for civil functions administered by the War Department, and for other purposes, namely:

War Department
Civil Appropriation
Act, 1946.
Post, pp. 429, 654.

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of grave sites; purchase of tools and materials; purchase (not to exceed one used), repair, maintenance, and operation of passenger-carrying motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and including the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; for headstones or markers for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873, February 3, 1879, February 26, 1929, and April 18, 1940 (24 U. S. C. 279-280b), and civilians interred in post cemeteries; for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; and for care and maintenance of graves used by the Army for burials in commercial cemeteries, \$1,658,700: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Maintenance of national cemeteries.

Headstones.

17 Stat. 545; 20 Stat. 281; 45 Stat. 1307; 54 Stat. 142.

Confederate cemeteries.

Commercial cemeteries.

Encroachment by railroad.

Roadway repairs.

SIGNAL CORPS

ALASKA COMMUNICATION SYSTEM

For operation, maintenance, and improvement of the Alaska Communication System, including travel allowances and travel in kind as authorized by law, and operation and maintenance of passenger-carrying vehicles, \$227,840, to be derived from the receipts of the

Report to Congress. Alaska Communication System which have been covered into the Treasury of the United States, and to remain available until the close of the fiscal year 1947: *Provided*, That the Secretary of War shall report to Congress the extent and cost of any extensions and betterments which may be effected under this appropriation.

CORPS OF ENGINEERS

RIVERS AND HARBORS AND FLOOD CONTROL

Additional personnel. To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the Office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors and flood control, surveys, and preparation for and the consideration of river and harbor and flood control estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1946 shall not exceed \$662,000, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each: *Provided further*, That any appropriation for civil functions under the Corps of Engineers for the fiscal year 1946 shall be available for contracting in such manner as the Secretary of War may determine to be in the public interest without regard to the provisions of section 3709 of the Revised Statutes or section 3 of the River and Harbor Act of August 11, 1888.

Limitation on expenditures. Report to Congress. Contracts without advertising. *Post*, p. 654.

41 U. S. C. § 5.
25 Stat. 423.
33 U. S. C. §§ 622, 623.
Post, pp. 429, 654.

RIVERS AND HARBORS

Maintenance, etc. For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States, including maintenance of the Hennepin Canal in Illinois; for payment annually of tuition fees of not to exceed fifty student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as amended (10 U. S. C. 535); for examinations, surveys, and contingencies of rivers and harbors; for the execution of detailed investigations and the preparation of plans and specifications for projects heretofore or hereafter authorized; for printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, including such printing as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a

California Débris Commission. 27 Stat. 507.

Student officers. 41 Stat. 785.
10 U. S. C., Supp. IV, § 535.

Printing and binding.

recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase in the fiscal year 1946, of not to exceed two hundred used motor-propelled passenger-carrying vehicles and five motorboats: *Provided*, That no part of this appropriation shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, \$44,508,000: *Provided*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board of Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That no appropriation under the Corps of Engineers for the fiscal year 1946 shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business.

Unauthorized surveys, etc.

Harbor channels.

Power-driven boats.

FLOOD CONTROL

Flood control, general: For the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for the purchase in the fiscal year 1946, of not to exceed forty used motor-propelled passenger-carrying vehicles and one motorboat, and for preliminary examinations, surveys, and contingencies in connection with the flood control, \$24,172,000: *Provided*, That funds appropriated herein may be used for flood-control work on the Salmon River, Alaska, as authorized by law: *Provided further*, That funds appropriated herein may be used to execute detailed surveys, and prepare plans and specifications, necessary for the construction of flood-control projects heretofore or hereafter authorized or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938, and section 3 of the Flood Control Act approved August 18, 1941 (55 Stat. 638): *Provided further*, That the expenditure of funds for completing the necessary surveys shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That no part of appropriations made available to the Secretary of Agriculture for preliminary examinations and surveys, as authorized by law, for run-off and water-flow retardation and soil-erosion prevention on the watersheds of flood-control projects, shall be obligated for initiating work upon new projects or for prosecuting work upon projects heretofore commenced, unless they accord with priorities specifically approved by the Secretary of War and the Secretary of Agriculture.

Construction and maintenance.
Post, pp. 236, 429, 654.

49 Stat. 1570.
33 U. S. C. § 701a
et seq.; Supp. IV, § 701b
et seq.

Vehicles.

Salmon River,
Alaska.

Surveys, plans, etc.

52 Stat. 1216.

Preliminary examinations, etc.
Use of funds to accord with priorities.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved May 15, 1928, as amended (33 U. S. C. 702a), including printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, and for the purchase, in the fiscal year 1946 of not

Mississippi River
and tributaries.
Post, p. 654.
45 Stat. 534.

to exceed fifty used motor-propelled passenger-carrying vehicles, \$30,000,000.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (49 Stat. 1508), \$500,000.

33 U. S. C. § 702g-1.

Sacramento River, Calif.

39 Stat. 949; 45 Stat. 539.

Flood control, Sacramento River, California: For prosecuting work of flood control, Sacramento River, California, in accordance with the provisions of Acts approved March 1, 1917, May 15, 1928, and August 26, 1937, as modified by the Act of August 18, 1941 (33 U. S. C. 703, 704; 50 Stat. 849; 55 Stat. 638-651), \$2,050,000.

MISCELLANEOUS CIVIL WORKS

Federal water mains outside D. C.

Maintenance and Operation, Certain Federal Water Mains Outside the District of Columbia: For the maintenance, operation, improvement, extension, and protection of Federal water lines located outside the District of Columbia required to serve nearby Government establishments and facilities with water from the water supply system of the District of Columbia, including interconnections with other water systems for emergency use wherever located, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, \$12,000.

UNITED STATES SOLDIERS' HOME

For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, \$1,213,600: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the home in United States Army hospitals at rates in excess of those prescribed by the Secretary of War, upon the recommendation of the Board of Commissioners of the home and the Surgeon General of the Army.

Hospitalization rate in Army hospitals.

THE PANAMA CANAL

Maintenance, etc.

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, and construction of additional facilities, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; lawbooks; textbooks and books of reference; printing and binding, including printing of annual report; personal services in the District of Columbia, purchase (not to exceed twelve used), maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels, cargo, crew, or passengers, as authorized by section 10 of title 2, Canal Zone Code, as amended (54 Stat. 387); claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire,

Damage claims.

48 U. S. C. § 1319.

37 Stat. 560.
48 U. S. C. § 1301
et seq.; Supp. IV,
§ 1306 *et seq.*

Emergencies.

pestilence, or like character not foreseen or otherwise provided for herein; travel expenses when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; not to exceed \$2,000 for travel and subsistence expenses of members of the police and fire forces of the Panama Canal incident to their special training in the United States; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; purchase, construction, repair, replacement, alteration, or enlargement of buildings, structures, equipment, and other improvements; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, and construction of additional facilities, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

For maintenance and operation of the Panama Canal: Salary of the Governor, \$10,000; contingencies of the Governor, to be expended in his discretion, not exceeding \$3,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; relief payments authorized by the Act approved July 8, 1937 (50 Stat. 478); and not to exceed \$7,200 for deposit in the general fund of the Treasury for cost of penalty mail for offices of the Panama Canal in the United States as required by section 2 of the Act of June 28, 1944 (Public Law 364); in all, \$4,137,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, and payments of not to exceed \$50 in any one case to persons within the Government service who shall furnish blood from their veins for transfusion to the veins of patients in Panama Canal Hospitals, \$1,784,200.

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, \$1,377,000.

Construction of additional facilities Panama Canal: For construction of additional facilities for the improvement and enlargement of the capacity of the Panama Canal, in accordance with the Act of August 11, 1939 (53 Stat. 1409), including reimbursements to the appropriations for "Maintenance and operation, sanitation, and civil government, Panama Canal", in such amounts as the Governor of the Panama Canal shall from time to time determine to be additional costs incurred for the objects specified in said appropriations on account of the prosecution of the work; in all, \$810,600.

Total, Panama Canal, \$8,108,800, to be available until expended.

In addition to the foregoing sums there is appropriated for the fiscal year 1946 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the

Travel expenses.

Buildings and improvements.

Maintenance and operation of Panama Canal.

Alien cripples.

39 Stat. 750.
5 U. S. C., Supp.
IV, § 793.
Post, p. 503.

Relief payments.

48 U. S. C. § 1372.

Penalty mail costs.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Sanitation.

Blood transfusions.

Civil government.

Additional facilities.

48 U. S. C. § 1307
note.

Additional sums appropriated.

Treasury of the United States, and to remain available until expended, all moneys received by the Panama Canal during the fiscal year 1946 and prior fiscal years (exclusive of net profits for such prior fiscal years) from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Waterworks, etc.,
Panama and Colon.

There is also appropriated for the fiscal year 1946 for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, to remain available until expended, the necessary portions of such sums as shall be paid during that fiscal year as water rentals or directly by the Government of Panama for such expenses; and notwithstanding the transfer of the waterworks and sewer systems pursuant to the joint resolution approved May 3, 1943 (Public Law 48), any unexpended balances of the sums appropriated by this paragraph, together with the unexpended balances of sums appropriated for the same purpose in prior fiscal years, shall be immediately available and shall remain available until expended for the purposes for which appropriated.

57 Stat. 74.

Canal Zone.
Citizenship require-
ment.

SEC. 2. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week, (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Govern-

Employment of
Panamanian citizens.
48 U. S. C. § 1307
note.

Limitation.

Employees with 15
years of service.

Selection of person-
nel.

Hours of employ-
ment; pay rates.

Applicability.

ment or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest.

SEC. 3. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 4. The Governor of the Panama Canal is hereby authorized to employ by contract or otherwise without regard to section 3709, Revised Statutes, and at such rates (not to exceed \$50 per day for individuals exclusive of necessary travel expenses) as he may determine, the services of architects, engineers, and other technical and professional personnel, or firms or corporations thereof, as may be necessary.

SEC. 5. Appropriations for the Military Establishment and for civil functions administered by the War Department for the fiscal year 1946 may be used for carrying into effect the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army", approved July 3, 1943.

SEC. 6. This Act may be cited as the "War Department Civil Appropriation Act, 1946".

Approved March 31, 1945.

[CHAPTER 46]

AN ACT

To amend section 8 of the Act entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes", approved March 3, 1921.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes", approved March 3, 1921, be, and the same is hereby amended to read as follows:

"SEC. 8. When any commodity is sold by weight it shall be net weight. When any commodity is sold by the ton, it shall be understood to mean two thousand pounds avoirdupois."

SEC. 2. This Act shall take effect on April 1, 1945.

Approved March 31, 1945.

Wartime or emergency suspension.

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Technical and professional personnel.
41 U. S. C. § 5.

War Department and Army damage claims.

57 Stat. 372.
31 U. S. C., Supp. IV, §§ 223b, 223c.
Post, p. 225.

Short title.

March 31, 1945
[H. R. 2745]
[Public Law 25]

District of Columbia.
41 Stat. 1219.
D. C. Code § 10-108.

Commodity sold by weight.

[CHAPTER 47]

JOINT RESOLUTION

March 31, 1945
[H. J. Res. 141]
[Public Law 26]

Making supplemental appropriations for the fiscal year ending June 30, 1945, in lieu of certain appropriations contained in H. R. 2374, Seventy-ninth Congress, first session, and for other purposes.

Supplemental ap-
propriations, 1945.
Substitutions for
items in First De-
ficiency Appropria-
tion Act, 1945.
Post, p. 77.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums and paragraphs are appropriated, out of any money in the Treasury not otherwise appropriated, in lieu of the corresponding sums and paragraphs contained in the bill (H. R. 2374) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes, as passed by the House of Representatives on March 2, 1945, and as reported to the Senate on March 24, 1945, namely:

HOUSE OF REPRESENTATIVES

CLERK HIRE, MEMBERS AND DELEGATES

58 Stat. 343.

Clerk hire, Members and Delegates: For an additional amount for clerk hire for Representatives and Delegates and Resident Commissioner from Puerto Rico, as authorized by law, fiscal year 1945, \$657,000; and this amount shall be consolidated with the previous appropriation for such clerk hire for such fiscal year and the consolidated sum shall be available for such clerk hire as authorized by law.

VETERANS' ADMINISTRATION

58 Stat. 332.

Printing and binding: For an additional amount for printing and binding, fiscal year 1945, \$200,000.

58 Stat. 332.

Pensions: For an additional amount for pensions, fiscal year 1945, \$233,000,000.

AGRICULTURAL RESEARCH ADMINISTRATION

58 Stat. 440.

Control of incipient and emergency outbreaks of insect pests and plant diseases: For an additional amount for control of incipient and emergency outbreaks of insect pests and plant diseases, fiscal year 1945, including the objects specified under this head in the Department of Agriculture Appropriation Act, 1945, \$1,080,050.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

(Out of the postal revenues)

58 Stat. 210.

Miscellaneous items, first- and second-class post offices: For an additional amount, fiscal year 1945, for "Miscellaneous items, first- and second-class post offices", \$1,855,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

58 Stat. 211.

Post-office stationery, equipment, and supplies: For an additional amount for post-office stationery, equipment, and supplies, including the objects specified under this head in the Post Office Department Appropriation Act, 1945, fiscal year 1945, \$600,500: *Provided*, That the limitation on the amount available for the pay of employees in the District of Columbia, in connection with the shipment of supplies, is increased from \$75,500 to \$82,000, and the limitation on the amount available for salaries of the thirteen traveling mechanics is increased from \$38,900 to \$42,000.

58 Stat. 212.

Approved March 31, 1945.

[CHAPTER 48]

AN ACT

To amend the National Housing Act, 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 603 (a) of the National Housing Act, as amended, is hereby amended by (1) striking out "\$1,700,000,000" and inserting in lieu thereof "\$1,800,000,000"; and (2) striking out of the third proviso "1945" in each place where it appears and inserting in lieu thereof "1946".

SEC. 2. Section 608 (g) of such Act, as amended, is amended by adding before the period at the end thereof a comma and the following: "and to insure under this title any mortgage executed in connection with the sale by him of any property acquired under this title without regard to any limit as to time or aggregate amount contained in this title".

Approved March 31, 1945.

March 31, 1945

[S. 681]

[Public Law 27]

National Housing Act, amendments. 55 Stat. 56; 58 Stat. 648.

12 U. S. C., Supp. IV, § 1738 (a). 57 Stat. 571.

56 Stat. 305. 12 U. S. C., Supp. IV, § 1743 (g).

[CHAPTER 51]

AN ACT

To increase the debt limit of the United States, and for other purposes.

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 "Public Debt Act of 1945".

SEC. 2. Section 21 of the Second Liberty Bond Act, as amended, is further amended to read as follows:

"SEC. 21. The face amount of obligations issued under authority of this Act, and the face amount of obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), shall not exceed in the aggregate \$300,000,000,000 outstanding at any one time."

SEC. 3. Subsections (h) and (i) of section 22 of the Second Liberty Bond Act, as amended, as added by the Public Debt Act of 1943, are hereby amended to read as follows:

"(h) The Secretary of the Treasury, under such regulations as he may prescribe, may authorize or permit payments in connection with the redemption of savings bonds to be made by commercial banks, trust companies, savings banks, savings and loan associations, building and loan associations (including cooperative banks), credit unions, cash depositories, industrial banks, and similar financial institutions. No bank or other financial institution shall act as a paying agent until duly qualified as such under the regulations prescribed by the Secretary, nor unless (1) it is incorporated under Federal law or under the laws of a State, Territory, possession, the District of Columbia, or the Commonwealth of the Philippine Islands; (2) in the usual course of business it accepts, subject to withdrawal, funds for deposit or the purchase of shares; (3) it is under the supervision of the banking department or equivalent authority of the jurisdiction in which it is incorporated; and (4) it maintains a regular office for the transaction of its business.

"(i) Any losses resulting from payments made in connection with the redemption of savings bonds shall be replaced out of the fund established by the Government Losses in Shipment Act, as amended, under such regulations as may be prescribed by the Secretary of the Treasury. The Treasurer of the United States, any Federal Reserve bank, or any qualified paying agent authorized or permitted to make payments in connection with the redemption of such bonds, shall be relieved from liability to the United States for such losses, upon a

April 3, 1945

[H. R. 2404]

[Public Law 28]

Public Debt Act of 1945.

49 Stat. 21. 31 U. S. C., Supp. IV, § 757b.

Limitation on obligations.

57 Stat. 63. 31 U. S. C., Supp. IV, § 757c (h), (i).

Redemption of savings bonds.

Qualifications of paying agents.

Replacement of losses.

50 Stat. 479. 5 U. S. C. § 134g. Post, pp. 574, 592. Release from liability.

determination by the Secretary of the Treasury that such losses resulted from no fault or negligence on the part of the Treasurer, the Federal Reserve bank, or the qualified paying agent. The Post Office Department or the Postal Service shall be relieved from such liability upon a joint determination by the Postmaster General and the Secretary of the Treasury that such losses resulted from no fault or negligence on the part of the Post Office Department or the Postal Service. The provisions of section 3 of the Government Losses in Shipment Act, as amended, with respect to the finality of decisions by the Secretary of the Treasury shall apply to the determinations made pursuant to this subsection. All recoveries and repayments on account of such losses, as to which replacement shall have been made out of the fund, shall be credited to it and shall be available for the purposes thereof. The Secretary of the Treasury shall include in his annual report to the Congress a statement of all payments made from the fund pursuant to this subsection."

50 Stat. 479.
5 U. S. C. § 134b.

Crediting of recoveries and repayments.

Annual statement.

40 Stat. 288.
Ante, p. 47, *post*, p. 59.

Proof of death to support credit allowance.

56 Stat. 145.
50 U. S. C., Supp. IV, app. § 1005.

SEC. 4. The Second Liberty Bond Act, as amended, is further amended by adding at the end thereof the following sections:

"SEC. 23. A finding of death made by any official or agency of the United States authorized by section 5 of the Act of March 7, 1942, as amended (U. S. C., Supp. III, title 50, Appendix, sec. 1005), or by any other law to make such a finding, or by the Secretary of War or the Secretary of the Navy, shall be a sufficient proof of death to support the allowance of credit in the accounts of any Federal Reserve bank or accountable officer of the Treasury Department in any case involving the transfer, exchange, reissue, redemption, or payment of bonds and other obligations of the United States, including those obligations guaranteed by the United States for which the Treasury Department acts as transfer agent.

Gift, bequest, or other transfer to U. S. Redemption of obligation.

"SEC. 24. Whenever any direct obligation of the United States, bearing interest or sold on a discount basis, is donated to the United States, is bequeathed by will to the United States, become the property of the United States under the terms of a trust, or is by its terms payable upon the death of the owner to the United States or any officer thereof in his official capacity, the Treasurer of the United States upon receipt of such obligation shall effect redemption thereof. If under applicable law such gift, bequest, or other transfer to the United States is subject to a gift or inheritance tax, the Treasurer shall pay such tax out of the proceeds of redemption and shall deposit the balance in the Treasury as miscellaneous receipts or as otherwise authorized by law. If no tax is payable the entire proceeds shall be so deposited."

Payment of tax.

40 U. S. C. §§ 301, 302.
Disposition of securities acquired by U. S.

SEC. 5. (a) Notwithstanding the provisions of section 3749 of the Revised Statutes, as amended, the Secretary of the Treasury is authorized to sell, exchange, or otherwise dispose of any bonds, notes, or other securities, acquired by him on behalf of the United States under judicial process or otherwise, or delivered to him by an executive department or agency of the United States for disposal, or to enter into arrangements for the extension of the maturity thereof, in such manner, in such amounts, at such prices, for cash, securities, or other property, or any combination thereof, and upon such terms and conditions as he may deem advisable and in the public interest. No such bonds, notes, or other securities of any single issuer having at the date of disposal an aggregate face or par value, or in the case of no-par stock an aggregate stated or book value, in excess of \$1,000,000, which may be held by the Secretary of the Treasury at any one time, shall be sold or otherwise disposed of under the authority of this section.

Limitation.

(b) Nothing contained in this section shall be construed to super-

sede or impair any authority otherwise granted to any officer or executive department or agency of the United States to sell, exchange, or otherwise dispose of any bonds, notes, or other securities, acquired by the United States under judicial process or otherwise.

Approved April 3, 1945.

[CHAPTER 52]

JOINT RESOLUTION

Relative to determination and payment of certain claims against the Government of Mexico.

April 3, 1945
[H. J. Res. 115]
[Public Law 29]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Settlement of Mexican Claims Act of 1942, approved December 18, 1942 (56 Stat. 1058), is amended by adding a new subsection numbered (d) and reading as follows:

Settlement of Mexican Claims Act Amendments of 1945.
22 U. S. C., Supp. IV, § 664.
Infra.

“(d) In any case in which the Commission shall enter an award, it shall, as soon as practicable, certify such award to the Secretary of the Treasury.”

Certification of awards.

SEC. 2. Section 5 (d) of such Act is amended to read as follows:

Supra.

“(e) The Commission shall, upon the completion of its work, transmit in duplicate to the Secretary of State and to the Secretary of the Treasury the following:

Transmittal of data upon completion of work.

“(1) A list of all claims disallowed;

“(2) A list of all claims allowed, in whole or in part (together with the amount of each claim and the amount awarded thereon); and

“(3) A copy of the decision rendered in each case.”

SEC. 3. Section 8 (c) of such Act is amended to read as follows:

“(c) The Secretary of the Treasury is authorized and directed, out of the sums covered into the fund pursuant to subsection (b) of this section, and after making the deduction provided for in section 10 (b), to make payments on account of awards and appraisals certified pursuant to sections 4 (b), 4 (c), and 6 (b) of this Act, prior to the date of the enactment of the Settlement of Mexican Claims Act Amendments of 1945 of an amount not to exceed 30 per centum of the award or appraisal in each case, exclusive of interest; and, on and after July 1, 1945, the Secretary of the Treasury is authorized and directed, out of the sums covered into the fund pursuant to subsection (b) of this section, and after making the deduction provided for in section 10 (b), to make an additional payment on account of awards and appraisals certified pursuant to sections 4 (b), 4 (c), and 6 (b) of this Act prior to the date of the enactment of the Settlement of Mexican Claims Act Amendments of 1945, of an amount not to exceed 10 per centum of the award or appraisal in each case, exclusive of interest.”

56 Stat. 1062.
22 U. S. C., Supp. IV, § 667 (c).

Initial payment of certain awards.
22 U. S. C., Supp. IV, § 669 (b).

22 U. S. C., Supp. IV, §§ 663 (b), 663 (c), 665 (b).
Infra; post p. 50.

Additional payment.

SEC. 4. Section 4 (b) of such Act is amended to read as follows:

“(b) In connection with such cases, the Commission shall, as soon as practicable, notify each claimant, or his attorney, by registered mail to his last-known address, of the appraisals so made. Within a period of thirty days after the mailing of such notice, the claimant shall notify the Commission in writing whether the appraisal so made is accepted as final and binding, or whether a petition for review will be filed as provided in subsection (c). If the claimant fails to so notify the Commission in writing within such period, or if the Commission is notified within such period of the final acceptance of such appraisal, it shall, at the expiration of such period, enter an award on the basis of such appraisal: *Provided*, That if the Commission's efforts to notify the respective claimants, or their attorneys have failed to disclose their whereabouts, the Commission may, at the expiration of a period of thirty days from the date of the enactment of the Settle-

56 Stat. 1059.
22 U. S. C., Supp. IV, § 663 (b).
Notice of appraisal.

Acceptance or petition for review.

Post, p. 50.
Award on basis of appraisal.

Failure to discover whereabouts of claimants.

ment of Mexican Claims Act Amendments of 1945, enter an award on the basis of such appraisal."

SEC. 5. Section 2 (d) of such Act is amended to read as follows:

"(d) The authority of the Commission under this Act, and the terms of office of its members, shall terminate at the expiration of four years after the date on which a majority of its members first appointed take office, but the President may by Executive order fix an earlier termination date. Upon the termination of the authority of the Commission, all books, records, documents, and other papers in the possession of the Commission shall be deposited with the Department of State."

SEC. 6. So much of section 8 (d) of such Act as precedes paragraph (2) is amended to read as follows:

"(d) On or after July 1, 1945, the Secretary of the Treasury is authorized and directed, to the extent that it may be possible to do so out of the sums covered into the fund pursuant to subsection (b) of this section, and after making the deduction provided for in section 10 (b)—

"(1) to make similar payments of not to exceed 40 per centum on account of the principal amount of the awards certified pursuant to section 5 (d) of this Act."

SEC. 7. Section 4 (c) of such Act is amended to read as follows:

"(c) In any case in which the Commission is so notified in writing that a petition for review will be filed, the Commission shall prescribe a reasonable period, which may be extended in the discretion of the Commission, within which such petition, together with written legal contentions in support thereof, shall be filed. If no petition for review is filed within the period or any extension thereof prescribed by the Commission, it shall enter an award on the basis of the appraisal in such case."

SEC. 8. This joint resolution may be cited as the "Settlement of Mexican Claims Act Amendments of 1945".

Approved April 3, 1945.

[CHAPTER 54]

AN ACT

To continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, 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 4 of the Act approved March 8, 1938 (52 Stat. 108), as amended, is amended by striking out "\$3,000,000,000" and inserting in lieu thereof "\$4,750,000,000".

SEC. 2. The provisions of subsection (c) of section 381 of the Agricultural Adjustment Act of 1938 (52 Stat. 67) are suspended until the expiration of the two-year period beginning with the 1st day of January immediately following the date on which the President, by proclamation, or the Congress, by concurrent resolution, declares that hostilities in the present war have terminated. During the period of such suspension the Commodity Credit Corporation shall not sell any farm commodity owned or controlled by it at less than the parity or comparable price therefor, except that the foregoing restriction shall not apply to (1) sales for new or byproduct uses; (2) sales of peanuts for the extraction of oil; (3) sales for export; (4) sales for seed or feed: *Provided*, That no wheat or corn shall be sold for feed at less than parity price for corn at the time such sale is made: *And provided further*, That in making regional adjustments in the sale price of corn or wheat for feed, the minimum price need not be higher in any area

56 Stat. 1058.
22 U. S. C., Supp.
IV, § 661 (d).
Termination of
authority.

56 Stat. 1062.
22 U. S. C., Supp.
IV, § 667 (d).
Payments of desig-
nated awards.

22 U. S. C., Supp.
IV, § 669 (b).

Ante, p. 49.
56 Stat. 1060.
22 U. S. C., Supp.
IV, § 663 (c).
Petition for review.

Short title.

April 12, 1945
[S. 298]

[Public Law 30]

Commodity Credit
Corporation, obliga-
tions.
57 Stat. 566.
15 U. S. C., Supp.
IV, § 713a-4.

Sale of certain ac-
quired cotton.
7 U. S. C. § 1381 (c).

Parity price restric-
tion on farm commod-
ities.

Exceptions.

Wheat or corn for
feed.

than the United States average parity price for corn; (5) sales of commodities which have substantially deteriorated in quality or of non-basic perishable commodities where there is danger of loss or waste through spoilage; or (6) sales for the purpose of establishing claims against persons who have committed fraud, misrepresentation, or other wrongful acts with respect to the commodity. The method that is now used for the purposes of Commodity Credit Corporation loans for determining the parity price or its equivalent for seven-eighths-inch Middling cotton at the average location used in fixing the base loan rate for cotton shall also be used for determining the parity price for seven-eighths-inch Middling cotton at such average location for the purposes of this section.

SEC. 3. The last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended by the Stabilization Extension Act of 1944, shall not apply to the operations of the Commodity Credit Corporation for the fiscal year ending June 30, 1946: *Provided*, That the making of subsidy payments and the buying of commodities for resale at a loss, by the Commodity Credit Corporation, shall be limited as follows: Obligations for making such payments and absorbing such losses may be incurred and paid by the Commodity Credit Corporation (a) in such amounts as may be necessary (1) to complete operations with respect to 1944 and prior year crop programs and (2) to fulfill obligations incurred prior to July 1, 1945, with respect to 1945 and prior fiscal year noncrop programs; and (b) in amounts which do not involve subsidy payments or losses in excess of (1) \$568,000,000 for operations during the fiscal year ending June 30, 1946, with respect to the dairy production payment program, (2) \$120,000,000 for operations during the fiscal year ending June 30, 1946, with respect to other non-crop programs, including the feed-wheat program, and (3) \$225,000,000 with respect to the 1945 crop program operations: *Provided*, That not to exceed 10 percentum of each amount specified in clauses (b) (1), (2), and (3) shall be available interchangeably for the operations described in such clauses but in no case shall the total subsidy payments and losses absorbed under any one of such clauses be increased by more than 10 per centum: *Provided further*, That in carrying out the dairy production payment program, beginning April 1, 1945, the rate of payment per pound of butterfat delivered shall not be less than 25 per centum of the national weighted average rate of payment per one hundred pounds of whole milk delivered.

SEC. 4. The first two sentences of section 1 of the Act approved March 8, 1938 (52 Stat. 107), as amended, are amended to read as follows:

"As of the 30th of June in each year and as soon as possible thereafter, beginning with June 30, 1945, an appraisal of all of the assets and liabilities of the Commodity Credit Corporation for the purpose of determining the net worth of the Commodity Credit Corporation shall be made by the Secretary of the Treasury. The value of assets shall be determined on the basis of the cost of such assets to the Commodity Credit Corporation, or insofar as practicable, the average market price of such assets during the last month of the fiscal year covered by the appraisal, whichever is the lower, and a report of any such appraisal shall be submitted to the President as soon as possible after it has been made."

SEC. 5. The first sentence of subsection (a) of section 7 of the Act approved January 31, 1935 (49 Stat. 4), as amended, is amended by striking out "June 30, 1945" and inserting in lieu thereof "June 30, 1947".

Approved April 12, 1945.

Parity price determination for cotton.

CCC subsidy operations.
58 Stat. 635.
50 U. S. C., Supp. IV, app. § 902 (e).
Payments and losses.
Post, p. 506.

Interchangeability of amounts.

Butterfat, payment.

15 U. S. C., Supp. IV, § 713a-1.

Annual appraisal of assets and liabilities.

Report to the President.

Continuance of CCC
58 Stat. 105.
15 U. S. C., Supp. IV, § 713 (a).

[CHAPTER 61]

AN ACT

To extend for one year the provisions of an Act to promote the defense of the United States, approved March 11, 1941, as amended.

April 16, 1945

[H. R. 2013]

[Public Law 31]

An Act to Promote the Defense of the United States.

Time extension.
55 Stat. 32, 33; 58 Stat. 223.
22 U. S. C., Supp. IV, §§ 412 (c), 415 (b).

55 Stat. 32.
22 U. S. C., Supp. IV, § 412 (c).

Contracts for postwar relief, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 3 of an Act to promote the defense of the United States, approved March 11, 1941, as amended, is amended by striking out "June 30, 1945" wherever it appears therein and inserting in lieu thereof "June 30, 1946"; by striking out "July 1, 1948" and inserting in lieu thereof "July 1, 1949"; and by striking out "July 1, 1945" and inserting in lieu thereof "July 1, 1946"; and subsection (b) of section 6 of such Act is amended by striking out "June 30, 1948" and inserting in lieu thereof "June 30, 1949".

SEC. 2. That subsection (c) of section 3 of such Act is further amended by striking out the period after the word "earlier", inserting a semicolon, and the following new language: "*Provided, however,* That nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for postwar relief, postwar rehabilitation or postwar reconstruction; except that a contract or agreement entered into in accordance with this Act in which the United States undertakes to furnish to a foreign government defense articles, services, or information for use in the prosecution of the present war and which provides for the disposition, on terms and conditions of sale prescribed by the President, of any such defense articles, services, or information after the President determines they are no longer necessary for use by such government in promoting the defense of the United States shall not be deemed to be for postwar relief, postwar rehabilitation or postwar reconstruction."

Approved April 16, 1945.

[CHAPTER 62]

AN ACT

Granting to Galveston County, a municipal corporation of the State of Texas, certain easements and rights-of-way over, under, and upon the San Jacinto Military Reservation in Galveston County, Texas.

April 17, 1945

[H. R. 510]

[Public Law 32]

San Jacinto Military Reservation, Tex. Easement.

Reversionary provision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to grant to the county of Galveston, Texas, an easement for a right-of-way for a public road or highway and tunnel over, upon, and under a portion of the San Jacinto Military Reservation at Galveston, Texas, in such location as may be agreed upon by the War Department and the county of Galveston, in connection with the construction by the county of a tunnel and trestle or causeway across Bolivar Roads between Galveston Islands and Bolivar Peninsula, at the mouth of Galveston Bay, subject to such conditions, restrictions, and reservations as the Secretary of War may prescribe, with the right in the county of Galveston to construct, use, operate, and maintain thereon, a tunnel, ventilation building, toll houses, and other incidental structures and appurtenances thereto, together with the right of ingress and egress upon such part of the lands in the reservation which adjoin said right-of-way as may be necessary for the purpose of maintenance and repair of any of the improvements for the construction of which the aforesaid easement is granted: *Provided,* That whenever the county of Galveston shall cease to occupy and use the land and premises for

highway, tunnel, and related purposes as authorized herein, then the same shall revert to the United States.

Approved April 17, 1945.

[CHAPTER 78]

AN ACT

To amend the Act entitled "An Act for the acquisition of buildings and grounds in foreign countries for use of the Government of the United States of America", approved May 7, 1926, as amended, to permit of the sale of buildings and grounds and the utilization of proceeds of such sale in the Government interest.

April 19, 1945
[H. R. 685]
[Public Law 33]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act cited as the "Foreign Service Buildings Act, 1926", approved May 7, 1926, as amended, is hereby further amended by adding at the end thereof a new paragraph numbered 9 and reading as follows:

Foreign Service
buildings and grounds.
44 Stat. 403.
22 U. S. C. § 299.

"9. The Secretary of State, when he finds it to be in the interest of the Government, with the concurrence of the Foreign Service Buildings Commission, is authorized to sell buildings and grounds acquired for the use of diplomatic and consular establishments in foreign countries, and notwithstanding the provisions of any other law, the proceeds of such sales may be applied toward the purchase and construction, furnishing, and preservation of other properties, or held in the Foreign Service building fund, as in the judgment of the Commission may best serve the Government's interest: *Provided, however*, That the Secretary of State shall report all such transactions annually to the Congress with the Budget estimates of the Department of State."

Sales authorized.

Use of proceeds.

Annual report.

Approved April 19, 1945.

[CHAPTER 79]

AN ACT

Granting the consent of Congress to the States of Colorado and Kansas to negotiate and enter into a compact for the division of the waters of the Arkansas River.

April 19, 1945
[H. R. 914]
[Public Law 34]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That consent of Congress is hereby given to the States of Colorado and Kansas to negotiate and enter into a compact not later than January 1, 1950, providing for an equitable division and apportionment between the said States of the waters of the Arkansas River and all of its tributaries, upon the condition that one suitable person who shall be appointed by the President of the United States shall participate in said negotiations as the representative of the United States and shall make report to Congress of the proceedings and of any compact entered into: *Provided*, That any such compact shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been ratified by the legislature of each of said States and approved by the Congress of the United States.

Arkansas River
compact.
Consent of Con-
gress.

Ratification and ap-
proval.

Salary, etc., of U. S.
representative.
Post, p. 649.

Sec. 2. There is hereby authorized to be appropriated a sufficient sum to pay the salary and expenses of the representative of the United States appointed hereunder: *Provided*, That such representative, if otherwise employed by the United States, while so employed shall not receive additional salary in the appointment hereunder.

Approved April 19, 1945.

[CHAPTER 80]

AN ACT

To amend the Fact Finders' Act.

April 19, 1945
[H. R. 1534]
[Public Law 35]

Fact Finders' Act,
amendment.

43 U. S. C. § 377.

Expenses charge-
able to reclamation
fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection O of section 4 of the Act of December 5, 1924, commonly known as the Fact Finders' Act (43 Stat. 704), is hereby amended to read as follows:

"SUBSEC. O. That the cost and expense after June 30, 1945, of the office of the Commissioner in the District of Columbia, and, except for such cost and expense as are incurred on behalf of specific projects, of general investigations and of nonproject offices outside the District of Columbia, shall be charged to the reclamation fund and shall not be charged as a part of the reimbursable construction or operation and maintenance costs."

Approved April 19, 1945.

[CHAPTER 89]

AN ACT

Authorizing the Administrator of Veterans' Affairs to grant an easement in certain lands of the Veterans' Administration, Dallas, Texas, to Dallas County, Texas, for highway purposes.

April 23, 1945
[S. 530]
[Public Law 36]

Dallas County, Tex.
Easement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized and directed to grant an easement to the county of Dallas, State of Texas, for highway purposes in certain lands of the Veterans' Administration facility, Dallas, Texas, described as follows:

Beginning at the southeast corner of the Veterans' Administration, Dallas, Texas; said corner is the intersection of the north line of Ledbetter Drive with the southwest line of the J. K. Sloan survey, abstract numbered 1310, which is also the northeast line of the F. Sadler survey, abstract numbered 1378; thence by metes and bounds, north thirty degrees west along the easterly boundary line of the Veterans' Administration reservation two thousand and twenty-three and eight-tenths feet; thence north thirty-eight degrees and fifty minutes west continuing along said easterly boundary line three hundred and two and three-tenths feet; thence north fifty-seven degrees and three minutes west five hundred and thirty-five and six-tenths feet to a point in the easterly boundary line of the Veterans' Administration reservation; thence north eighty-three degrees and three minutes west along said easterly boundary line thirty-one and nine-tenths feet; thence north fifty-eight degrees and thirty-three minutes west continuing along said easterly boundary line four hundred and eighty and nine-tenths feet; thence south thirty-two degrees and fifty-seven minutes west thirty-three and four-tenths feet; thence south fifty-seven degrees and three minutes east eight hundred and thirty-three and seven-tenths feet; thence on a curve to the right, with a radius of one thousand two hundred and forty-three and fifty-seven one-hundredths feet, five hundred and eighty-seven and two-tenths feet along the curve, the chord of which bears south forty-three degrees thirty-one minutes and thirty seconds east five hundred and eighty-one and sixty-seven one-hundredths feet; thence south thirty degrees east one thousand nine hundred and eighteen and two-tenths feet to a point in the north line of Ledbetter Drive; thence north sixty degrees east sixty feet to the point of beginning; containing four and forty-one one-hundredths acres, more or less.

Limitation.

The easement herein authorized to be granted shall be limited to the period of time the aforesaid lands are required and actually used

for highway purposes, and when no longer so required and used, all interests herein authorized to be conveyed in said lands shall cease and determine.

Approved April 23, 1945.

[CHAPTER 90]

AN ACT

To authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the city of Los Angeles, California, for fire-station purposes, the title to certain land located at Veterans' Administration facility, Los Angeles, California.

April 23, 1945
[S. 531]
[Public Law 37]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to transfer by quitclaim deed to the city of Los Angeles, State of California, the property hereinafter described and located at the Veterans' Administration facility, Los Angeles, California, subject to the conditions that the property shall be used for fire-station purposes and that twenty-four hours' fire protection be furnished to all accessible parts of the Veterans' Administration facility, Los Angeles, California, without charge:

Los Angeles, Calif.
Transfer of certain
property to city for
fire-station purposes.

That portion of lot 2, block 23, subdivision of Rancho San Jose De Buenos Ayres, as per map recorded in book 26, pages 19 to 25, inclusive, Miscellaneous Records of Los Angeles County, bounded and described as follows:

Beginning at a point in the northeasterly line of Veteran Avenue, formerly Lookout Avenue, as described in deed recorded in book 5162, page 231, of deeds, records of said county, distant thereon eighteen feet northwesterly from the northerly line of that certain twenty-foot strip of land conveyed to the county of Los Angeles for drainage purposes, described in parcel 1 of deed recorded in book 7376, page 225, Official Records of said county, said point of beginning being distant along said northeasterly line of Veteran Avenue northwesterly seven hundred and thirty-three and eighty-five one-hundredths feet from the northwesterly line of Wilshire Boulevard, one hundred feet wide; thence northwesterly along said northeasterly line one hundred feet; thence northeasterly at right angles to said northeasterly line one hundred and fifty feet; thence southeasterly parallel with said northeasterly line of Veteran Avenue one hundred feet; thence southwesterly in a direct line one hundred and fifty feet to the point of beginning; containing three hundred and forty-four one-thousandths acre, more or less.

The deed authorized by this Act shall contain the express reservation that should the city of Los Angeles, California, either fail to use the property for fire-station purposes or furnish twenty-four hours' fire protection to all accessible parts of the Veterans' Administration facility, Los Angeles, California, then all right, title, and interest in such property shall revert to and revest in and become the property of the United States, except in the event that such failure to so furnish fire protection is temporary and is due to conditions beyond the control of the city of Los Angeles. The deed shall further provide that in the event that all right, title, and interest in such property so revert to and revest in the United States, the city of Los Angeles may remove the buildings and structures then existing on such property upon condition that said city of Los Angeles restore the land as nearly as possible to its former condition without expense to the United States.

Reservation.

Approved April 23, 1945.

[CHAPTER 92]

AN ACT

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes.

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

TITLE I—TREASURY DEPARTMENT

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1946, namely:

OFFICE OF THE SECRETARY

Salaries: Secretary of the Treasury, Under Secretary of the Treasury, Fiscal Assistant Secretary of the Treasury, two Assistant Secretaries of the Treasury, and other personal services in the District of Columbia, \$360,000: *Provided*, That no part of the money appropriated shall be used to pay the salaries of more than eighteen messengers assigned to duty in the Office of the Secretary.

For deposit in the general fund of the Treasury for cost of penalty mail of the Treasury Department as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$5,701,500.

FOREIGN FUNDS CONTROL

Foreign funds control: For all expenses necessary in carrying out the functions of the Secretary of the Treasury under sections 3 and 5 (b) of the Act of October 6, 1917, as amended (50 U. S. C. (App.) 3, and 50 U. S. C. (Suppl. 1941) 5 (b)), and any proclamations, orders, regulations, or instructions issued thereunder; and in exercising fiscal, financial, banking, property-control, and related functions, authorized by law, and administered by the Treasury Department in foreign countries and arising out of military operations of the United States; including personal services; printing; maintenance, repair, and operation of a motor-propelled passenger-carrying vehicle; and reimbursement of any other appropriation or other funds of the United States or any agency, instrumentality, Territory, or possession thereof, including the Philippine Islands, and reimbursement of any Federal Reserve bank for printing and other expenditures; \$2,000,000.

DIVISION OF TAX RESEARCH

Salaries: For personal services in the District of Columbia, \$153,500.

OFFICE OF TAX LEGISLATIVE COUNSEL

Salaries: For personal services in the District of Columbia, \$80,000.

DIVISION OF RESEARCH AND STATISTICS

Salaries: For personal services in the District of Columbia, \$155,000.

OFFICE OF GENERAL COUNSEL

Salaries: For the General Counsel and other personal services in the District of Columbia, \$160,000.

April 24, 1945

[H. R. 2252]

[Public Law 38]

Treasury and Post
Office Departments
Appropriation Act,
1946.

Treasury Department
Appropriation
Act, 1946.
Post, pp. 90, 428, 653.

Post, pp. 90, 428.

Messengers, limita-
tion.

58 Stat. 304.
39 U. S. C., Supp.
IV, § 321d.

40 Stat. 412, 415.
50 U. S. C., Supp.
IV, app. §§ 3, 5 (b).

DIVISION OF PERSONNEL

Salaries: For the Chief of the Division, and other personal services in the District of Columbia, \$164,000.

OFFICE OF CHIEF CLERK

Post, p. 653.

Salaries: For the Chief Clerk and other personal services in the District of Columbia, \$286,000.

MISCELLANEOUS AND CONTINGENT EXPENSES, TREASURY DEPARTMENT

For miscellaneous and contingent expenses of the Office of the Secretary and the Bureaus and offices of the Department, including operating expenses of the Treasury, Treasury Annex, Auditors', and Liberty Loan Buildings; financial journals, purchase (including exchange) of books of reference and lawbooks, technical and scientific books, newspapers, and periodicals, expenses incurred in completing imperfect series, library cards, supplies, and all other necessary expenses connected with the library; not exceeding \$15,000 for traveling expenses, including the payment of actual transportation and subsistence expenses to any person whom the Secretary of the Treasury may from time to time invite to the city of Washington or elsewhere for conference and advisory purposes in furthering the work of the Department; freight, expressage, telegraph and telephone service; maintenance and repair of motortrucks and three passenger automobiles (one for the Secretary of the Treasury and two for general use of the Department), all to be used for official purposes only; file holders and cases; fuel, oils, grease, and heating supplies and equipment; gas and electricity for lighting, heating, and power purposes, including material, fixtures, and equipment therefor; floor covering and repairs thereto, furniture and office equipment, including supplies therefor and repairs thereto; purchase and repair of uniforms for elevator conductors; awnings, window shades, and fixtures; cleaning supplies and equipment; drafting equipment; flags; hand trucks; ladders; miscellaneous hardware; streetcar fares not exceeding \$650; thermometers; lavatory equipment and supplies; tools and sharpening same; laundry service; laboratory supplies and equipment; removal of rubbish; postage; not to exceed \$30,000 for stationery for the Treasury Department and its several bureaus and offices, and field services thereof, except such bureaus and offices as may be otherwise specifically provided for, including tags, labels, and index cards, printed in the course of manufacturing, packing boxes and other materials necessary for shipping stationery supplies, and cost of transportation of stationery supplies purchased free on board point of shipment and of such supplies shipped from Washington to field offices; and other absolutely necessary articles, supplies, and equipment not otherwise provided for; \$260,000: *Provided*, That the appropriations for the Bureau of Accounts, Bureau of the Public Debt, Internal Revenue Service, Procurement Division, Office of the Treasurer of the United States, Division of Disbursement, and Foreign Funds Control for the fiscal year 1946 are hereby made available for the payment of items otherwise properly chargeable to this appropriation, the provisions of section 6, Act of August 23, 1912 (31 U. S. C. 669), to the contrary notwithstanding.

Operating expenses,
Department buildings.

Traveling expenses.

Stationery.

Additional funds.

37 Stat. 414.

Printing and binding: For printing and binding for the Treasury Department and its several bureaus and offices, and field services thereof, except such bureaus and offices as may be otherwise specifically provided for, including materials for the use of the book-

40 Stat. 1270.

binder, located in the Treasury Department, but not including work done at the New York Customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (44 U. S. C. 111), \$24,000.

CUSTODY OF TREASURY BUILDINGS

Salaries of operating force: For the Superintendent of Treasury Buildings and for other personal services in the District of Columbia, including the operating force of the Treasury Building, the Treasury Annex, the Liberty Loan Building, the Belasco Theatre Building, the Auditors' Building, and the west and south annexes thereof, \$452,000.

FISCAL SERVICE

BUREAU OF ACCOUNTS

Post, p. 90.*Post*, p. 428.

Salaries and expenses: For all necessary expenses in the District of Columbia, except printing and binding of the Bureau of Accounts, including contract stenographic reporting services, stationery (not to exceed \$10,000), supplies and equipment; purchase and exchange of lawbooks, books of reference, periodicals, and newspapers; travel expenses, \$734,000.

Deposit of withheld taxes.

57 Stat. 138.
26 U. S. C., Supp.
IV, § 1631.

Salaries and expenses, deposit of withheld taxes: For all necessary expenses incident to the deposit of withheld taxes in Government depositories pursuant to the Current Tax Payment Act of 1943, including personal services in the District of Columbia; not to exceed \$20,000 for printing and binding; and reimbursement to Federal Reserve banks for printing and other necessary expenses, \$500,000.

Printing and binding: For printing and binding for the Bureau of Accounts, \$32,000.

Post, p. 653.

Division of Disbursement, salaries and expenses: For all necessary expenses, except printing and binding, of the Division of Disbursement, including personal services in the District of Columbia, stationery, and travel, \$4,700,000: *Provided*, That with the approval of the Bureau of the Budget there may be transferred to this appropriation and to the appropriation "Printing and binding, Division of Disbursement" from funds respectively available for such purposes for the Agricultural Adjustment Agency, Federal Housing Administration, Federal Public Housing Authority, Federal Surplus Commodities Corporation, Federal Prison Industries, Railroad Retirement Board, United States Maritime Commission, the Federal Crop Insurance Corporation, the Commodity Credit Corporation, the Office of Distribution, and the Farm Security Administration, such sums as may be necessary to cover the expense incurred in performing the function of disbursement therefor.

Transfer of funds.

Infra.*Supra*; *post*, p. 653.

Printing and binding: For printing and binding, Division of Disbursement, including the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, \$130,000.

Contingent expenses, public moneys: For contingent expenses under the requirements of section 3653 of the Revised Statutes (31 U. S. C. 545), for the collection, safekeeping, transfer, and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, transportation of gold coin and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649, Revised

Statutes (31 U. S. C. 548), also including examinations of cash accounts at mints, \$450,000.

Recoinage of silver coins: To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent subsidiary silver coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, \$140,000.

Relief of the indigent, Alaska: For the payment to the United States district judges in Alaska (not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska), to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, \$24,000.

Refund of moneys erroneously received and covered (indefinite appropriation): To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 18 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, and any other collections erroneously received and covered which are not properly chargeable to any other appropriation, there is hereby made available such amount as may be necessary.

48 Stat. 1231.
31 U. S. C. § 725q.

Payment of unclaimed moneys (indefinite appropriation): To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 17 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, payable from the funds held by the United States in the trust fund receipt account "Unclaimed moneys of individuals whose whereabouts are unknown", there is hereby made available such amount as may be necessary.

48 Stat. 1230.
31 U. S. C. § 725p.

BUREAU OF THE PUBLIC DEBT

Administering the public debt: For necessary expenses connected with any public debt operations authorized by the Second Liberty Bond Act, as amended (31 U. S. C. 760-762), and with the administration of any public debt or currency issues of the United States with which the Secretary of the Treasury is charged, \$84,250,000, to be expended as the Secretary of the Treasury may direct: *Provided*, That from the amount appropriated herein, the Federal Reserve banks and their branches may be reimbursed for expenditures made by them as fiscal agents of the United States on account of public-debt transactions for the account of the Secretary of the Treasury, and advances to the Postmaster General may be made in accordance with the provisions of section 22 (e) of the Second Liberty Bond Act, as amended (31 U. S. C. 757c (e)), which section shall be construed as applying to this appropriation: *Provided further*, That the indefinite appropriation provided by section 10 of the Second Liberty Bond Act, as amended, shall not be available for obligation during the fiscal year 1946.

40 Stat. 288.
31 U. S. C. § 774 (2);
Supp. IV, § 754a et seq.
Ante, pp. 47, 48;
infra.

Reimbursement of
Federal Reserve
banks.

55 Stat. 8.
31 U. S. C., Supp.
IV, § 757c (e).

40 Stat. 292.
31 U. S. C. § 760.

Distinctive paper for United States securities: For distinctive paper for United States currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding \$50 per month each when actually on duty, \$800,000: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1946 between the two bidders whose prices per pound are the lowest received after advertisement.

Division of award.

OFFICE OF THE TREASURER OF THE UNITED STATES

Transfer of funds.

Infra.

Salaries and expenses: For all necessary expenses, except printing and binding, of the Office of the Treasurer of the United States, including purchase of periodicals and books of reference, \$4,600,000: *Provided*, That with the approval of the Bureau of the Budget, there may be transferred to this appropriation and to the appropriation "Printing and binding, Office of the Treasurer of the United States", from funds respectively available for such purposes for the Agricultural Adjustment Agency, Home Owners' Loan Corporation, Tennessee Valley Authority, Federal Farm Mortgage Corporation, Reconstruction Finance Corporation, Federal land banks and other banks and corporations under the supervision of the Farm Credit Administration, Railroad Retirement Board, Federal Crop Insurance Corporation, United States Maritime Commission, Office of Distribution, Farm Security Administration, Federal Housing Administration, Federal Public Housing Authority, Commodity Credit Corporation, and corporations and banks under the Federal Home Loan Bank Administration, such sums as may be necessary to cover the expenses incurred on account of such respective activities in clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor.

Federal Reserve notes.

Supra.

Salaries (reimbursable): For personal services in the District of Columbia, in redeeming Federal Reserve notes, \$80,000, to be reimbursed by the Federal Reserve banks.

Printing and binding: For printing and binding for the Office of the Treasurer of the United States, \$275,000.

BUREAU OF CUSTOMS

Post, p. 653.

50 U. S. C., Supp. IV, app. § 601 note.

Foreign living allowances.

46 Stat. 817.

Overtime compensation.

36 Stat. 901; 41 Stat. 402; 46 Stat. 715.
19 U. S. C., Supp. IV, §§ 261, 267, 1451.46 Stat. 741.
19 U. S. C. § 1524.

Personal services.

Salaries and expenses: For collecting the revenue from customs, for enforcement, as specified in Executive Order 9083, of certain navigation laws, for the detection and prevention of frauds upon the customs revenue, and not to exceed \$100,000 for the securing of evidence of violations of the customs and navigation laws; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed \$84,500 for foreign living allowances; not to exceed \$500 for subscriptions to newspapers; not to exceed \$85,000 for stationery; not to exceed \$12,000 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (19 U. S. C. 68); and for the purchase (not to exceed one hundred and fifty), maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; for the payment of extra compensation earned by customs officers or employees for overtime services, at the expense of the parties in interest, in accordance with the provisions of section 5 of the Act approved February 13, 1911, as amended by the Act approved February 7, 1920, and section 451 of the Tariff Act, 1930, as amended (19 U. S. C. 261, 267, and 1451), the receipts from such overtime services to be deposited as a refund to the appropriation from which such overtime compensation is paid, in accordance with the provisions of section 524 of the Tariff Act of 1930, as amended; for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws, for the purchase of arms, ammunition, and accessories; not to exceed \$606,600 for personal services in the District of Columbia exclusive of ten persons from the

field force authorized to be detailed under section 525 of the Tariff Act of 1930, and reimbursement, at not to exceed 3 cents per mile, of employees for travel performed by them in privately owned automobiles while engaged in inspecting, guarding, admeasuring, examining, sampling, investigating, and storekeeping duties within the limits of their official station, \$22,900,000, of which \$300,000 shall constitute an advance fund to enable the Bureau of Customs to meet obligations incurred by it arising from services rendered to private interests, pending receipt of reimbursements therefrom, which amount shall be returned to the Treasury not later than six months after the close of the fiscal year 1946.

Printing and binding: For printing and binding, Bureau of Customs, including the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, \$80,000.

Refunds and drawbacks (indefinite appropriation): For the refund or payment of customs collections or receipts, and for the payment of debentures or drawbacks, bounties, and allowances, as authorized by law, there is hereby made available such amount as may be necessary.

OFFICE OF THE COMPTROLLER OF THE CURRENCY

Salaries: Comptroller of the Currency and other personal services in the District of Columbia, \$233,000.

Printing and binding: For printing and binding for the Office of the Comptroller of the Currency, \$12,000.

BUREAU OF INTERNAL REVENUE

Salaries and expenses: For salaries and expenses in connection with the assessment and collection of internal-revenue taxes and the administration of the internal-revenue laws, including the administration of such provisions of other laws as are authorized by or pursuant to law to be administered by or under the direction of the Commissioner of Internal Revenue, including one stamp agent (to be reimbursed by the stamp manufacturers) and the employment of experts; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; telegraph and telephone service, postage, freight, express, necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and other necessary miscellaneous expenses, including stenographic reporting services; for the acquisition of property under the provisions of title III of the Liquor Law Repeal and Enforcement Act, approved August 27, 1935 (49 Stat. 872-881), and the operation, maintenance, and repair of property acquired under such title III; for the purchase (not to exceed thirty-four), hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, for official use of the Alcohol Tax and Intelligence Units in field work; printing and binding (not to exceed \$2,200,000); and the procurement of such supplies, stationery (not to exceed \$1,400,000), equipment, furniture, mechanical devices, laboratory supplies, periodicals, newspapers for the Alcohol Tax Unit, ammunition, lawbooks and books of reference, and such other articles as may be necessary, \$120,000,000, of which amount not to exceed \$10,800,000 may be expended for personal services in the Dis-

46 Stat. 741.
19 U. S. C. § 1525.
Use of privately
owned automobiles.

Services rendered to
private interests.

Post, p. 429.

40 U. S. C. §§ 304f-
304m.

Printing and bind-
ing.

Detection and prosecution of violators.

49 Stat. 1739, 1747.
7 U. S. C. §§ 623,
641-643, 644-659; Supp.
IV, §§ 644, 648.
7 U. S. C. §§ 701-725,
751-766, 801-833.

Redemption of tax stamps.

58 Stat. 201.

trict of Columbia: *Provided*, That not more than \$100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation.

Refunds and payments of processing and related taxes: For refunds and payments of processing and related taxes as authorized by titles IV and VII, Revenue Act of 1936, as amended; for refunds of taxes collected (including penalties and interest) under the Cotton Act of April 21, 1934, as amended (48 Stat. 598), the Tobacco Act of June 28, 1934, as amended (48 Stat. 1275), and the Potato Act of August 24, 1935 (49 Stat. 782), in accordance with the Second Deficiency Appropriation Act, fiscal year 1938 (52 Stat. 1150), as amended, and as otherwise authorized by law; and for redemption of tax stamps purchased under the aforesaid Tobacco and Potato Acts, there is hereby continued available, during the fiscal year 1946, the unexpended balance of the funds made available to the Treasury Department for these purposes for the fiscal year 1945 by the Treasury Department Appropriation Act, 1945.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, the amount of such additional tax to be applicable to general Territorial purposes, \$9,600.

Refunding internal-revenue collections (indefinite appropriation): For refunding internal-revenue collections, as provided by law, including the payment of claims for the prior fiscal years and payment of accounts arising under "Allowance or draw-back (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", and "Repayment of taxes on distilled spirits destroyed by casualty", there is hereby appropriated such amount as may be necessary: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of \$500 as required by section 3 of the Act of May 29, 1928 (sec. 3776, I. R. C.), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

45 Stat. 398.

Report to Congress.

45 Stat. 996; 53 Stat.
466.
26 U. S. C. § 3776.

BUREAU OF NARCOTICS

53 Stat. 269-283, 382-387.

26 U. S. C. § 2550 *et seq.*; Supp. IV, § 2550 *et seq.*

35 Stat. 614.
46 Stat. 585.
56 Stat. 1045.
21 U. S. C., Supp.
IV, §§ 188-188n.

Salaries and expenses: For expenses to enforce sections 2550-2565; 2567-2571; 2590-2603; 3220-3228; 3230-3238 of the Internal Revenue Code; the Narcotic Drugs Import and Export Act, as amended (21 U. S. C. 171-184); the Act of June 14, 1930 (5 U. S. C. 282-282c and 21 U. S. C. 197-198) and the Opium Poppy Control Act of 1942 (21 U. S. C. Supp. III, 188-188n), including the employment of executive officers, attorneys, agents, inspectors, chemists, supervisors, clerks, messengers, and other necessary employees in the field and in the Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of information and evidence of violations of the afore-mentioned laws and regulations promulgated thereunder; the costs of chemical analyses made by others than employees of the United States; the purchase of such supplies, equipment, mechanical devices, books, stationery (not to exceed \$6,000), and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, forfeiture, storage, and disposition of property under the Act

of August 9, 1939 (49 U. S. C. 781-788) and the internal-revenue laws; hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary for official use in field work; purchase of arms and ammunition; in all, \$1,167,400, of which amount not to exceed \$165,873 may be expended for personal services in the District of Columbia: *Provided*, That not exceeding \$10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith: *Provided further*, That not exceeding \$10,000 may be expended for services or information looking toward the apprehension of narcotic law violators who are fugitives from justice: *Provided further*, That moneys expended from this appropriation for the purchase of narcotics including marihuana, and subsequently recovered shall be reimbursed to the appropriation for enforcement of the narcotic and marihuana laws current at time of the deposit.

Printing and binding: For printing and binding for the Bureau of Narcotics, \$4,000.

53 Stat. 1291.

Dissemination of information, etc.

Apprehension of narcotic law violators.

Reimbursement.

BUREAU OF ENGRAVING AND PRINTING

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1946, United States currency and internal-revenue stamps, including opium orders and special-tax stamps required under the Act of December 17, 1914 (26 U. S. C. 1040, 1383), checks, drafts, and miscellaneous work, as follows:

Salaries and expenses: For the Director, two Assistant Directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; and all other necessary expenses, except printing and binding, including engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency and Federal Reserve bank currency; purchase of card and continuous form checks; equipment of, repairs to, and maintenance of buildings and grounds and minor alterations to buildings; periodicals, examples of engraving and printing, including foreign securities and stamps, and books of reference, not to exceed \$500; traveling expenses not to exceed \$15,000; articles approved by the Secretary of the Treasury as being necessary for the protection of the person of employees, not to exceed \$2,200; stationery, not to exceed \$5,000; transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Printing, not to exceed \$15,000; and maintenance and driving of two motor-propelled passenger-carrying vehicles; \$10,400,000, to be expended under the direction of the Secretary of the Treasury.

Printing and binding: For printing and binding for the Bureau of Engraving and Printing, \$5,500.

During the fiscal year 1946 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriations for such Bureau for such fiscal year, instead of being covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (31 U. S. C. 176), shall be credited when received to the appropriations for such Bureau for the fiscal year 1946.

38 Stat. 785.
26 U. S. C. §§2550,
3220; Supp. IV, §§2550,
3220.

Materials.

Scientific investigations.

Crediting of proceeds from work.

24 Stat. 227.

SECRET SERVICE DIVISION

Salaries: For the Chief of the Division and other personal services in the District of Columbia, \$72,500.

Suppressing counterfeiting and other crimes: For salaries and other expenses in detecting, arresting, and delivering into the custody of the United States marshal or other officer having jurisdiction, dealers and pretended dealers in counterfeit money, persons engaged in counterfeiting, forging, and altering United States notes, bonds, national-bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments (including endorsements thereon and assignments thereof), as well as the coins of the United States and of foreign governments, and persons committing other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; purchase (not to exceed thirteen), hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary; purchase of arms and ammunition; stationery (not to exceed \$7,500); traveling expenses; and for no other purpose whatsoever, except in the performance of other duties specifically authorized by law, and in the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States, \$1,400,000: *Provided*, That of the amount herein appropriated not to exceed \$15,000 may be expended in the discretion of the Secretary of the Treasury for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or information looking toward the apprehension of criminals.

White House Police: For one captain, one inspector, four lieutenants, six sergeants, and one hundred and eight privates, at rates of pay provided by law, \$260,000, notwithstanding the provisions of the Act of April 22, 1940 (3 U. S. C. 62).

For uniforming and equipping the White House Police, including the purchase, issue, and repair of revolvers, and the purchase and issue of ammunition and miscellaneous supplies, to be procured in such manner as the President in his discretion may determine, \$9,000.

Salaries and expenses, guard force, Treasury buildings: For salaries and expenses of the guard force for Treasury Department buildings in the District of Columbia, including the Bureau of Engraving and Printing, and elsewhere, including purchase, repair, and cleaning of uniforms, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and the purchase of arms and ammunition and miscellaneous equipment, \$654,000: *Provided*, That not to exceed \$100,000 of the appropriation "Salaries and expenses, Bureau of Engraving and Printing", may be transferred to this appropriation to cover service rendered such Bureau in connection with the protection of currency, bonds, stamps, and other papers of value the cost of producing which is not covered and embraced in the direct appropriations for such Bureau: *Provided further*, That the Secretary of the Treasury may detail two agents of the Secret Service to supervise such force.

Printing and binding: For printing and binding for the Secret Service Division, \$7,000.

Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces: To enable the Secretary of the Treasury to reimburse the District of Columbia on a monthly basis for benefit payments made from the revenues of the District of Columbia to members of the White House Police force and such members of the United States Secret Service Division as are entitled

Protection of the President, etc.
Post, p. 184.

Information concerning law violations.

54 Stat. 156.

Transfer of funds.
Ante, p. 63.

Supervisors.

Reimbursement to D. C. for certain benefit payments.

thereto under the Act of October 14, 1940 (54 Stat. 1118), to the extent that such benefit payments are in excess of the salary deductions of such members credited to said revenues of the District of Columbia during the fiscal year 1946, pursuant to section 12 of the Act of September 1, 1916 (39 Stat. 718), as amended, \$31,500.

D. C. Code § 4-508.

D. C. Code § 4-503.

BUREAU OF THE MINT

Salaries and expenses, Office of the Director: For personal services in the District of Columbia and for assay laboratory chemicals, fuel, materials, balances, weights, stationery (not to exceed \$700), books, periodicals, specimens of coins, ores, and travel and other expenses incident to the examination of mints, visiting mints for the purpose of superintending the annual settlement, and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, \$145,000.

Transportation of bullion and coin: For transportation of bullion and coin, by registered mail or otherwise, between mints, assay offices, and bullion depositories, \$12,800, including compensation of temporary employees and other necessary expenses.

Salaries and expenses, mints and assay offices: For compensation of officers and employees of the mints at Philadelphia, Pennsylvania; San Francisco, California; and Denver, Colorado; the assay offices at New York, New York; and Seattle, Washington, and the bullion depositories at Fort Knox, Kentucky; and West Point, New York, including necessary personal services for carrying out the provisions of the Gold Reserve Act of 1934 and the Silver Purchase Act of 1934, and any Executive orders, proclamations, and regulations issued thereunder, and for incidental and contingent expenses, including traveling expenses, stationery (not to exceed \$2,900), new machinery and repairs, arms and ammunition, purchase and maintenance of uniforms and accessories for guards, protective devices, and their maintenance, training of employees in use of firearms and protective devices, maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed \$500 for the expenses of the annual assay commission, and not exceeding \$1,000 for the acquisition, at the dollar face amount or otherwise, of specimen and rare coins, including United States and foreign gold coins and pieces of gold used as, or in lieu of, money, and ores, for addition to the Government's collection of such coins, pieces, and ores, \$5,400,000.

Printing and binding: For printing and binding for the Bureau of the Mint, \$8,000.

48 Stat. 337, 1178.
31 U. S. C. §§ 440,
448; Supp. IV, §§ 754a,
754b, 821, 822a.
Post, p. 514.
12 U. S. C., Supp.
IV, § 412.
Post, p. 237.

Annual assay com-
mission.

PROCUREMENT DIVISION

Salaries and expenses: For the Director of Procurement and other personal services in the District of Columbia and in the field service, and for miscellaneous expenses, including office supplies and materials, stationery (not to exceed \$27,500), purchase of motortrucks and maintenance and operation of such trucks and motor-propelled passenger-carrying vehicles, telegrams, telephone service, traveling expenses, office equipment, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Procurement Division of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia and in the field, \$1,300,000: *Provided*, That the Secretary of the Treasury is authorized and directed during the fiscal year 1946 to transfer to this appropriation from any appropriations or funds

Transfer of funds.

available to the several departments and establishments of the Government for the fiscal year 1946 such amounts as may be approved by the Bureau of the Budget, not to exceed the sum of (a) the amount of the annual compensation of employees who may be transferred or detailed to the Procurement Division, respectively, from any such department or establishment, where the transfer or detail of such employees is incident to a transfer of a function or functions to that Division and (b) such amount as the Bureau of the Budget may determine to be necessary for expenses other than personal services incident to the proper carrying out of functions so transferred: *Provided further*, That when there has been or shall be transferred from any agency of the Government to the Procurement Division any function of warehousing, and the agency from which such function is being transferred is authorized at the time of such transfer to perform functions of procurement, warehousing, or distribution of property, equipment, stores, or supplies for non-Federal agencies the Procurement Division is authorized during the fiscal year 1946 to continue the performance of such functions for such non-Federal agencies where such functions are to be discontinued by the agency from which the warehousing function has been transferred, and the receipts, including surcharge, for all issues to and all advances by all non-Federal agencies shall be credited to the general supply fund: *Provided further*, That payments during the fiscal year 1946 to the general supply fund for materials, and supplies (including fuel), and services, and overhead expenses for all issues shall be made on the books of the Treasury Department by transfer and counterwarrants prepared by the Procurement Division of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Procurement Division at issue prices to be fixed by the Director of Procurement: *Provided further*, That payments covering transactions between the Procurement Division and field offices of other Government agencies whose detailed appropriation or fund accounts are maintained elsewhere than within the District of Columbia, may be made on the basis of itemized vouchers or invoices prepared by the Procurement Division and sent through the appropriate field offices to the disbursing officers for the agencies involved, who are hereby authorized to make payment based (1) upon certification of the Procurement Division, which shall include the specific statement that the vouchers are issued pursuant to and in conformity with purchase orders or requisitions duly executed by the agency billed, and (2) upon approval and certification of such vouchers by the agency billed, which action shall be based upon acceptance of the Procurement Division certification as made, subject to later adjustment if necessary, the responsibility of the certifying officer to be limited to the availability of the funds to be charged: *Provided further*, That the general supply fund may be used to purchase from or through the Public Printer standard forms and blankbook work for field warehouse stocking and issue, but issues thereof shall be made only to Government agencies and shall be chargeable to applicable appropriation authorizations or limitations of such agencies for printing and binding, and reports of such issues shall be made as the Public Printer may require: *Provided further*, That advances received pursuant to law (31 U. S. C. 686) from departments and establishments of the United States Government and the government of the District of Columbia during the fiscal year 1946 shall be credited to the general supply fund: *Provided further*, That during the fiscal year 1946 there shall be available from the general supply fund for personal services in the District of Columbia not to exceed \$1,250,000: *Provided further*, That per diem employees engaged in work in connection with operations of the fuel yards may be paid

Continuance of warehousing functions for non-Federal agencies.

Payments for supplies, services, etc.

Transactions with field offices of other Government agencies.

Standard forms and blankbook work for field warehouses.

Crediting of advances.

47 Stat. 417.
31 U. S. C., Supp. IV, § 686.

Personal services.

Per diem employees at fuel yards.

rates of pay approved by the Secretary of the Treasury not exceeding current rates for similar services in the District of Columbia: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *Provided further*, That the reconditioning and repair of surplus property and equipment for disposition or reissue to Government service, may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the general supply fund: *Provided further*, That all orders for printing and binding for the Treasury Department, exclusive of work performed in the Bureau of Engraving and Printing and exclusive of such printing and binding as may under existing law be procured by field offices under authorization of the Joint Committee on Printing, shall be placed by the Director of Procurement in accord with the provisions of existing law.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia and areas adjacent thereto may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the general supply fund.

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1946 for the purchase, within the continental limits of the United States, of any standard typewriting machines (except bookkeeping, billing, and electric machines) at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), \$70; twelve inches, \$75; fourteen inches, \$77.50; sixteen inches, \$82.50; eighteen inches, \$87.50; twenty inches, \$94; twenty-two inches, \$95; twenty-four inches, \$97.50; twenty-six inches, \$103.50; twenty-eight inches, \$104; thirty inches, \$105; thirty-two inches, \$107.50; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, \$80; twelve inches, \$85; fourteen inches, \$90; eighteen inches, \$95: *Provided*, That there may be added to such prices the amount of Federal excise taxes paid or payable with respect to any such machines.

Surplus property program: For expenses of care and handling and other necessary expenses of the Procurement Division incident to the disposal of property under the Surplus Property Act of 1944; including personal services in the District of Columbia; stationery (not to exceed \$90,000); purchase (including exchange) of lawbooks, books of reference, and periodicals; printing and binding (not to exceed \$100,000); advertising; and maintenance, repair, and operation of passenger automobiles; \$14,999,000.

Printing and binding: For printing and binding for the Procurement Division, including printed forms and miscellaneous items for general use of the Treasury Department, the cost of transportation to field offices of printed and bound material and the cost of necessary packing boxes and packing materials, \$150,000, together with not to exceed \$4,000 to be transferred from the general supply fund, Treasury Department.

No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act.

This title may be cited as the "Treasury Department Appropriation Act, 1946".

"Fuel."
Reconditioning of surplus property.

Orders for printing and binding.

Typewriting machines, repairs. ma-

Purchase prices.

Surplus property.

88 Stat. 765.
50 U. S. C., Supp.
IV, app. §§ 1611-1646.
Foot, p. 546.

Printing and binding.

Payment of salaries and expenses, restriction.

Citation of title.

TITLE II—POST OFFICE DEPARTMENT

The following sums are appropriated in conformity with the Act of July 2, 1836 (5 U. S. C. 380, 39 U. S. C. 786), for the Post Office Department for the fiscal year ending June 30, 1946, namely:

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

OFFICE OF THE POSTMASTER GENERAL

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, \$247,450.

SALARIES IN BUREAUS AND OFFICES

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

- Office of Budget and Administrative Planning, \$36,650.
- Office of the First Assistant Postmaster General, \$710,800.
- Office of the Second Assistant Postmaster General, \$553,250.
- Office of the Third Assistant Postmaster General, \$879,000.
- Office of the Fourth Assistant Postmaster General, \$454,740.
- Office of the Solicitor for the Post Office Department, \$120,600.
- Office of the chief inspector, \$291,800.
- Office of the purchasing agent, \$58,200.

Bureau of Accounts, including the employment of not to exceed three temporary experts by contract or otherwise without regard to section 3709 of the Revised Statutes, or the civil-service and classification laws, \$405,000.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

For contingent and miscellaneous expenses; including stationery and blank books, index and guide cards, folders and binding devices, purchase of penalty envelopes; telegraph and telephone service; furniture and filing cabinets and repairs thereto; purchase of tools and electrical supplies; maintenance of two motor-driven passenger-carrying vehicles; floor coverings; postage stamps for correspondence addressed abroad, which is not exempt under article 49 of the Buenos Aires Convention of the Universal Postal Union; purchase and exchange of lawbooks, and books of reference; newspapers, not exceeding \$200; and expenses of the purchasing agent and of the Solicitor and attorneys connected with his office while traveling on business of the Department, not exceeding \$1,900; and other expenses not otherwise provided for; \$133,000.

For printing and binding for the Post Office Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$1,750,000.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia: *Provided*, That the actual and necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may be paid from the appropriations for the service in connection with which the travel is performed, and appropriations for the fiscal year 1946 shall be available therefor: *Provided further*, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be immediately available for

Post Office Department Appropriation Act, 1946.
Post, pp. 427, 651, 652.
5 Stat. 80.

Post, p. 651.

41 U. S. C. § 5.

Post, p. 651.

54 Stat. 2074.

Printing and binding.

Field-service appropriations, restriction on use.

Travel expenses.

Examination of estimates.

expenses in connection with the examination of estimates for appropriations in the field including per diem allowances in lieu of actual expenses of subsistence.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL

Travel expenses, Postmaster General and Assistant Postmasters General: For travel and miscellaneous expenses in the Postal Service, offices of the Postmaster General and Assistant Postmasters General, \$3,000.

Personal or property damage claims: To enable the Postmaster General to pay claims for damages, occurring during the fiscal year 1946, or in prior fiscal years, to persons or property in accordance with the provisions of the Deficiency Appropriation Act, approved June 16, 1921 (5 U. S. C. 392), as amended by the Act approved June 22, 1934 (48 Stat. 1207), \$75,000.

Post, p. 651.

Adjusted losses and contingencies: To enable the Postmaster General to pay to postmasters, Navy mail clerks, and assistant Navy mail clerks or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1946, or prior fiscal years, through burglary, fire, or other unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended, \$55,000.

42 Stat. 63.
31 U. S. C. § 224c.

22 Stat. 29.
39 U. S. C. § 49.
Post, p. 603.

OFFICE OF CHIEF INSPECTOR

Salaries of inspectors: For salaries of fifteen inspectors in charge of divisions and seven hundred and ninety-five inspectors, \$3,073,375.

Traveling and miscellaneous expenses: For traveling expenses of inspectors, inspectors in charge, the chief post-office inspector, and the assistant chief post-office inspector, including reimbursement of not to exceed 3 cents per mile for official travel performed by them in privately owned automobiles within the limits of their official stations, and for the traveling expenses of four clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases; for tests, exhibits, documents, photographs, office, and other necessary expenses incurred by post-office inspectors in connection with their official investigations, including necessary miscellaneous expenses of division headquarters, and not to exceed \$500 for books of reference needed in the operation of the Post Office Inspection Service, \$956,250: *Provided*, That not exceeding \$15,000 of this sum shall be available for transfer by the Postmaster General to other departments and independent establishments for chemical and other investigations.

Chemical, etc., investigations.

Clerks, division headquarters: For compensation of three hundred and sixty-seven clerks at division headquarters and other posts of duty of post-office inspectors, \$960,000.

Post, p. 651.

Payment of rewards: For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, highway mail robbers, and persons mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite, or explode, \$55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the classes mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 15142,

Rewards.

Death of offender.

Limitation.

Securing of information.

dated February 19, 1941: *Provided further*, That of the amount herein appropriated not to exceed \$20,000 may be expended in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and properly perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, \$59,773,000.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, \$10,071,000.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, mail handlers, and substitutes, \$302,000,000.

Contract station service: For contract station service, \$2,900,000.

Separating mails: For separating mails at third- and fourth-class post offices, \$427,400.

Unusual conditions: For unusual conditions at post offices, \$500,000.

Clerks, third-class post offices: For allowances to third-class post offices to cover the cost of clerical services, \$11,492,000.

Miscellaneous items, first- and second-class post offices: For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, \$3,200,000.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, \$375,000.

Detroit River service: For Detroit River postal service, \$12,990.

Carfare and bicycle allowance: For carfare and bicycle allowance, including special-delivery carfare, cost of transporting carriers by privately owned automobiles to and from their routes, at rates not exceeding regular streetcar or bus fare, and purchase, maintenance, and exchange of bicycles, \$1,575,000.

City delivery carriers: For pay of letter carriers, City Delivery Service, and United States Official Mail and Messenger Service, \$172,000,000.

Special-delivery fees: For fees to special-delivery messengers, \$11,500,000.

Rural Delivery Service: For pay of rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, and tolls and ferrage, Rural Delivery Service, and for the incidental expenses thereof, \$93,598,000, of which not less than \$200,000 shall be available for extensions and new service.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star-route service: For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, \$19,150,000.

Star Route and Air Mail Service, Alaska: For inland transportation by Star Route and Air Mail Service in Alaska, \$400,000.

Powerboat service: For inland transportation by steamboat or other powerboat routes, including ship, steamboat, and way letters, \$500,000.

Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, \$145,000,000: *Provided*, That separate accounts be kept of the amount expended for mail messenger service.

Railway Mail Service: For fifteen division superintendents, fifteen assistant division superintendents, two assistant superintendents at large, one hundred and twenty chief clerks, one hundred and twenty assistant chief clerks, clerks in charge of sections in the offices of division superintendents, railway postal clerks, substitute railway postal clerks, joint employees, and mail handlers in the Railway Mail Service, \$74,000,000.

Railway postal clerks, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, \$4,025,000.

Railway Mail Service, traveling expenses: For actual and necessary expenses, general superintendent and assistant general superintendent, division superintendents, assistant division superintendents, assistant superintendents, chief clerks, and assistant chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, \$61,300.

Railway Mail Service, miscellaneous expenses: For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, telephone service, badges for railway postal clerks, rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution cannot, under the Postal Laws and Regulations, properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary to terminal railway post offices, \$420,600.

Electric-car service: For electric-car service, \$235,000.

Foreign mail transportation: For transportation of foreign mails, except by aircraft, \$400,000.

Post, p. 427.

Balances due foreign countries: The unexpended balance of the appropriation "Balances due foreign countries, 1943" in the Treasury and Post Office Departments Appropriation Act, 1943, is hereby made available for the fiscal year 1946 and prior years.

56 Stat. 165.

Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, fiscal year 1946 and prior years, \$8,000.

Foreign air-mail transportation: For transportation of foreign mails by aircraft, as authorized by law, including the transportation of mail by aircraft between Seattle, Washington, and Fairbanks, Alaska, via intermediate points, \$4,836,000.

Domestic Air Mail Service: For the inland transportation of mail by aircraft, as authorized by law, and for the incidental expenses thereof including travel expenses, and including not to exceed \$74,000 for supervisory officials and clerks at field headquarters, \$43,315,000.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Manufacture and distribution of stamps and stamped paper: For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, stamped envelopes, newspaper wrappers, postal cards, and for coiling of stamps, and including not to exceed \$22,700 for pay of agent and assistants to examine and distribute stamped envelopes and newspaper wrappers, and for expenses of agency, \$6,500,000.

Post, p. 652.

Indemnities, domestic mail: For payment of limited indemnity for the injury or loss of domestic registered matter, insured and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, fiscal year 1946 and prior years, \$1,270,000.

Post, p. 652.

Unpaid money orders more than one year old: For payment of domestic money orders after one year from the last day of the month of issue of such orders, \$800,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post, p. 652.

Post office stationery, equipment, and supplies: For stationery for the Postal Service, including the money-order and registry system; and also for the purchase of supplies for the Postal Savings System, including rubber stamps, canceling devices, certificates, envelopes, and stamps for use in evidencing deposits, and penalty envelopes; and for the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the Act of June 25, 1910 (39 U. S. C. 760); for miscellaneous equipment and supplies, including the purchase and repair of furniture, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, stamp vending and postage meter devices, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; for postmarking, rating, money-order stamps, and electrotype plates and repairs to same; metal, rubber, and combination type, dates and figures, type holders, ink pads for canceling and stamping purposes, and for the purchase of time recorders, letter balances, scales (exclusive of dormant or built-in platform scales in Federal buildings), test weights, and miscellaneous articles purchased and furnished directly to the Postal Service, including complete equipment and furniture for post offices in leased and rented quarters; for the purchase (including exchange), repair, and replacement of arms and miscellaneous items necessary for the protection of the mails; for miscellaneous expenses in the preparation and publication of post-route maps and rural-delivery maps or blueprints, including tracing for photolithographic reproduction; for other expenditures necessary and incidental to post offices of the first, second, and third classes, and offices of the fourth class having or to have rural-delivery service, and for letter boxes; for the purchase of atlases and geographical and technical works not to exceed \$1,500; for wrapping twine and tying devices; for expenses incident to the shipment of supplies, including hardware, boxing, packing, and not exceeding \$63,800 for the pay of employees in connection therewith in the District of Columbia; for rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, accident prevention, and other labor-saving devices, including not to exceed \$35,000 for salaries of thirteen traveling mechanics, and for traveling expenses, \$4,900,000: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blueprints at the cost of printing and 10 per centum thereof added.

Postal Savings System, supplies.

36 Stat. 817.
Miscellaneous equipment and supplies.

Post-route maps.

Labor-saving devices.

Sale of maps or blueprints.

Equipment shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; material, machinery, and tools necessary for the manufacture and repair of such other equipment for the Postal

Service as may be deemed expedient; accident prevention; for the expenses of maintenance and repair of the mail bag equipment shops building and equipment, including fuel, light, power, and miscellaneous supplies and services; maintenance of grounds; for compensation to labor employed in the equipment shops and in the operation, care, maintenance, and protection of the equipment shops building, grounds, and equipment, \$2,480,000; of which not to exceed \$780,393 may be expended for personal services in the District of Columbia: *Provided*, That out of this appropriation the Postmaster General is

Distinctive equip-
ments.

authorized to use as much of the sum, not exceeding \$15,000, as may be deemed necessary for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for service in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

Rent, light, power, fuel, and water: For rent, light, power, fuel, and water, for first-, second-, and third-class post offices, and the cost of advertising for lease proposals for such offices, \$11,700,000.

Pneumatic-tube service, New York City: For rental of not exceeding twenty-eight miles of pneumatic tubes, hire of labor, communication service, electric power, and other expenses for transmission of mail in the city of New York including the Borough of Brooklyn, \$537,000: *Provided*, That the provisions of the Acts of April 21, 1902, May 27, 1908, and June 19, 1922 (39 U. S. C. 423), relating to contracts for the transmission of mail by pneumatic tubes or other similar devices shall not be applicable hereto.

32 Stat. 114; 35 Stat.
412; 42 Stat. 661.

Pneumatic-tube service, Boston: For the rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts, \$24,000: *Provided*, That the provisions not inconsistent herewith of the Acts of April 21, 1902 (39 U. S. C. 423), and May 27, 1908 (39 U. S. C. 423), relating to the transmission of mail by pneumatic tubes or other similar devices shall be applicable hereto.

32 Stat. 114; 35 Stat.
412.

Vehicle service: For vehicle service; the hire of vehicles; the rental of garage facilities; the purchase, maintenance, and repair of motor vehicles, including the repair of vehicles owned by, or under the control of, units of the National Guard and departments and agencies of the Federal Government where repairs are made necessary because of utilization of such vehicles in the Postal Service; accident prevention; the hire of supervisors, clerical assistance, mechanics, drivers, garagemen, and such other employees as may be necessary in providing vehicles and vehicle service for use in the collection, transportation, delivery, and supervision of the mail, and United States official mail and messenger service, \$21,848,400: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned motor vehicles at a reasonable annual rental for a term not exceeding ten years: *Provided further*, That the Postmaster General may purchase and maintain from this appropriation such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

Housing of vehicles.

Tractors and trailer
trucks.

Maintenance
restriction.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, \$320,000.

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating force: For personal services in connection with the operation of public buildings, including the Washington Post Office and the Customhouse Building in the District of Columbia, operated by the Post Office Department, together with the grounds thereof and the equipment and furnishings therein, including telephone operators for the operation of telephone switchboards or equivalent telephone switchboard equipment in such buildings jointly serving in each case two or more governmental activities, \$27,164,000: *Provided*, That in no case shall the rates of compensation for the mechanical labor force be in excess of the rates current at the time and in the place where such services are employed.

Pay rates for mechanical labor force.

Operating supplies, public buildings: For fuel, steam, gas, and electric current for lighting, heating, and power purposes, water, ice, lighting supplies, removal of ashes and rubbish, snow and ice, cutting grass and weeds, washing towels, telephone service for custodial forces, and for miscellaneous services and supplies, accident prevention, vacuum cleaners, tools and appliances and repairs thereto, for the operation of completed and occupied public buildings and grounds, including mechanical and electrical equipment, but not the repair thereof, operated by the Post Office Department, including the Washington Post Office and the Customhouse Building in the District of Columbia, and for the transportation of articles and supplies authorized herein, \$6,500,000: *Provided*, That the foregoing appropriation shall not be available for personal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of \$100 at any one building: *Provided further*, That the Postmaster General is authorized to contract for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the bureaus and offices receiving the same.

Personal services, limitation.

Telephone service.

Furniture, carpets, and safes, public buildings: For the procurement, including transportation, of furniture, carpets, safes, safe and vault protective devices, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, \$550,000: *Provided*, That excepting expenditures for labor for or incidental to the moving of equipment from or into public buildings, the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of \$100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan of furniture.

Personal services, limitation.

Use of present furniture.

Transfer of funds to Bureau of Standards.

Scientific investigations: In the disbursement of appropriations contained in this title for the field service of the Post Office Department the Postmaster General may transfer to the Bureau of Standards not to exceed \$20,000 for scientific investigations in connection with the purchase of materials, equipment, and supplies necessary in the maintenance and operation of the Postal Service.

Deficiency appropriation.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made

under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1946, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

This title may be cited as the "Post Office Department Appropriation Act, 1946".

Citation of title.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment, the salary or wages for which are paid from any appropriation contained in this Act, shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 302. This Act may be cited as the "Treasury and Post Office Departments Appropriation Act, 1946".

Short title.

Approved April 24, 1945.

[CHAPTER 94]

AN ACT

To amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes.

April 24, 1945
[S. 37]
[Public Law 39]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 (d) of the Reclamation Project Act of 1939 is hereby amended to read as follows:

Reclamation Project Act of 1939, amendments.
53 Stat. 1190.
43 U. S. C. § 485c (d).
Variable repayment contracts.

"(d) For each project contract unit where a repayment contract is entered into pursuant to this section, each year the percentage of the normal returns for said year by which the annual returns of said year exceed or are less than said normal returns shall be determined by the Secretary. For each unit or major fraction of a unit of said percentage of said increase or decrease there shall be an increase or decrease, respectively, of 2 per centum in the amount or amounts of the installment or installments for said year under the organization's obligation or obligations as determined under subsections (b) and (e) of this section. Said latter amount or amounts as thus increased or decreased shall be the payment or payments of construction charges due and payable for said year, except that in no event shall the amount of the said payment or payments due and payable for any year be less than 15 per centum nor, as determined by the Secretary, more than from 150 to 200 per centum, inclusive, of the amount or

Determination of amount of installment.

amounts of the installment or installments for said year under the organization's obligation or obligations as determined under subsections (b) and (e) of this section. The Secretary is hereby authorized to amend any repayment contracts heretofore or hereafter entered into pursuant to the provisions of this section to conform to the provisions of this amendment."

Conformity of contract amendments.

53 Stat. 1192.
43 U. S. C. § 485f (c).

SEC. 2. Section 7 (c) of the Reclamation Project Act of 1939 is hereby amended to read as follows:

Execution of contract only after approval of Congress.

"(c) The Secretary from time to time shall report to the Congress on any proposed contracts negotiated pursuant to the authority of subsection (a) or (b) (1) of this section, and he may execute any such contract on behalf of the United States only after approval thereof has been given by Act of Congress. Contracts, so approved, however, may be amended from time to time by mutual agreement and without further approval by Congress if such amendments are within the scope of authority heretofore or hereafter granted to the Secretary under any Act, except that amendments providing for repayment of construction charges in a period of years longer than authorized by this Act, as it may be amended, shall be effective only when approved by Congress."

Amendments by mutual agreement.

Exception.

53 Stat. 1198.
43 U. S. C. § 485b note.

SEC. 3. Section 17 of the Reclamation Project Act of 1939 is hereby amended to read as follows:

Duration of authority.

53 Stat. 1188, 1189.
43 U. S. C. §§ 485b, 485c.
Ante, p. 75.

"(a) The authority granted in sections 3 and 4 of this Act for modification of existing repayment contracts or other forms of obligations to pay construction charges shall continue through December 31, 1950, or December 31 of the fifth full calendar year after the cessation of hostilities in the present war, as determined by proclamation of the President or concurrent resolution of the Congress, whichever period is the longer.

Deferred installments.

"(b) The Secretary is hereby authorized, subject to the provisions of this subsection, to defer the time for the payment of such part of any installments of construction charges under any repayment contract or other form of obligation (exclusive of contracts entered into under this Act) that are due and unpaid as of the date of this amendment or which will become due prior to the expiration of the authority under subsection (a) of this section as he deems necessary to adjust such installments to amounts within the probable ability of the water users to pay. Any such deferment shall be effected only after findings by the Secretary that the installments under consideration probably cannot be paid on their due dates without undue burden on the water users, considering the various factors which in the Secretary's judgment bear on the ability of the water users so to pay.

Conditions, etc.

"The Secretary may effect the deferments hereunder subject to such conditions and provisions relating to the operation and maintenance of the project involved as he deems to be in the interest of the United States. If, however, any deferments would affect installments to accrue more than twelve months after the action of deferment, they shall be effected only by a formal supplemental contract. Such a contract shall provide by its terms that, it being only an interim solution of the repayment problems dealt with therein, its terms are not, in themselves, to be construed as a criterion of the terms of any amendatory contract that may be negotiated pursuant to sections 3, 4, or 7 of this Act."

53 Stat. 1188, 1189, 1192.
43 U. S. C. §§ 485b, 485c, 485f.
Ante, p. 75; *supra*.

Approved April 24, 1945.

[CHAPTER 95]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

April 25, 1945
[H. R. 2374]
[Public Law 40]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes, namely:

First Deficiency Ap-
propriation Act, 1945.

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

For payment to Martha M. Maloney, widow of Francis T. Maloney, late a Senator from the State of Connecticut, \$10,000.

For payment to Ethel J. Moses, widow of John Moses, late a Senator from the State of North Dakota, \$10,000.

Office of the Vice President: Beginning April 1, 1945, the allowance for clerical assistance to the Vice President hereby is increased from \$15,420 to \$19,440 per annum, the necessary additional amount to June 30, 1945, to be paid from the appropriation for salaries of officers and employees of the Senate, and the Legislative Branch and Judiciary Appropriation Act for the fiscal year 1945 is amended accordingly.

Clerical assistance.

Office of the Secretary: For an additional amount for clerical assistance and readjustment of present salaries in the disbursing office at the rate of \$5,020 per annum (including \$1,000 additional for the financial clerk so long as the position is held by the present incumbent), so much as may be necessary from April 1 to June 30, 1945, to be paid from the appropriation for salaries of officers and employees of the Senate for the fiscal year 1945.

58 Stat. 334.

58 Stat. 335.

For payment to the estate of William H. Crichton Clarke, deceased, for services rendered by the said William H. Crichton Clarke during the fiscal year 1942, as counsel to the special committee of the Senate established pursuant to S. Res. 298, Seventy-sixth Congress, to study and survey the problems of American small business enterprises, \$1,000, payable from the appropriation "Inquiries and investigations, Senate, fiscal year 1945".

Estate of William
H. Crichton Clarke.

58 Stat. 339.

WAR OVERTIME PAY

For additional amounts for appropriations for the fiscal year 1945, for the payment of additional compensation authorized by the Act of May 7, 1943 (Public Law 49), as follows:

"Salaries, officers and employees, Senate, 1945", \$200,000.

"Contingent expenses, reporting debates and proceedings, Senate, 1945", \$4,785.

"Contingent expenses, cleaning furniture, Senate", \$300.

"Contingent expenses, salaries and expenses, Joint Committee on Internal Revenue Taxation, Senate, 1945", \$3,000.

"Salaries and expenses of detailed police, Capitol Police Board, Senate, 1945", \$2,500.

"Salaries and expenses, Joint Committee on Printing, Senate, 1945", \$630.

57 Stat. 75.
50 U. S. C., Supp.
IV, app. §§ 1401-1415.

HOUSE OF REPRESENTATIVES

For payment to the widow of James Francis O'Connor, late a Representative from the State of Montana, \$10,000, to be disbursed by the Sergeant at Arms of the House.

For payment to the widow of James V. Heidinger, late a Representative from the State of Illinois, \$10,000, to be disbursed by the Sergeant at Arms of the House.

SALARIES, OFFICERS AND EMPLOYEES

Clerk hire, rate increase.

58 Stat. 831.
2 U. S. C., Supp.
IV, § 60g.
Act, p. 4.
Limitation.

Salaries, officers and employees: For an additional amount, fiscal year 1945, for "Salaries, officers and employees, House of Representatives", pursuant to Public Law 512, Seventy-eighth Congress, approved December 20, 1944, and Public Law 2, Seventy-ninth Congress, approved February 13, 1945, \$26,000: *Provided*, That the rate of compensation of the clerk of any standing committee shall not be increased pursuant to the second proviso of section 1 of the Act of December 20, 1944 (Public Law 512, Seventy-eighth Congress), by more than \$500 per annum over the rate of compensation prevailing on December 6, 1944 (in case of a vacancy, the rate last paid).

WAR OVERTIME PAY

57 Stat. 75.
50 U. S. C., Supp.
IV, app. §§ 1401-1415.

For additional amounts for appropriations for the fiscal year 1945, for the payment of additional compensation authorized by the Act of May 7, 1943 (Public Law 49, Seventy-eighth Congress), as follows:

"Salaries, officers and employees, House of Representatives, 1945", \$175,000.

"Clerk hire, Members and Delegates, House of Representatives, 1945", \$493,000.

"Contingent expenses, House of Representatives, furniture and repairs, 1945", \$5,000.

"Contingent expenses, House of Representatives, salaries and expenses, Joint Committee on Internal Revenue Taxation, 1945", \$3,000.

"Contingent expenses, House of Representatives, folding documents, 1945", \$4,000.

"Contingent expenses, House of Representatives, Revision of the Laws, 1945", \$500.

"Contingent expenses, House of Representatives, payment for certain services, 1945", \$750.

"Contingent expenses, House of Representatives, preparation of the new edition of the United States Code, 1945", \$1,300.

"Salaries and expenses of detailed police, Capitol Police Board, House of Representatives, 1945", \$2,500.

"Salaries and expenses, Joint Committee on Printing, House of Representatives, 1945", \$630.

"Salaries and expenses, Legislative Counsel, House of Representatives, 1945", \$2,000.

CONTINGENT EXPENSES OF THE HOUSE

Special and select committees: For an additional amount for expenses, special and select committees authorized by the House, fiscal year 1945, \$100,000.

Stationery: For an additional allowance for stationery of \$500 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the first session of the Seventy-ninth Congress, \$219,000, to remain available until June 30, 1946.

ARCHITECT OF THE CAPITOL

Capitol power plant: For an additional amount for lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and so forth, fiscal year 1945, including the objects specified under this head in the Legislative Branch Appropriation Act, 1945, \$24,000.

58 Stat. 347.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

WAR MANPOWER COMMISSION

Employment office facilities and services: For an additional amount for "Employment office facilities and services", fiscal year 1945, including the objects specified under this head in the War Manpower Commission Appropriation Act, 1945, \$5,567,400.

58 Stat. 570.

OFFICE OF PRICE ADMINISTRATION

Salaries and expenses: For an additional amount for salaries and expenses, Office of Price Administration, fiscal year 1945, including the objects specified under this head in the Second Deficiency Appropriation Act, 1944, \$6,700,000: *Provided*, That this additional appropriation shall be subject to all of the provisions of the appropriation under this head in the Second Deficiency Appropriation Act, 1944, except as to the limitation upon traveling expenses, which is hereby increased by \$567,000.

Post, p. 414.

58 Stat. 600.

INDEPENDENT EXECUTIVE AGENCIES

FEDERAL SECURITY AGENCY

PUBLIC HEALTH SERVICE

Tuberculosis: For an additional amount to carry out the purposes of section 314 (b) of Public Health Service Act of July 1, 1944, including the objects specified under this head in the First Supplemental Appropriation Act, 1945, fiscal year 1945, \$1,500,000.

58 Stat. 693.
42 U. S. C., Supp.
IV, § 246 (b).
58 Stat. 857.

Training for nurses (national defense): The appropriations "Training for nurses, Public Health Service (national defense)", in the Federal Security Agency Appropriation Acts for fiscal years 1944 and 1945, shall be considered as having been made available for travel.

57 Stat. 505; 58 Stat.
557.

Division of Mental Hygiene: For an additional amount, fiscal year 1945, for Division of Mental Hygiene, Public Health Service, including the objects specified under this head in the Federal Security Agency Appropriation Act, 1945, \$30,000.

58 Stat. 559.

Miscellaneous and contingent expenses: For an additional amount for miscellaneous and contingent expenses, fiscal year 1945, including the objects specified under this head in the Federal Security Agency Appropriation Act, 1945, \$20,000.

58 Stat. 560.

SOCIAL SECURITY BOARD

Grants to States for old-age assistance, aid to dependent children and aid to the blind: For an additional amount, fiscal year 1945, for grants to States for old-age assistance, aid to dependent children, and aid to the blind, \$6,200,000: *Provided*, That section 5 (f) of Public Law 45, Seventy-eighth Congress, approved April 29, 1943 (50 U. S. C. 1355), is hereby amended so as to include income and resources from performance of service as a nurse as an employee, or in connection with the care of sick or confined persons as an employee, in addition to income and resources from agricultural labor or labor performed in connection with the raising or harvesting of agricultural commodities as an employee, as income which shall not be a basis of excluding payments made to such an individual in computing payments as in such section provided.

57 Stat. 72.
50 U. S. C., Supp.
IV, app. § 1355 (f).

Grants to States for unemployment compensation administration: For an additional amount for "Grants to States for unemployment compensation administration", fiscal year 1945, including the objects under this head in the Federal Security Appropriation Act, 1945, \$996,000.

58 Stat. 562.

Salaries, Bureau of Old-Age and Survivors' Insurance: For an additional amount, fiscal year 1945, for salaries, Bureau of Old-Age and Survivors' Insurance, \$225,000.

OFFICE OF THE ADMINISTRATOR

Temporary aid to enemy aliens and other restricted persons: The limitation of \$50,000 under this head in the Federal Security Agency Appropriation Act, 1945, upon the amount which may be transferred to this appropriation from "Salaries and expenses, War Relocation Authority", is hereby increased to \$225,000.

58 Stat. 564.

FEDERAL TRADE COMMISSION

The limitation imposed by section 105 of the Independent Offices Appropriation Act, 1945, upon travel expenses of the Federal Trade Commission, is hereby increased to \$110,868.

Travel expenses.
58 Stat. 344.

FEDERAL WORKS AGENCY

OFFICE OF THE ADMINISTRATOR

Public Works Administration liquidation: That the Second Deficiency Appropriation Act, 1944, approved June 28, 1944 (Public Law 375, Seventy-eighth Congress), is hereby amended through the amendment of the two paragraphs captioned "Public Works Administration liquidation" appearing under the heading "Federal Works Agency—Office of the Administrator", by striking out the words "until June 30, 1945" wherever they appear therein, and substituting in lieu thereof "until June 30, 1946", and by inserting immediately following the words "during the fiscal year 1945" in the first paragraph the following words: "and not exceeding a total of \$25,000 may be used during the fiscal year 1946".

Post, p. 638.
58 Stat. 602.

Post, p. 419.

War public works (community facilities): For an additional amount to enable the Federal Works Administrator to carry out the functions vested in him by titles II and III of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534 and 1541), \$20,000,000, to remain available during the continuance of the unlimited national emergency

55 Stat. 361, 363.
42 U. S. C., Supp.
IV, §§ 1531-1534, 1541-
1553.
Post, p. 383.

declared by the President on May 27, 1941, but not to be available for obligation for new projects after June 30, 1945, of which amount not to exceed \$800,000 shall be available for administrative expenses, including the objects specified under the head "Defense public works (community facilities)" in the Second Deficiency Appropriation Act, 1941, and the joint resolution approved December 23, 1941 (Public Law 371): *Provided*, That the limitation of \$80,000,000 under this head in the First Supplemental Appropriation Act, 1945, on the total amount that may be allocated for contributions to public and private agencies for the maintenance and operation of public works after July 1, 1943, is hereby increased to \$85,000,000: *Provided further*, That in making allocations out of the funds appropriated in this paragraph for construction projects priority shall be given to emergency projects involving an estimated cost to the Federal Government of less than \$250,000.

55 Stat. 1647.
50 U. S. C., Supp.
IV, app., note prec. §1.

55 Stat. 546, 855.

58 Stat. 858.

Construction projects,
priority.

PUBLIC ROADS ADMINISTRATION

Damage claims: For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended (23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army or the Navy, or both, by any other agency of the Government, etc.," as fully set forth in Senate Document Numbered 19, and House Document Numbered 75, Seventy-ninth Congress, \$69,452.65.

55 Stat. 768.
23 U. S. C., Supp.
IV, § 110.

Access roads: For an additional amount for access roads, including the purposes specified under this head in the Independent Offices Appropriation Act, 1945, \$15,000,000.

58 Stat. 371.

Strategic highway network: For an additional amount for the strategic highway network, including the purposes specified under this head in the Independent Offices Appropriation Act, 1945, \$8,000,000.

58 Stat. 371.

GENERAL ACCOUNTING OFFICE

For the purpose of conducting the audit of all Government corporations as provided by section 5 of the Act approved February 24, 1945 (Public, Numbered 4, Seventy-ninth Congress), the Comptroller General is authorized in his discretion to employ not more than ten persons without regard to the Classification Act of 1923, as amended, only one of whom may be compensated at a rate of as much as but not more than \$10,000 per annum, and to employ by contract, without regard to section 3709 of the Revised Statutes, professional services of firms and organizations for temporary periods or for special purposes: *Provided*, That the expenses of auditing the financial transactions of all Government corporations by the General Accounting Office shall be borne out of appropriations to the General Accounting Office, and appropriations in such sums as may be necessary are hereby authorized: *Provided further*, That each such corporation shall reimburse the General Accounting Office for the full cost of any such audit as billed therefor by the Comptroller General, and the General Accounting Office shall deposit the sums so reimbursed into the Treasury as miscellaneous receipts: *Provided further*, That, unless otherwise expressly provided by law, no funds of any Government corporation shall be used to pay the cost of any private audit of the financial records of the offices of such corporation except the cost of such audits contracted for and undertaken prior to the date of approval of this Act.

Audit of Govern-
ment corporations.
Ante, p. 6.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298, *et seq.*

41 U. S. C. § 5.

Expenses of audit-
ing.

Appropriations au-
thorized.
Reimbursement.

Private audit, re-
striction.

INTERSTATE COMMERCE COMMISSION

58 Stat. 372, 373.

Regulating accounts: The transfer during the fiscal year 1945 of not to exceed \$15,000 from the appropriation "Regulating accounts", to the appropriation "Valuation of property of carriers" is hereby authorized.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

58 Stat. 374.

Salaries and expenses: For an additional amount, fiscal year 1945, for salaries and expenses of the National Advisory Committee for Aeronautics, including the objects specified in the appropriation for this purpose in the Independent Offices Appropriation Act, 1945, and including the purchase of two passenger automobiles, \$667,500.

Langley Field, Virginia: For an additional amount for construction and equipment, Langley Field, Virginia, including not to exceed \$2,195,000 for the construction and equipment of auxiliary flight research stations on sites elsewhere, to be selected by the National Advisory Committee for Aeronautics, and the acquisition of land (not to exceed a total of one hundred acres) and rights-of-way and the construction of connections to public utilities necessary therefor, \$4,100,000, to be available until expended.

Aircraft Engine Research Laboratory, Cleveland, Ohio: For an additional amount for construction and equipment, Aircraft Engine Research Laboratory, Cleveland, Ohio, \$5,540,000, to be available until expended.

NATIONAL HOUSING AGENCY

Post, p. 420.
54 Stat. 1125; 55 Stat. 361.
42 U. S. C., Supp. IV, §§ 1521-1524.
42 U. S. C. note prec. § 1501.

War Housing: For an additional amount to carry out the purposes of title I of the Act of October 14, 1940, as amended (42 U. S. C., ch. 9), and subject to the applicable provisions of the joint resolution approved October 14, 1940 (54 Stat. 1115), \$84,373,000, of which amount not to exceed \$1,000,000 shall be available for administrative expenses, to remain available during the continuance of the unlimited national emergency declared by the President on May 27, 1941, but not to be available for obligation for new projects after June 30, 1945: *Provided*, That all obligations of this additional appropriation for projects in which (1) the War Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of War and the Director of the Bureau of the Budget, (2) the Navy Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of the Navy and the Director of the Bureau of the Budget: *Provided further*, That \$18,373,000 of such sum of \$84,373,000 shall not be obligated unless subsequently authorized by other law.

55 Stat. 1647.
50 U. S. C., Supp. IV, app., note prec. § 1.
Joint authorizations.

NATIONAL MEDIATION BOARD

Post, p. 641.

58 Stat. 568.

Arbitration and emergency boards: For an additional amount for "Arbitration and emergency boards", fiscal year 1945, including the objects under this head in the Labor-Federal Security Appropriation Act, 1945, \$35,000.

RAILROAD RETIREMENT BOARD

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

Penalty mail: For an additional amount for deposit in the general fund of the Treasury for cost of penalty mail of the Railroad Retirement Board, fiscal year 1945, as required by section 2 of the Act of June 28, 1944, \$37,250.

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For an additional amount for "Administration, medical, hospital, and domiciliary services", fiscal year 1945, including the objects specified under this head in the Independent Offices Appropriation Act, 1945, \$13,575,000.

58 Stat. 381.

DISTRICT OF COLUMBIA

GENERAL ADMINISTRATION

Office of the corporation counsel: For an additional amount for "Office of the corporation counsel", fiscal year 1945, including the objects specified in the appropriation for this purpose in the District of Columbia Appropriation Act, 1945, \$1,500, and the limitation of \$3,000 in said appropriation which may be paid for the settlement of claims not in excess of \$250 each is hereby increased to \$4,500.

58 Stat. 510.
Settlement of small claims.

HEALTH DEPARTMENT

Gallinger Municipal Hospital: For an additional amount, fiscal year 1945, for "Gallinger Municipal Hospital", including the objects specified under this head in the District of Columbia Appropriation Act, 1945, and including construction of a new ice plant, \$31,500.

58 Stat. 519.

PUBLIC WELFARE

FAMILY WELFARE SERVICE

Operating expenses, child care: The limitation in the appropriation "Operating expenses, child care", in the District of Columbia Appropriation Act, 1945, on the amount which may be paid to institutions under sectarian control for board and care of children committed to the guardianship of the Board of Public Welfare is hereby increased from \$2,500 to \$6,000 to each such institution.

58 Stat. 520.

DIVISION OF EXPENSES

The sums appropriated in this Act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1945.

58 Stat. 509.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Fighting forest fires: For an additional amount for fighting forest fires, fiscal year 1945, \$1,959,000.

DEPARTMENT OF COMMERCE

OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

General administration, Office of the Administrator: For an additional amount for general administration, fiscal year 1945, including the objects specified under this head in the Department of Commerce Appropriation Act, 1945, \$110,000.

58 Stat. 417.

Maintenance and operation of air-navigation facilities: For an additional amount for "Maintenance and operation of air-navigation

58 Stat. 418. facilities", fiscal year 1945, including the objects specified under this head in the Department of Commerce Appropriation Act, 1945, \$84,000.

58 Stat. 418. Enforcement of safety regulations: For an additional amount for "Enforcement of safety regulations", fiscal year 1945, including the objects specified under this head in the Department of Commerce Appropriation Act, 1945, \$23,000.

58 Stat. 418. Technical development: For an additional amount for "Technical development", fiscal year 1945, including the objects specified under this head in the Department of Commerce Appropriation Act, 1945, \$42,000.

COAST AND GEODETIC SURVEY

Office force: For an additional amount for "Office force", fiscal year 1945, \$30,000.

Missing or captured personnel.

56 Stat. 143.
50 U. S. C., Supp.
IV, app. §§ 1001-1017.

Appropriations of the Coast and Geodetic Survey for the fiscal year 1945 available for salaries shall be available for the pay of missing or captured civilian or commissioned personnel of the Coast and Geodetic Survey under the Act of March 7, 1942, as amended (50 U. S. C. App. 1001), and for the six months' death gratuity, regardless of the fiscal year during which such obligations accrued.

WEATHER BUREAU

58 Stat. 423. Salaries and expenses: For an additional amount for "Salaries and expenses", fiscal year 1945, including the objects specified under this head in the Department of Commerce Appropriation Act, 1945, \$100,000, and the limitation on the amount that may be expended for departmental personal services in the District of Columbia is hereby increased to \$1,240,086.

Communication services.
58 Stat. 886.

Notwithstanding the provisions of section 404 of the Act of December 22, 1944 (Public Law 529, Seventy-eighth Congress), the amount available to the Weather Bureau for the purposes specified in that section shall be \$498,080.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

GRAZING SERVICE

58 Stat. 463. Salaries and expenses: For an additional amount for salaries and expenses, fiscal year 1945, including the objects specified under this head in the Interior Department Appropriation Act, 1945, \$30,000.

UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

58 Stat. 466. Salaries and expenses: For an additional amount, fiscal year 1945, for the maintenance of the office of the United States High Commissioner to the Philippine Islands, including the objects specified under this head in the Interior Department Appropriation Act, 1945, and including the employment without regard to civil-service and classification laws of technical employees who may be engaged for the purpose of making an economic survey of conditions in the Philippine Islands, \$60,000.

WAR RELOCATION AUTHORITY

Travel expenses.

58 Stat. 545.

Salaries and expenses: The limitation in the appropriation for salaries and expenses, War Relocation Authority, in the National War Agency Appropriation Act, 1945, on the amount which may be

expended for travel is hereby increased from \$375,000 to \$475,000; and of said appropriation not to exceed \$100,000 is made available for expenses incurred during the fiscal year 1945 incident to the establishment, maintenance, and operation of the emergency refugee shelter at Fort Ontario, New York, provided for in the President's message of June 12, 1944, to the Congress (H. Doc. 656).

GENERAL LAND OFFICE

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For an additional amount for payment to Oklahoma from royalties, oil and gas, south half of Red River, fiscal year 1945, \$582.89: *Provided*, That expenditures under the total appropriation shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

BUREAU OF INDIAN AFFAIRS

General expenses: For an additional amount for general expenses, Indian Service, fiscal year 1945, including the objects specified under the appropriation for this purpose in the Interior Department Appropriation Act, 1945, \$2,300.

58 Stat. 469.

IRRIGATION AND DRAINAGE

For an additional amount for operation and maintenance of the San Carlos irrigation project for the irrigation of lands in the Gila River Indian Reservation, Arizona, fiscal year 1945, \$38,000 (operation and maintenance collections), together with \$25,000 (power revenues), from which total amounts expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, \$63,000.

San Carlos project,
Ariz.

48 Stat. 1227.
31 U. S. C. § 725c.

For an additional amount for operation and maintenance of the Fort Hall irrigation systems, Idaho, fiscal year 1945, \$9,000 (receipt limitation), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall, Idaho.

48 Stat. 1227.
31 U. S. C. § 725c.

For an additional amount for operation and maintenance of the Uintah irrigation project, Utah, fiscal year 1945, \$5,000 (receipt limitation), from which total amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uintah project,
Utah.

48 Stat. 1227.
31 U. S. C. § 725c.

For compensation and expenses of an attorney employed by the Colorado River Tribe of Indians of the Colorado River Reservation, Arizona, under a contract approved by the Secretary of the Interior, fiscal year 1945, \$1,050, payable from funds on deposit to the credit of the tribe.

Colorado River In-
dians, Ariz.

EDUCATION

For support and education of Indian pupils in nonreservation boarding schools, fiscal year 1945, \$47,625, to be added to the appropriation of \$2,627,620 for this purpose in the Interior Department Appropriation Act, 1945, and to be available for the following schools:

Nonreservation
boarding schools.

58 Stat. 477.

Phoenix, Arizona: \$32,375; and the amount available for the support of Indian pupils is hereby increased from \$163,475 to \$195,850; and the number of pupils from four hundred and twenty-five to five hundred and fifty;

Chemawa, Oregon: \$15,250; and the amount available for the support of Indian pupils is hereby increased from \$159,475 to \$174,725; and the number of pupils from three hundred and seventy-five to four hundred and twenty-five.

BUREAU OF RECLAMATION

GENERAL FUND, CONSTRUCTION

Colorado River project, Texas: For an additional amount for continuation of construction, Colorado River project, Texas, \$126,000, to be expended from the general fund of the Treasury in the same manner, under the same conditions, and for the same purposes as the appropriation for this project contained in the Interior Department Appropriation Act, 1941, under the caption "Bureau of Reclamation, general fund, construction".

54 Stat. 438.

GEOLOGICAL SURVEY

Printing and binding, and so forth: For an additional amount for "Printing and binding, and so forth", to be used for engraving and printing geologic and topographic maps, fiscal year 1945, \$26,000.

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

For an additional amount for expenses of the offices of the Governor and the Secretary, Territory of Alaska, fiscal year 1945, including the objects specified under this head in the Interior Department Appropriation Act, 1945, \$2,000.

58 Stat. 505.

DEPARTMENT OF JUSTICE

DAMAGE CLAIMS

For the payment of a claim for damages adjusted and determined by the Attorney General of the United States under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (31 U. S. C. 224b), as fully set forth in Senate Document Numbered 21, and House Document Numbered 74, Seventy-ninth Congress, \$159.50.

49 Stat. 1184.

NAVY DEPARTMENT

For additional amounts for appropriations for the Navy Department and naval service, fiscal years 1944 and 1945, to be supplemental to the appropriations and funds in the respective Naval Appropriation Acts for such fiscal years, including the objects and subject to the limitations specified under the respective heads and to the provisions under the head "General provisions", contained in such Acts, except as otherwise provided herein, as follows:

57 Stat. 197; 58 Stat. 301.

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

Claim for damage: For the payment of a claim for personal injuries sustained by an inhabitant of a foreign country, adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries", approved April 22, 1943 (31 U. S. C. 224d-224i), as fully set forth in House Document Numbered 73, Seventy-ninth Congress, \$6,488.40.

Naval Research Laboratory, 1945, \$525,000.

57 Stat. 66.
31 U. S. C., Supp.
IV, §§ 224d-224i.
Post, p. 511.

BUREAU OF NAVAL PERSONNEL

Training, education, and welfare, Navy: Naval Training Station, Newport, Rhode Island, 1945, \$325,000;
 Fleet training, Navy, 1945, \$120,000;
 Libraries, Navy, 1945, \$234,000;
 In all, training, education, and welfare, Navy, 1945, \$679,000.

BUREAU OF SHIPS

Maintenance, Bureau of Ships, 1945, \$600,000,000.

BUREAU OF ORDNANCE

Ordnance and ordnance stores, Navy, 1945, \$755,000,000.

Post, p 266.

BUREAU OF SUPPLIES AND ACCOUNTS

Maintenance, Bureau of Supplies and Accounts, for the fiscal years that follow:

Fiscal year 1944, \$25,000,000;

Fiscal year 1945, \$165,000,000.

Transportation of things, Navy, for the fiscal years that follow:

Fiscal year 1944, \$40,000,000;

Fiscal year 1945, \$215,927,000, and, in addition, the Secretary of the Treasury is authorized and directed to transfer to this appropriation \$1,387,000 from the appropriation "Pay and allowances, Coast Guard, 1945", \$10,000,000 from the appropriation "Medical Department, Navy, 1945", \$500,000 from the appropriation "Instruction, Navy, 1945", and \$27,186,000 from the appropriation "Naval Reserve, 1945".

Transfer of funds.

58 Stat. 315, 310, 304.

Fuel and transportation, Navy, 1944, \$15,000,000.

BUREAU OF YARDS AND DOCKS

Maintenance, Bureau of Yards and Docks, 1945, \$22,700,000: *Provided*, That the limitation of \$2,000,000 in the Naval Appropriation Act, 1945, upon expenses of operation, maintenance, and so forth, of defense housing projects is hereby increased to \$5,000,000.

Housing projects.
58 Stat. 311.

Public works, Bureau of Yards and Docks: The Secretary of the Navy is authorized to enter into contracts under the appropriation "Public works, Bureau of Yards and Docks", for public-works equipment, materials, and construction, including collateral public-works items, in the amount of \$114,300,000, without regard to section 3709, Revised Statutes, which authority shall be additional to that granted under the same head in the Naval Appropriation Act, 1945.

41 U. S. C. § 5.

58 Stat. 311.

No part of the appropriations or contract authorization in this Act under the Navy Department shall be used for a permanent type of construction at any shore establishment of any character acquired subsequent to the calendar year 1938, unless such establishment shall be designated by the Secretary as a permanent establishment, and, in that event, a permanent type of construction shall be used only to meet such permanent requirements as the Secretary may approve: *Provided*, That nothing herein shall prevent construction of a type sufficiently substantial for the use intended nor apply to construction projects now under contract or in progress: *Provided further*, That no part of such appropriations or contract authorization may be used for the construction of quarters, including heating and plumb-

Permanent type of construction, restriction.

Exceptions.

Maximum obligations, designated units.

ing apparatus, wiring and fixtures, for greater amounts per unit than follow:

Permanent construction:

For commissioned officer, \$10,000.

For commissioned warrant or warrant officer, \$7,500.

For enlisted man, \$6,000.

Temporary construction:

For commissioned officer, \$7,500.

For commissioned warrant or warrant officer, \$5,000.

For enlisted man, \$3,500.

Contractor's fee, restriction.

The fixed fee to be paid the contractor as a result of any contract hereafter entered into under this appropriation or contract authorization shall not exceed 4 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary.

MARINE CORPS

General expenses, Marine Corps, 1945, \$35,210,000.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE CHIEF INSPECTOR

Salaries of inspectors: For an additional amount for "Salaries of inspectors", fiscal year 1945, \$390,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Furniture, carpets, and safes, public buildings: For an additional amount for "Furniture, carpets, and safes, public buildings", including the objects specified under this head in the Post Office Department Appropriation Act, 1945, fiscal year 1945, \$150,000.

58 Stat. 214.

DEPARTMENT OF STATE

OFFICE OF THE SECRETARY

Contingent expenses: For an additional amount for contingent expenses, Department of State, fiscal year 1945, including the objects under this head in the Department of State Appropriation Act, 1945, and including the purchase of two used passenger automobiles, \$155,000, and no greater sum shall be available except in pursuance of a direct appropriation. The limitation on the amount which may be expended for attendance at meetings, in the appropriation under this head in the Department of State Appropriation Act, 1945, is hereby increased to \$15,000.

58 Stat. 395.

Passport agencies: For an additional amount for "Passport agencies", Department of State, fiscal year 1945, including the objects under this head in the Department of State Appropriation Act, 1945, \$5,000.

58 Stat. 396.

Printing and binding: For an additional amount for "Printing and binding", Department of State, fiscal year 1945, \$100,000.

FOREIGN SERVICE

Emergencies arising in the Diplomatic and Consular Service: For an additional amount for "Emergencies arising in the Diplomatic and Consular Service", fiscal year 1945, including the objects under this head in the Department of State Appropriation Act, 1945, \$4,500,000.

58 Stat. 401.

Contingent expenses, Foreign Service, 1945: The amount available for reimbursement of appropriations for the Navy Department for the purposes stated in the appropriation under this head in the Department of State Appropriation Act, 1945, is hereby increased to \$80,000.

58 Stat. 400.

INTERNATIONAL OBLIGATIONS

Rio Grande bank protection project: For the Rio Grande bank protection project in Cameron and Hidalgo Counties, Texas, to be performed in conformity with the provisions of existing treaties with Mexico and in general accordance with the engineering plan contained in the report of the International Boundary Commission, United States and Mexico, dated March 18, 1942, entitled "Report on Rio Grande Bank Protection Project", on file with the Department of State, as authorized by the Act approved August 19, 1935, as amended (22 U. S. C. 277b), including the objects specified under the head "International obligations, construction, operation, and maintenance, Public Works projects", in the Department of State Appropriation Act, 1945, \$50,000, to remain available until expended: *Provided*, That no part of this appropriation shall be expended for construction on any land, site, or easement, except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States: *Provided further*, That this appropriation may be expended only for the construction of such portions of said project as the American Commissioner deems necessary for the protection of the property of the United States Government, or of other public utilities, facilities, or organizations, including irrigation water-supply systems: *Provided further*, That no expenditure shall be made hereunder for the protection of other than United States Government property except on the basis or condition that the agency owning or controlling such property shall contribute at least 25 per centum of the actual construction cost thereof in money, labor, or materials, or any combination thereof satisfactory to the American Commissioner, and shall give satisfactory assurances that it will contribute in like manner and proportion to the permanent maintenance and operation of that portion of the project with which it is concerned: *And provided further*, That such money contributions shall be immediately available for expenditure for the purposes hereof.

49 Stat. 660.

58 Stat. 404.

Construction limitations.

Protection of other than U. S. property.

United Nations Commission for the Investigation of War Crimes: For all necessary expenses of the participation by the United States in the United Nations Commission for the Investigation of War Crimes, including personal services without regard to civil-service and classification laws; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; allowances for living and quarters for temporary and permanent personnel in accordance with standardized regulations prescribed by the President for civilian officers and employees of the Government temporarily stationed in foreign countries and in accordance with the Acts of June 26, 1930, and February 23, 1931; representation allowances in accordance with the Act of May 24, 1924 (22 U. S. C. 12); stenographic reporting and other services by contract, books of reference and periodicals, and rent of office space, without regard to section 3709 of the Revised Statutes;

Participation expenses.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.46 Stat. 818, 1207.
5 U. S. C. § 118a;
22 U. S. C. §§ 12, 23c.
Post, pp. 104, 102.
43 Stat. 142.

41 U. S. C. § 5.

printing and binding; and the share of the United States in the expenses of the secretariat of the Commission; fiscal year 1945, \$25,000.

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

Restoration of capital impairment, Commodity Credit Corporation: To enable the Secretary of the Treasury, on behalf of the United States, to restore the amount of the capital impairment of the Commodity Credit Corporation as of March 31, 1944, by a contribution to the Corporation as provided by the Act approved March 8, 1938, as amended (15 U. S. C. 713a-1), \$256,764,881.04.

52 Stat. 107,
15 U. S. C., Supp.
IV, § 713a-1.
Ante, p. 51.

Subscriptions to capital stock, Federal Crop Insurance Corporation: For an additional amount to enable the Secretary of the Treasury to subscribe and pay for the capital stock of the Federal Crop Insurance Corporation, as provided in section 504 of the Federal Crop Insurance Act (7 U. S. C. 1504), \$30,000,000.

52 Stat. 72.

Refunds under Renegotiation Act: There is hereby appropriated, to remain available until June 30, 1946, such amount not exceeding \$15,000,000 as may be necessary to make the refunds, including refunds for prior years, required by section 403 (a) (4) (D) (relating to the recomputation of the amortization deduction) and by the last sentence of section 403 (i) (3) (relating to excess inventories) of the Renegotiation Act; and to refund any amount finally adjudged or determined to have been erroneously collected by the United States pursuant to a unilateral determination of excessive profits, with such interest thereon (at a rate not to exceed 4 per centum per annum) as may be adjudged or determined to be owing in law or equity: *Provided*, That to the extent refunds are made from this appropriation of excessive profits collected under the Renegotiation Act and retained by the Reconstruction Finance Corporation or any of its subsidiaries the Reconstruction Finance Corporation or the appropriate subsidiary shall reimburse this appropriation: *Provided further*, That the War Contracts Price Adjustment Board or its duly authorized representative shall certify the amount of any refund to be made in pursuance hereof to the Secretary of the Treasury who shall make payment upon such certificate in lieu of any voucher which might otherwise be required.

58 Stat. 80, 89,
50 U. S. C., Supp.
IV, app. § 1191.

Reimbursement.

Certification of
amount.

BUREAU OF ACCOUNTS

Payment of certified claims: There is hereby appropriated such sum as may be necessary to enable the Secretary of the Treasury to pay claims (not to exceed \$500 in any case) which may be certified during the fiscal years 1945 and 1946 by the Comptroller General of the United States to be lawfully due, within the limits of, and chargeable against the balances of the respective appropriations heretofore made which, after remaining unexpended, have been carried to the surplus fund pursuant to section 5 of the Act of June 20, 1874 (31 U. S. C. 713): *Provided*, That hereafter any collection which otherwise would be for depositing to the credit of an appropriation where such appropriation has lapsed and the balance reverted to the surplus fund shall be deposited for covering into the general fund of the Treasury as miscellaneous receipts.

18 Stat. 110.

Contingent expenses, public moneys: For an additional amount for "Contingent expenses, public moneys", fiscal year 1945, including the objects specified under this head in the Treasury Department Appropriation Act, 1945, \$90,000.

58 Stat. 128.

BUREAU OF INTERNAL REVENUE

Salaries and expenses: For an additional amount for "Salaries and expenses", Bureau of Internal Revenue, fiscal year 1945, including the objects specified under this head in the Treasury Department Appropriation Act, 1945, and including \$42,070 additional for stationery, \$3,500,000.

58 Stat. 201.

BUREAU OF ENGRAVING AND PRINTING

Salaries and expenses: The limitation under "Salaries and expenses", Bureau of Engraving and Printing, in the Treasury Department Appropriation Act, 1945, on the amount which may be expended for travel, is hereby increased from \$15,000 to \$30,000.

58 Stat. 203.

SECRET SERVICE DIVISION

Suppressing counterfeiting and other crimes: For an additional amount for suppressing counterfeiting and other crimes, fiscal year 1945, including the objects specified under this head in the Treasury Department Appropriation Act, 1945, \$45,000.

58 Stat. 203.

BUREAU OF THE MINT

Transportation of bullion and coin: For an additional amount for "Transportation of bullion and coin, mints and assay offices", fiscal year 1945, including the objects specified under this head in the Treasury Department Appropriation Act, 1945, \$7,500.

58 Stat. 205.

Salaries and expenses, mints and assay offices: For an additional amount for "Salaries and expenses, mints and assay offices", fiscal year 1945, including the objects specified under this head in the Treasury Department Appropriation Act, 1945, \$815,000: *Provided*, That the limitation contained in such appropriation upon the amount which may be expended for stationery, is hereby increased from \$2,900 to \$3,900.

58 Stat. 205.

Printing and binding: For an additional amount for "Printing and binding", Bureau of the Mint, fiscal year 1945, \$2,500.

WAR DEPARTMENT

MILITARY ACTIVITIES

DAMAGE CLAIMS

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army", approved July 3, 1943 (Public Law 112), as fully set forth in Senate Document Numbered 17, and House Document Numbered 72, Seventy-ninth Congress, \$249,590.32.

Damages incident to military activities.

57 Stat. 372.
31 U. S. C., Supp. IV, §§ 215-217 notes, 222a, 222b, 223b, 223c.
Post, p. 225.

GENERAL PROVISIONS

In addition to the transfers authorized by section 3 of the Military Appropriation Act, 1945, the appropriation "Expediting production of equipment and supplies for national defense", may be increased by not to exceed 35 per centum and the appropriation "Engineer

Transfer of funds.
58 Stat. 593.

Service, Army" (subhead—"Barracks and quarters, Army"), may be increased by not to exceed 15 per centum, by transfers, with the approval of the Bureau of the Budget, from any of the appropriations for the Military Establishment for the fiscal year 1945 (except the appropriations "National Guard", "Organized Reserves", "Reserve Officers' Training Corps", and "Expenses, Army of the Philippines"), and, in addition, the words "10 per centum" appearing in said section 3 are changed to read "20 per centum" wherever appearing therein.

58 Stat. 592.

The limitation upon the amount of appropriations made available for the Military Establishment which may be expended for "Contingent expenses, War Department", appearing in the Military Appropriation Act, 1945, is hereby increased from \$5,989,000 to \$6,508,000.

58 Stat. 592.

The limitation upon the amount of appropriations made available for the Military Establishment which may be expended for "Printing and binding, War Department", appearing in the Military Appropriation Act, 1945, is hereby increased from \$39,099,000 to \$59,099,000.

CIVIL FUNCTIONS

CORPS OF ENGINEERS

58 Stat. 328.

Rivers and harbors: For an additional amount for rivers and harbors, including the objects specified under this head in the War Department Civil Appropriation Act, 1945, to be available until expended, \$405,000.

58 Stat. 329.

Flood control, general: For an additional amount, fiscal year 1945, for "Flood control, general", including the objects specified under this head in the War Department Civil Appropriation Act, 1945, to be available until expended, \$1,000,000: *Provided*, That this sum shall be immediately available for obligation and expenditure for necessary plans, specifications, and preliminary work in connection with projects for post-war construction authorized by the Flood Control Act approved December 22, 1944.

58 Stat. 887.

THE JUDICIARY

UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

58 Stat. 355.

Repairs and improvements, United States Court of Appeals for the District of Columbia: For an additional amount, fiscal year 1945, for "Repairs and improvements, United States Court of Appeals for the District of Columbia", including the objects specified under this head in the Judiciary Appropriation Act, 1945, \$1,400.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

PROPERTY DAMAGE CLAIMS

42 Stat. 1066.
31 U. S. C. §§ 215-
217; Supp. IV, §§ 215-
217 notes.
Post, p. 662.

SEC. 201. (a) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in House Document Numbered 89, Seventy-ninth Congress, as follows:

Executive Office of the President: Office for Emergency Management,
War Shipping Administration, \$293.64;

Independent offices:

National Advisory Committee for Aeronautics, \$35;

Selective Service System, \$50;

Federal Security Agency, \$605.50;

Federal Works Agency, \$355.67;

Department of Agriculture, \$708.63;

War Food Administration, \$120;

Department of Commerce, \$33;

Department of the Interior, \$908.14;

Department of Justice, \$196.77;

Navy Department, \$41,072.27;

Post Office Department, \$1,567.26;

In all, \$45,945.88.

(b) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent establishments, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document Numbered 18, Seventy-ninth Congress, as follows:

42 Stat. 1066.
31 U. S. C. §§ 215-
217; Supp. IV, §§ 215-
217 notes.
Post, p. 662.

Executive Office of the President:

Office for Emergency Management:

War Shipping Administration, \$32.50;

Independent office:

National Advisory Committee for Aeronautics, \$12.50;

Federal Works Agency, \$149.03;

National Housing Agency, \$985.20;

Department of Agriculture, \$581.73;

War Food Administration, \$72.29;

Department of the Interior, \$396.37;

Navy Department, \$11,616.01;

In all, \$13,845.63.

JUDGMENTS, UNITED STATES COURTS

SEC. 202. (a) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 787), and certified to the Seventy-ninth Congress in House Document Numbered 86, under the following agencies:

Suits in admiralty.

War Department, \$1,000;

Navy Department, \$10,119.57;

In all, \$11,119.57, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

43 Stat. 1113.

(b) For the payment of judgments, including costs of suits, which have been rendered against the Government of the United States by United States district courts under the provisions of the Act of March 3, 1887, as amended by section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which have been certified to the Seventy-ninth Congress in Senate Document Numbered 22, and House Document Numbered 87, under the following agencies:

24 Stat. 506; 36 Stat.
1168.

Federal Security Agency, National Youth Administration, \$629;
Federal Works Agency, Work Projects Administration, \$5,523.92;
War Department, \$22,262.56;

In all, \$28,415.48, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

D. X. Sanders.

(c) For the payment of final judgment and decree in a special case rendered against the Government of the United States pursuant to authority contained in the Act approved December 24, 1942 (Public Law Numbered 634, Seventy-seventh Congress, second session, 56 Stat. 1259), as certified to the Seventy-ninth Congress in Senate Document Numbered 20, under the Department of Agriculture, \$5,808, together with such additional sum as may be necessary to pay interest as and where specified in such judgment or as provided by law.

Right of appeal.

(d) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Interest.

(e) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-ninth Congress in Senate Document Numbered 23, and House Document Numbered 85, under the following agencies, namely:

Federal Works Agency, Public Buildings Administration, \$36,957.98;
National Housing Agency, Federal Public Housing Authority, \$19,803.25;

Department of the Interior, Indians, \$5,024,842.34;

Navy Department, \$7,507.67;

Treasury Department, \$2,832.24;

War Department, \$326,939.19;

David McD. Shearer.

In all, \$5,418,882.67, together with such additional sum as may be necessary to pay interest, costs and amounts measured by interest in the case of David McD. Shearer, numbered 41829, as and where specified in such judgment.

Right of appeal.

(b) None of the judgments contained under this caption shall be paid until the right of appeal has expired, except such as has become final and conclusive against the United States by failure of the parties to appeal or otherwise.

AUDITED CLAIMS

SEC. 204. For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1942 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 88, and Senate Document Numbered 24, Seventy-ninth Congress, there are appropriated the sums of \$2,697,740.06, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund, and \$615,075.44 payable from postal revenues, in all, \$3,312,815.50.

18 Stat. 110.

23 Stat. 254.

SEC. 205. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain, and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899", approved May 2, 1940 (Public Act Numbered 505, Seventy-sixth Congress), and which have been certified to the Seventy-ninth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in House Document Numbered 83, \$770.78.

Volunteers, War with Spain.

54 Stat. 176.
10 U. S. C. §§ 866a-866e.

23 Stat. 254.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provision of existing law.

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 302. This Act may be cited as the "First Deficiency Appropriation Act, 1945".

Short title.

Approved April 25, 1945.

[CHAPTER 97]

AN ACT

To extend to June 30, 1946, the period during which females may be employed in the District of Columbia for more than eight hours a day, or forty-eight hours a week, under temporary permits.

April 27, 1945

[H. R. 2122]

[Public Law 41]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia", approved February 24, 1914, as amended (D. C. Code, title 36, Supp. III, sec. 36-301), is amended by striking out "June 30, 1945" and inserting in lieu thereof "June 30, 1946".

District of Columbia.
Employment of females.

57 Stat. 93.
D. C. Code, Supp. IV, § 36-301.

Approved April 27, 1945.

[CHAPTER 98]

AN ACT

To extend the life of the Smaller War Plants Corporation.

April 27, 1945

[S. 105]

[Public Law 42]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 4 (d) of the Act entitled "An Act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes", approved June 11, 1942, as amended, is amended to read as follows: "The Corporation

Smaller War Plants Corporation, continuance.

56 Stat. 353.
50 U. S. C., Supp. IV, app. § 1104.

shall not have succession beyond December 31, 1946, except for purposes of liquidation, unless its life is extended beyond such date pursuant to an Act of Congress."

56 Stat. 353.
50 U. S. C., Supp.
IV, app. § 1104.
Board of directors.

SEC. 2. (a) Section 4 (c) of such Public Law 603 is amended to read as follows:

"(c) The management of the Corporation shall be vested in a board of five directors who shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals who are familiar with the problems of small business. The President shall designate one of the members as chairman."

Continuance of present members in office.

(b) Notwithstanding the amendment made by subsection (a) of this section, the members of the board of directors of the Smaller War Plants Corporation holding office at the time of the enactment of this Act shall continue in office until five members have been appointed pursuant to section 4 (c) of such Public Law 603 as amended by this section.

Approved April 27, 1945.

[CHAPTER 99]

AN ACT

April 27, 1945
[S. 122]
[Public Law 43]

To amend an Act entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes", approved March 3, 1921, as amended.

District of Columbia.
Weights, measures, and markets.

41 Stat. 1217.
D. C. Code § 10-101
et seq.
Ante, p. 45.

D. C. Code § 10-103.

Powers of Superintendent.

Periodic inspection of weights and measures.

Approval or condemnation.

Unapproved or non-standard devices, prohibition on use.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes", approved March 3, 1921, as amended, is hereby further amended as follows:

Strike out section 3 of said Act and insert in lieu thereof the following:

"SEC. 3. That the Superintendent and, under his direction, his assistants and inspectors, shall have exclusive power to perform all the duties provided in this Act. They shall, at least every six months, and oftener when the Superintendent thinks proper, inspect, test, try, and ascertain whether or not they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring used or employed in the District of Columbia by any owner, agent, lessee, or employee in determining the weight, size, quantity, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for transportation, sale, barter, exchange, hire, or award, or the weight of persons for a charge or compensation, and shall approve and seal, stamp, or mark, in the manner prescribed by the Commissioners, such devices or appliances as conform to the standards kept in the office of the Superintendent, and shall seize and destroy or mark, stamp, or tag with the word 'condemned' such as do not conform to the standards, and shall also mark the date of such condemnation upon the same. Any weight, scale, beam, measure, weighing or measuring device of any kind which shall be found to be unsuitable for the purpose for which it is intended to be used or of defective construction or material shall be condemned. No person shall use or, having the same under his control, shall permit to be used for any of the purposes enumerated in this Act any weight, scale, beam, measure, weighing or measuring device whatsoever unless the same has been approved in accordance with the provisions of this

Act within six months prior to such use, or that does not conform to the standards kept in the office of the Superintendent of Weights, Measures, and Markets, or that does not bear the approval seal, stamp, or mark prescribed by the Commissioners, or which, having been condemned, has not thereafter been approved as provided in this Act.

“Any person who shall acquire or have in his possession after the passage of this Act any scale, weighing instrument, or nonportable measure or measuring device, subject to inspection or test under the provisions of this Act, which has not been approved in accordance with the provisions of this Act within six months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners, shall notify the Superintendent in writing at his office, giving a general description thereof, and the street and number or other location where same may be found, and it shall be the duty of the Superintendent to cause the same to be inspected and tested within a reasonable time after receipt of such notice. Any person who shall acquire or have in his possession after the passage of this Act any portable measure or measuring device, subject to inspection or test under the provisions of this Act, which has not been approved in accordance with the provisions of this Act within six months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners shall cause the same to be taken to the office of the Superintendent for inspection and test.

Notice for inspection.

Portable measures.

“Every peddler, hawker, huckster, transient merchant, or other person with no fixed or established place of business shall, before using any weight, scale, measure, weighing or measuring device for any of the purposes enumerated in this Act, cause the same to be taken to the office of the Superintendent for inspection and test semi-annually, and shall not use for the purposes herein mentioned any weight, scale, measure, weighing or measuring device which has not been approved within six months prior to the time of such use, and does not bear the approval seal, stamp, or mark prescribed by the Commissioners.”

Peddlers' weights and measures.

SEC. 2. Insert at the end of section 7 the following :

D. C. Code § 10-107.

“No person shall charge or collect for any commodity or commodities a sum greater than the price or prices indicated or quoted at the time of sale. No person shall charge, collect, or accept any money for any commodity which he shall not have delivered or which he shall not have agreed to deliver. When a whole number or fraction, or both, are used in representing the price or quantity of any commodity, thing, or service offered or exposed for sale, such number or combination of numbers shall be of such size as to indicate clearly the price or quantity of such commodity, thing or service.”

Price restrictions.

Undelivered commodities.

Size of numerals indicating price, etc.

SEC. 3. Strike out section 11 of said Act and insert in lieu thereof the following :

D. C. Code § 10-111.

“SEC. 11. That it shall be unlawful to sell or offer for sale in the District of Columbia any coal, charcoal, or coke in any manner other than by weight. No person shall sell or deliver or attempt to deliver to any purchaser within the District of Columbia any coal, charcoal, or coke unless the quantity so sold or delivered or attempted to be delivered to each purchaser shall have been weighed separately. No person shall deliver to any purchaser within the District of Columbia any coal, charcoal, or coke unless the same shall have been kept separated from any other coal, charcoal, coke, or other commodity after same has been weighed as aforesaid until final delivery thereof.

Coal, charcoal, and coke. Sale by weight.

“No person shall deliver or attempt to deliver any coal, charcoal, or coke in a quantity of one-fourth of a ton or more without accompanying the same by a delivery ticket and a duplicate thereof, the

Delivery ticket.

original of which shall be in ink or indelible substance, on each of which shall be clearly and distinctly expressed the following information:

“(a) The gross weight of the load, the tare weight of the delivery vehicle, and the net weight of the coal, charcoal, or coke expressed in pounds avoirdupois;

“(b) The name of the owner and location of the scale on which the coal, charcoal, or coke shall have been weighed;

“(c) Name and address of the seller and of the purchaser; and

“(d) The name of the person who weighed said coal, charcoal, or coke.

Verification of weight.

“Upon demand of the Superintendent or any of his assistants or inspectors upon the person in charge of the vehicle of delivery, the original of these tickets shall be surrendered to the official making such demand. The duplicate ticket shall be delivered to the purchaser of said coal, charcoal, or coke, or to his agent or representative, at the time of delivery of such coal, charcoal, or coke. Upon demand of the Superintendent or any of his assistants or inspectors, or of the purchaser or intended purchaser, his agent, or representative, the person delivering such coal, charcoal, or coke shall convey the same forthwith to a public scale, owned and operated as hereinafter provided, or to any legally approved private scale in the District of Columbia, the owner of which may consent to its use, and shall permit the verifying of the weight, and after the delivery of such coal, charcoal, or coke shall return forthwith with the wagon, truck, or other vehicle used to the same scale and permit to be verified the weight of the wagon, truck or other vehicle.

Sales of one-fourth ton or more.

Sales of less than one-fourth ton.

Package sale requirements.

“When coal, charcoal, or coke is sold in quantities of one-fourth ton or more, it shall be sold in quantities of one-fourth ton, one-half ton, one ton, or in multiples of a ton. When coal, charcoal, or coke is sold in quantities of less than one-fourth ton, it shall be weighed at the time of delivery or sold in packages containing one hundred pounds, fifty pounds, twenty-five pounds, fifteen pounds, or ten pounds. No package of coal, charcoal, or coke shall be made for sale, kept for sale, offered for sale, exposed for sale, or sold unless it shall have distinctly and conspicuously printed on the outside thereof in plain bold-face type, not smaller than thirty-six point, the name of the commodity, the quantity of contents in pounds, and the name and address of the maker of said package. When coal, charcoal, or coke is sold and delivered in packages, no delivery ticket shall be required.

Liquid contents.

“No coal, charcoal, or coke shall be sold which contains at the time the weight is taken more water or other liquid substance than is due to the natural condition of the coal, charcoal, or coke.

Display of vendor's name on vehicle.

“Every vendor of coal, charcoal, or coke shall cause his name and address to be distinctly and conspicuously displayed in letters and figures at least four inches high on both sides of every vehicle used by or for him for the sale or delivery of coal, charcoal, or coke. In case of an estate, the trustee, administrator, or executor, or other person in charge of the affairs of such estate shall be deemed to be the vendor.”

D. C. Code § 10-114.

SEC. 4. Strike out section 14 of said Act and insert in lieu thereof the following:

Milk or cream.
Capacity of bottles or jars.
Markings.

“SEC. 14. That bottles or jars used for the sale of milk or cream shall be of the capacity of one gallon, half gallon, three pints, one quart, one pint, half pint, or one gill. Such bottles or jars shall have clearly blown or otherwise permanently marked in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation who or which shall have bottled such milk or cream. Any person who uses, for the purpose

of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemed guilty of using false measure."

SEC. 5. Insert after section 22 of said Act the following new section:

"SEC. 22½. The Superintendent of Weights, Measures, and Markets is further authorized to make purchases of food in connection with the investigation and detection of sales of food by misrepresentation or false advertising in violation of the Act entitled 'An Act to prevent fraudulent advertising in the District of Columbia', approved May 29, 1916; and there are hereby authorized to be appropriated annually such sums as may be necessary for carrying out the purposes of this section."

SEC. 6. Strike out the last sentence of section 19 of said Act and insert in lieu thereof the following: "All fish, meat, poultry, meat products, lard, lard substitutes, butter, butter substitutes, and cheese shall be sold by avoirdupois weight."

SEC. 7. Strike out section 28 of said Act and insert in lieu thereof the following:

"SEC. 28. That the Commissioners are hereby authorized and empowered to make such regulations as may be necessary for the control, regulation, and supervision of all markets owned by the District of Columbia and that the Superintendent, under the direction of the Commissioners, shall have supervision of all produce and other markets owned by the District of Columbia, shall enforce such regulations regarding the operation of the same as the Commissioners may make, shall make such investigations regarding the sale, distribution, or prices of commodities in the District of Columbia as the Commissioners may direct, and shall make reports and recommendations in connection therewith."

Approved April 27, 1945.

[CHAPTER 100]

AN ACT

To amend section 16 of the Act entitled "An Act to amend the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes", approved June 4, 1924.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of the Act entitled "An Act to amend the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes", approved June 4, 1924 (Public, Numbered 188, Sixty-eighth Congress), be amended to read as follows:

"SEC. 16. That when necessary, the Board of Education, on written recommendation of the Superintendent of Schools, is authorized and empowered to appoint temporary teachers: *Provided*, That such appointments shall be made for a limited period not to extend beyond June 30 of the fiscal year in which the appointments are made, and the Board of Education is authorized to terminate the services of any temporary teachers at any time, on the written recommendation of the Superintendent of Schools: *Provided further*, That all temporary teachers shall be assigned to the basic salary of the class in which the service is to be performed, and shall not be entitled to longevity allowance in said class."

Approved April 27, 1945.

D. C. Code § 10-124.

Food products.
Misrepresentation
or false advertising.

39 Stat. 165.
D. C. Code §§ 22-1411 to 22-1413.

D. C. Code § 10-120.
Sales by avoirdupois weight.

D. C. Code § 10-130.

Markets owned by
District of Columbia.
Regulation and supervision.

April 27, 1945
[S. 124]

[Public Law 44]

Public schools, D. C.
43 Stat. 375.
D. C. Code § 31-604.
Post, p. 500.

Temporary teachers.

Period of appointments.

Salary.

[CHAPTER 101]

AN ACT

April 27, 1945

[S. 638]

[Public Law 45]

To amend the Code of Laws of the District of Columbia by adding a new section 548a, and providing for the recording of veterans' discharge certificates.

District of Columbia Code, amendment.

31 Stat. 1275.

D. C. Code § 45-701.

Recording of veterans' service and discharge certificates.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Code of Laws of the District of Columbia, approved March 3, 1901, be amended by adding thereto the following new section:

"SEC. 548a. The recorder shall also receive for record and record all certificates of service and certificates of discharge of persons released from active duty in or discharged from the armed forces of the United States, for which no fee shall be charged or collected, but the record of any certificate authorized by this section to be recorded shall not constitute constructive notice of the existence or contents of such certificate. For making certified copies of any of the foregoing certificates from the records in the office of the recorder the usual fees shall be charged."

Approved April 27, 1945.

[CHAPTER 102]

AN ACT

April 28, 1945

[S. 123]

[Public Law 46]

To amend section 14 of the Act entitled "An Act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes", approved March 3, 1925, and to amend section 15 thereof, as amended.

District Training School.

43 Stat. 1137, 1138.

D. C. Code §§ 32-615, 32-616.

Liability of estate of public patient for maintenance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14 of the Act entitled "An Act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes", approved March 3, 1925, and section 15 thereof, as amended, be amended to read as follows:

"SEC. 14. If the order for admission is as a public patient, and it shall appear then or at any time thereafter that the patient has an estate out of which the Government may be reimbursed for his maintenance, in whole or in part, the court shall order the payment out of such estate of the whole or such part of the cost of maintenance of said patient at said institution as it shall deem just, regard being had for the needs of those having a legal right to support out of said estate, which said order shall remain in full force and effect unless modified by the court. Upon the death of such feeble-minded person while an inmate at such institution or within five years after discharge therefrom, his estate shall be liable to the District of Columbia for the cost of his maintenance at said institution, and the claim of the District of Columbia shall be a preferred claim.

Responsibility of designated relatives.

"SEC. 15. If the order for admission is as a public patient and the court at any time finds that the patient has not an estate out of which the District of Columbia may be fully reimbursed for his maintenance, the father, mother, husband, wife, and adult children of such feeble-minded person, if of sufficient ability, shall pay the cost to the District of Columbia of his maintenance at the District Training School, at Laurel, Maryland. The Commissioners of the District of Columbia may petition the District Court of the United States for the District of Columbia, at any time during the commitment of such feeble-minded person to said institution, to direct any such relative or relatives to

Proceedings to enforce payment.

pay the District of Columbia, in whole or in part, for his maintenance at said institution: *Provided*, That in no case shall any such relative or relatives be required to pay more than the actual cost to the District of Columbia of the maintenance of such feeble-minded person.

“If the District Court of the United States for the District of Columbia finds that any such relative or relatives is or are able to pay for the maintenance of such feeble-minded person, in whole or in part, it may make an order requiring payment by any such relative or relatives of such sum or sums as it may find he or they are reasonably able to pay and as may be necessary to provide for the maintenance of such feeble-minded person. Said order shall require the payment of such sum or sums to the Collector of Taxes of the District of Columbia annually, semiannually, quarterly, or monthly, as the court may direct. It shall be the duty of the said Collector of Taxes to collect the said sum or sums due under this section and section 14, and turn the same into the Treasury of the United States to the credit of the District of Columbia. If any such relative or relatives made liable for the maintenance of such feeble-minded person shall fail to provide or pay for such maintenance, in accordance with the order of court, the court shall issue to such relative or relatives a citation to show cause why he or they should not be adjudged in contempt. The citation shall be served at least ten days before the hearing thereon.

Court order.

Payment to Collector of Taxes.

Ante, p. 100.

Citation upon failure to provide or pay.

“Any such order may be enforced against any property of any such relative or relatives made liable for the maintenance of such feeble-minded person, in the same way as if it were an order for temporary alimony in a divorce case.

Enforcement of court order.

“Upon the death of any such relative ordered by the court to pay for the maintenance of such feeble-minded person in whole or in part, the estate of such relative shall be liable to the District of Columbia for the unpaid amount due the District of Columbia under said order of court at the time of the death of said relative, and the claim of the District of Columbia shall be a preferred claim against such estate.”

Liability of estate upon death of contributing relative.

Approved April 28, 1945.

[CHAPTER 103]

AN ACT

Relating to escapes of prisoners of war and interned enemy aliens.

April 30, 1945

[H. R. 1525]

[Public Law 47]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever procures the escape of any prisoner of war held by the United States or any of its allies, or the escape of any person apprehended or interned as an enemy alien by the United States or any of its allies, or advises, connives at, aids, or assists in such escape, or aids, relieves, transports, harbors, conceals, shelters, protects, holds correspondence with, gives intelligence to, or otherwise assists any such prisoner of war or enemy alien, after his escape from custody, knowing him to be such prisoner of war or enemy alien, or attempts to commit or conspires to commit any of the above acts, shall be fined not more than \$10,000, or imprisoned for not more than ten years, or both. The provisions of this Act shall be in addition to and not in substitution for any other provision of law.

Prisoners of war and enemy aliens. Procuring or assisting in escape, etc.

Approved April 30, 1945.

[CHAPTER 105]

AN ACT

May 3, 1945
[H. R. 6891]
[Public Law 48]

To enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State.

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

Foreign Service.
Purpose of Congress.

SECTION 1. It is the purpose of the Congress to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State.

46 Stat. 1207.
22 U. S. C. § 23a.

SEC. 2. That section 1 of the Act entitled "An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor", as amended, is hereby amended to read as follows:

Classification of administrative, etc., personnel.

"SECTION 1. The administrative, fiscal, and clerical personnel of the Foreign Service of the United States of America shall be graded and classified as follows, and shall receive, within the limitation of such appropriations as the Congress may make, the basic compensation specified, and shall, within the salary range indicated, be entitled to administrative promotions in compensation which shall be made in accordance with the laws prescribing promotion of civil-service personnel as respects the administrative groups and under such rules and regulations as the Secretary of State may prescribe for senior and junior clerks:

Administrative officers.

"Administrative officers: Class I, \$4,600 to \$5,600; class II, \$3,800 to \$4,600; class III, \$3,500 to \$4,100.

Administrative assistants.

"Administrative assistants: Class I, \$3,200 to \$3,800; class II, \$2,900 to \$3,500; class III, \$2,600 to \$3,200.

Clerks.

"Clerks: Class I, senior clerks, \$2,300 to \$2,900; class II, junior clerks, all clerks whose compensation as fixed by the Secretary of State is less than \$2,300 per annum."

46 Stat. 1207.
22 U. S. C. § 23c.

SEC. 3. That section 3 of the Act of February 23, 1931, as amended, is amended to read as follows:

Allowances for living quarters, etc.

"SEC. 3. The Secretary of State is hereby authorized to grant at all posts, allowances for living quarters, heat, light, fuel, gas, and electricity, and at posts where in his judgment it is required by the public interests for the purpose of meeting the unusual or excessive costs of living ascertained by him to exist, to grant post allowances to clerks assigned there and also to other employees of the Foreign Service of the United States who are American citizens, within such appropriations as Congress may make for said purpose: *Provided*, That all such allowances shall be accounted for to the Secretary of State in such manner and under such rules and regulations as the President may prescribe, and the authorization and approval of such expenditures by the Secretary of State as complying with such rules and regulations shall be binding upon all officers of the Government: *Provided, however*, That all such allowances and the reasons therefor shall be reported to the Congress with the annual budget."

Post allowances to meet excessive costs of living.

Accounting.

Report to Congress.

53 Stat. 533.
22 U. S. C. § 3.

SEC. 4. That paragraph (a) of section 10 of the Act of February 23, 1931, as amended, is hereby amended to read:

"SEC. 10. (a) The officers in the Foreign Service of the United States shall hereafter be graded and classified as follows, with the salaries of each class herein affixed thereto, except as increases in salaries are authorized in section 33 of this Act:

Foreign Service officers, classification.

"Ambassadors and Ministers, as now or hereafter provided; Foreign Service officers as follows: Class I, \$9,000 to \$10,000; class II, \$8,000 to \$8,900; class III, \$7,000 to \$7,900; class IV, \$6,000 to \$6,900; class V, \$5,000 to \$5,900; class VI, \$4,500 to \$4,900; class VII, \$4,000 to \$4,400; class VIII, \$3,500 to \$3,900; unclassified, \$2,500 to \$3,400: *Provided, however,* That as many Foreign Service officers above class VI as may be required for purposes of inspection may be detailed by the Secretary of State for that purpose."

46 Stat. 1215.
22 U. S. C. §§ 3a, 23i.

SEC. 5. That section 10 of the Act of February 23, 1931, is further amended by adding at the end thereof the following new paragraph (c):

Details for inspection purposes.

"SEC. 10. (c) The Secretary of State is hereby authorized to assign for special duty as officers of the Foreign Service for nonconsecutive periods of not more than four years, qualified persons holding positions in the Department of State, and, at his request, qualified persons holding positions in any other department or agency of the United States who have rendered not less than five years of Government service, and persons so assigned shall be eligible during the periods of such assignment to receive the allowances authorized by the provisions of section 19 of this Act. Persons assigned under the authority of this section shall be eligible to receive all benefits provided by civil-service law and regulation in the same manner and subject to the same conditions as though they were serving in their regular civil-service positions and upon termination of their assignment shall be reinstated in the respective department or agency from which loaned. The salaries and allowances of such persons shall notwithstanding the provisions of any other law, be paid throughout the periods of such assignments from the appropriations provided for the Department of State."

Assignment of qualified Government personnel for special duty.

Post, p. 104.
Eligibility for civil-service benefits.

SEC. 6. Section 14 of the Act of February 23, 1931, is amended to read as follows:

Payment of salaries and allowances.

"SEC. 14. That the Secretary of State is directed to report from time to time to the President, along with his recommendations, the names of those Foreign Service officers who by reason of efficient service have demonstrated special capacity for promotion to the grade of minister or ambassador and the names of those Foreign Service officers and clerks and officers and employees in the Department of State who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon taking the prescribed examination to have fitness for appointment to the Service, and any Foreign Service officers who may hereafter be promoted to a higher class within the classification prescribed in section 10 of this Act, as amended, shall have the status and receive the compensation attaching to such higher class from the date stated in his commission as the effective date of his promotion to such higher class."

46 Stat. 1208.
22 U. S. C. § 7.

Reports and recommendations for promotions and appointments.

Supra.

SEC. 7. Section 16 of the Act of February 23, 1931, is amended to read as follows:

46 Stat. 1208.
22 U. S. C. § 11.

"SEC. 16. That every secretary, consul general, consul, vice consul, or Foreign Service officer and, if required, any other officer or employee of the Foreign Service or of the Department of State before he enters upon the duties of his office shall give to the United States a bond in such form and in such penal sum as the Secretary of State shall prescribe, with such sureties as the Secretary of State

Bonds and sureties.

shall approve, conditioned without division of penalty for the true and faithful performance of his duties, including (but not by way of limitation) certifying vouchers for payment, accounting for, paying over, and delivering up of all fees, moneys, goods, effects, books, records, papers, and other property that shall come to his hands or to the hands of any other person to his use as such officer or employee under any law now or hereafter enacted and for the true and faithful performance of all other duties now or hereafter lawfully imposed upon him as such officer or employee, and such bond shall be construed to be conditioned for the true and faithful performance of all official duties of whatever character now or hereafter lawfully imposed upon him, or by him assumed incident to his employment as an officer or employee of the Government: *Provided*, That notwithstanding any other provisions of law, upon approval of any bond given pursuant to this Act, the principal shall not be required to give another separate bond conditioned for the true and faithful performance of only a part of the duties for which the bond given pursuant to this Act is conditioned: *Provided further*, That the operation of no existing bond of a Foreign Service officer or vice consul shall in any way be impaired by the provisions of sections 1-23, 23f-23l, title 22, of the United States Code: *Provided further*, That the bond of a Foreign Service officer shall be construed to be conditioned for the true and faithful performance of all acts of such officer incident to his office regardless of whether commissioned as diplomatic, consular, or Foreign Service officer. The bonds herein mentioned shall be deposited with the Secretary of the Treasury: *Provided further*, That nothing herein contained shall be deemed to obviate the necessity of furnishing any bond which may be required pursuant to the provisions of the Subsistence Expense Act of 1926, as amended."

SEC. 8. Section 19 of the Act of February 23, 1931, is amended to read as follows:

"SEC. 19. Under such regulations as the President may prescribe and within the limitations of such appropriations as may be made therefor, which appropriations are authorized, ambassadors, ministers, diplomatic, consular and Foreign Service officers may be granted allowances for living quarters, heat, light, fuel, gas, and electricity; for representation; and also post allowances wherever the cost of living may be proportionately so high that in the opinion of the Secretary of State such allowances are necessary to enable such diplomatic, consular, and Foreign Service officers to carry on their work efficiently: *Provided*, That all such allowances shall be accounted for to the Secretary of State in such manner and under such rules and regulations as the President may prescribe and the authorization and approval of such expenditures by the Secretary of State as complying with such rules and regulations shall be binding upon all officers of the Government: *Provided further*, That the Secretary of State shall report all such expenditures annually to the Congress with the Budget estimates of the Department of State."

SEC. 9. Section 21 of the Act of February 23, 1931, is amended to read as follows:

"SEC. 21. That any Foreign Service officer may be assigned for duty in the Department of State or in any department or agency of the Government in the discretion of the Secretary of State without loss of class or salary, such assignment to be for a period of not more

Separate bond not required.

Existing bonds not impaired.

22 U. S. C., Supp. IV, §§ 17, 21.
Post, p. 105.
Coverage.

Deposit.

Necessity.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.
46 Stat. 1209.
22 U. S. C. § 12.

Allowance for living quarters, etc.

Representation.
Post allowances.

Accounting.

Report to Congress.

46 Stat. 1209.
22 U. S. C. §§ 15, 16.

Assignment for duty in Government agencies.

than three years unless the public interest demands further service, when such assignment may be extended for a period not to exceed one year, upon completion of which four-year assignment and reassignment to the field, he may not again be assigned for duty in the Department of State or in any other department or agency of the Government until the expiration of at least three years of field duty. Any ambassador or minister, or any Foreign Service officer of whatever class, detailed for duty in connection with trade conferences, or international gatherings, congresses, or conferences, or for other special duty not at his post or the Department of State, except temporarily for purposes of consultation, shall be paid his salary and expenses of travel and subsistence at the rates prescribed by law."

SEC. 10. Section 31 of the Act of February 23, 1931, is amended to read as follows:

"SEC. 31. There shall be in the Department of State a Board of Foreign Service Personnel for the Foreign Service, whose duty it shall be to recommend promotions in the Foreign Service and to furnish the Secretary of State with lists of Foreign Service officers who have demonstrated special capacity for promotion to the grade of Minister or Ambassador. The Board shall be composed of not more than three Assistant Secretaries of State, one of whom shall be the Assistant Secretary of State having supervision over the Division of Foreign Service Personnel and who shall be Chairman, an officer of the Department of Commerce designated by the Secretary of Commerce and acceptable to the Secretary of State, and an officer of the Department of Agriculture designated by the Secretary of Agriculture and acceptable to the Secretary of State. The officer of the Department of Commerce shall sit as a member of the Board only when nominations and assignments of commercial attachés, the selection or assignment of Foreign Service officers for specialized training in commercial work or other matters of interest to the Department of Commerce are under consideration; the officer of the Department of Agriculture shall sit as a member of the Board only when nominations and assignments of agricultural attachés, the selection or assignment of Foreign Service officers for specialized training in agricultural work or other matters of interest to the Department of Agriculture are under consideration. The Chief of the Division of Foreign Service Personnel of the Department of State and one other member of that Division may attend the meetings of the Board and one of them shall act as secretary but they shall not be entitled to vote at its proceedings. No Foreign Service officer below class I shall be assigned as Chief of the Division of Foreign Service Personnel, nor shall such officer be given any authority except of a purely advisory character over promotions, demotions, transfers, or separations from the service of Foreign Service officers. The Director of the Office of the Foreign Service shall be assigned from among officers of the Foreign Service, but no Foreign Service officer below class I shall be so assigned."

SEC. 11. Revised Statutes 1699, 1700, and 1701 are hereby repealed.

SEC. 12. Section 7 of the Act of February 5, 1915 (38 Stat. 807), restricting the transaction of business by diplomatic officers, shall apply, with the exception of consular agents, to all officers and employees of the Foreign Service.

Approved May 3, 1945.

Special details; salary and expenses.

46 Stat. 1214.
22 U. S. C. §§ 23f, 23g.
Board of Foreign Service Personnel.

Composition.

Designations by Secretaries of Commerce and Agriculture.

Division of Foreign Service Personnel.

Director, Office of the Foreign Service.

22 U. S. C. §§ 106-108.
Business transactions, restriction.
22 U. S. C. § 38.

[CHAPTER 106]

AN ACT

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, 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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, namely:

TITLE I

EXECUTIVE OFFICE OF THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President of the United States, \$75,000.

THE WHITE HOUSE OFFICE

Salaries and expenses: For all expenses necessary for The White House Office, including compensation of the Secretary to the President, the two additional secretaries to the President and the six administrative assistants to the President at \$10,000 each, and other personal services in the District of Columbia; not to exceed \$4,050 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); automobiles; printing and binding; and travel and official entertainment expenses of the President, to be accounted for on his certificate solely; \$312,588: *Provided*, That employees of the departments and independent establishments of the executive branch of the Government may be detailed from time to time to The White House Office for temporary assistance.

EXECUTIVE MANSION AND GROUNDS

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures of the Executive Mansion and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, \$150,000.

BUREAU OF THE BUDGET

Salaries and expenses: For all expenses necessary for the work of the Bureau of the Budget, including personal services in the District of Columbia and elsewhere, contract stenographic reporting services, traveling expenses, lawbooks, books of reference, newspapers and periodicals, teletype news service (not exceeding \$900), maintenance, repair, and operation of three passenger-carrying automobiles for official use, not to exceed \$540 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), and not to exceed \$35,000 for temporary employment of persons or organizations by contract or otherwise without regard to section 3709 of the Revised Statutes, or the Classification Act of 1923, as amended, \$2,162,257.

For printing and binding, \$60,000.

May 3, 1945
[H. R. 1984]
[Public Law 49]

Independent Offices
Appropriation Act,
1946.

Post, pp. 413, 414,
634.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Temporary assist-
ance.

Post, pp. 414, 634.

Post, p. 634.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Temporary employ-
ment.

41 U. S. C. § 5.
42 Stat. 1488.

5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*

Post, p. 298 *et seq.*

National defense activities: For all necessary expenses of the Bureau of the Budget in the performance of activities relating to the national defense, including all the objects for which the appropriation "Salaries and expenses, Bureau of the Budget" is available, and including the temporary employment (not exceeding \$12,500) of persons or organizations by contract or otherwise, without regard to section 3709 of the Revised Statutes and the Classification Act of 1923, as amended; and the employment of persons, including State, county, or municipal officers and employees, with or without compensation, \$445,300: *Provided*, That upon the expiration of sixty days after the cessation of hostilities between the United States and the principal enemy powers or after the date of an armistice between the United States and the principal enemy powers, this appropriation shall cease to be available for obligations unless Congress shall otherwise provide by law.

No part of the appropriations herein made to the Bureau of the Budget shall be used for the maintenance or establishment of more than four regional, field, or any other offices outside the District of Columbia.

INDEPENDENT OFFICES

AMERICAN BATTLE MONUMENTS COMMISSION

For all expenses necessary for the work of the American Battle Monuments Commission authorized by the Act of March 4, 1923 (36 U. S. C. 121-138), and by Executive Order 6614 of February 26, 1934, including the acquisition of land or interest in land in foreign countries for carrying out the purposes of said Act and Executive Order without submission to the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (34 U. S. C. 520; 40 U. S. C. 255); employment of personal services in the District of Columbia and elsewhere; purchase and repair of uniforms for caretakers of national cemeteries and monuments in Europe at a cost not exceeding \$500; travel expenses; not to exceed \$15 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); rent of office and garage space in foreign countries which may be paid for in advance; the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles which may be furnished to the Commission by other departments of the Government or acquired by purchase; printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries in Europe; transfer of household goods and effects as provided by the Act of October 10, 1940, and regulations promulgated thereunder, and, when ordered or approved by the Commission, expenses of travel of dependents of employees when transferred from one official station to another, and the temporary transfer of employees by the Commission between places in foreign countries or between foreign countries and the United States, including transfers incident thereto, or, in the case of new appointments, transfer from place of appointment, may, if ordered or approved by the Commission, be regarded as a transfer from one official station to another for permanent duty for the purpose of authorizing the payment of travel of dependents and for the purposes of said Act of October 10, 1940, and regulations promulgated thereunder; and the purchase of maps, textbooks, newspapers and periodicals; \$40,000: *Provided*, That notwithstanding the requirements of existing laws or regulations, and under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for

Temporary employment.

41 U. S. C. § 5.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*
Availability of funds, limitation.

Offices outside D. C.

Post, p. 635.

42 Stat. 1509.
5 U. S. C. § 132 note.
Acquisition of land abroad.

58 Stat. 304.
39 U. S. C., Supp. IV, § 321d.

54 Stat. 1105.
5 U. S. C. § 73c-1.

Temporary transfer of employees.

Supplies and technical personnel.

work, supplies, materials, and equipment in Europe and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel: *Provided further*, That when traveling on business of the Commission, officers of the Army serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *And provided further*, That the Commission may delegate to its chairman, secretary, or officials in charge of either its Washington or Paris offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.

Army officers, ex-
penses.

Delegation of au-
thority.

AMERICAN COMMISSION FOR THE PROTECTION AND SALVAGE OF ARTISTIC AND HISTORIC MONUMENTS IN WAR AREAS

For all expenses necessary for completing the work of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas in performing its functions, as described in the letter of the Secretary of State, approved by the President, June 23, 1943, as amended, including the employment of persons, without regard to citizenship, in the District of Columbia and elsewhere; not to exceed \$15,000 for the temporary employment of persons or organizations by contract or otherwise without regard to the civil service and classification laws or section 3709 of the Revised Statutes; travel expenses, purchase of books of reference, periodicals, and newspapers; not to exceed \$90 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and printing and binding; \$40,000.

41 U. S. C. § 5.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

CIVIL SERVICE COMMISSION

Post, pp. 418, 635.

Salaries and expenses: For all expenses necessary for the work of the Civil Service Commission, including personal services in the District of Columbia; not to exceed \$3,750 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available; medical examinations; contract stenographic reporting services; traveling expenses, including those of examiners acting under the direction of the Commission, and expenses of examinations and investigations held in Washington and elsewhere; witness fees and mileage, including fees to deponents and persons taking depositions, at rates paid in the courts of the United States; rental of equipment; not to exceed \$10,000 for purchase and exchange of lawbooks, books of reference, newspapers, and periodicals; not to exceed \$200 for payment in advance for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; charts; gloves and other protective equipment for photostat and other machine operators; maintenance, and repair of motor-trucks, motorcycles, and bicycles; not to exceed \$217,000 for printing and binding; \$8,673,882, of which not to exceed \$50,000 shall be available for reimbursement to the Veterans Administration for services rendered the Commission in connection with physical examinations of applicants for and employees in the Federal classified service; not to exceed \$90,000 for performing the duties imposed upon the Civil Service Commission by the Act of July 19, 1940 (54 Stat. 767); not to exceed \$237,600 for deposit in the general fund of the Treasury

Reimbursement of
Veterans' Administra-
tion.

Pernicious political
activities.
18 U. S. C. §§ 61a, 61h,
61j, 61f-61t; Supp. IV,
§ 61h et seq.

for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and not to exceed \$3,000 for actuarial services by contract, without regard to section 3709, Revised Statutes: *Provided*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its regional offices shall be made during the fiscal year ending June 30, 1946, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the regional directors, nor shall it affect the making of details of persons qualified to serve as expert examiners on special subjects: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

Salaries and expenses, national defense: For all necessary expenses of the Civil Service Commission in connection with the recruitment and placement of civilian personnel required in connection with emergencies affecting the national security and defense, including personal services in the District of Columbia; traveling expenses; and other items otherwise properly chargeable to appropriations of the Civil Service Commission for salaries and expenses and not to exceed \$42,136 for printing and binding, \$6,032,000: *Provided*, That upon the expiration of sixty days after the cessation of hostilities between the United States and the principal enemy powers or after the date of an armistice between the United States and the principal enemy powers, this appropriation shall cease to be available for obligations unless Congress shall otherwise provide by law.

No part of the appropriations herein made to the Civil Service Commission shall be available for the salaries and expenses of the Legal Examining Unit in the Examining and Personnel Utilization Division of the Commission, established pursuant to Executive Order Numbered 9358 of July 1, 1943.

PANAMA CANAL CONSTRUCTION ANNUITY FUND

Panama Canal construction annuity fund: For payment of annuities authorized by the Act of May 29, 1944 (Public Law 319), \$1,443,000, together with the unexpended balance of the appropriation under this head for the fiscal year 1945.

CIVIL-SERVICE RETIREMENT AND DISABILITY FUND

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (38 U. S. C. 11), \$245,000,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund".

CANAL ZONE RETIREMENT AND DISABILITY FUND

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees of the Panama Canal and the Panama Railroad Company, on the Isthmus of Panama, who are citizens of the United States", approved March 2, 1931, and Acts amendatory thereof (48 U. S. C. 1371n), \$1,177,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund".

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

41 U. S. C. § 5.

Details, restriction.

Emergency transfers or details trans-

National-defense activities.

Availability of funds, limitation.

Legal Examining Unit.

3 CFR, 1943 Supp., p. 30.

Post, p. 635.

58 Stat. 257, 602.

48 U. S. C., Supp. IV, §§ 1373-1373g.

41 Stat. 614.

5 U. S. C. § 691 et seq.;

Supp. IV, § 691 et seq.

Post, pp. 577, 621.

46 Stat. 1470.

ALASKA RAILROAD RETIREMENT AND DISABILITY FUND

For financing of the liability of the United States created by the Act entitled "An Act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States", approved June 29, 1936 (49 Stat. 2017), \$217,000, which amount shall be placed to the credit of the "Alaska Railroad retirement and disability fund".

5 U. S. C. §§ 745-745r; Supp. IV, ch. 14-A.

FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For salaries and expenses of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (46 U. S. C. 484-487), the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President July 7, 1936, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, lawbooks, special counsel fees, supplies and equipment, improvement and care of grounds and repairs to buildings (not to exceed \$10,000), purchase (not to exceed five), maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in the field, travel expenses (not to exceed \$61,380), not to exceed \$14,400 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), reimbursements to ships of the United States for charges incurred by such ships in transmitting information in compliance with section 357 of the Communications Act of 1934, as amended, \$2,554,400, of which amount not to exceed \$1,585,650 may be expended for personal services in the District of Columbia.

Printing and binding: For printing and binding for the Federal Communications Commission, \$21,000.

Salaries and expenses, national defense: For all expenses necessary to enable the Federal Communications Commission, without regard to section 3709 of the Revised Statutes, to perform its functions related to national defense, including radio monitoring and foreign broadcast analysis, including all of the items of expenditure for which the appropriation "Salaries and expenses, Federal Communications Commission", is available; not to exceed \$40,000 for the temporary employment of persons or organizations, by contract or otherwise, without regard to the civil-service and classification laws and, in the case of language or other experts, without regard to any requirements of this Act with respect to citizenship, where citizens qualified to perform such work are not available; and not to exceed \$33,800 for printing and binding, \$2,430,000: *Provided*, That upon the expiration of sixty days after the cessation of hostilities between the United States and the principal enemy powers or after the date of an armistice between the United States and the principal enemy powers, this appropriation shall cease to be available for obligations unless Congress shall otherwise provide by law.

FEDERAL DEPOSIT INSURANCE CORPORATION

Not to exceed \$3,308,412 of the funds of Federal Deposit Insurance Corporation, established by the Banking Act of 1933 and section 101 of the Banking Act of 1935, as amended (12 U. S. C. 264), shall be available during the fiscal year 1946 for administrative expenses of

Post, p. 635.

47 U. S. C. §§ 151-609; Supp. IV, ch. 5.

Post, p. 259.
36 Stat. 629.
46 U. S. C., Supp. IV, §§ 484-487 note.

50 Stat. 1146.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

50 Stat. 195.
47 U. S. C. § 357.

National-defense activities.

41 U. S. C. § 5.

Temporary employment.

Availability of funds, limitation.

48 Stat. 168.
49 Stat. 684.
12 U. S. C., Supp. IV, § 264.

the Corporation in connection with the above Acts and the administration of the Federal Credit Union Act as amended (12 U. S. C. 1751-1771), in accordance with Executive Order 9148 of April 27, 1942; including personal services and rent in the District of Columbia; printing and binding; lawbooks and books of reference; rental of news services; periodicals and newspapers; not to exceed \$75,000 for temporary employment of persons or organizations by contract or otherwise for legal or other special services, including audits, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; uniforms and equipment for guards; and not to exceed \$14,290 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364): *Provided*, That all expenses of the Corporation in connection with the protection of depositors by making of loans or purchases of assets or the payment of insured depositors, or the collection, liquidation, management, or protection pending liquidation of assets of insured banks by the Corporation as receiver, pledgee, or purchaser, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That notwithstanding any other provisions of law except for the limitations in amounts hereinabove specified, the administrative expenses, and all other expenses and obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Banking Act of 1935, as amended.

48 Stat. 1216.
12 U. S. C., Supp.
IV, § 1751 note.

41 U. S. C. § 5.

58 Stat. 304.
39 U. S. C., Supp.
IV, § 321d.
Nonadministrative
expenses.

49 Stat. 684.
12 U. S. C. § 228;
Supp. IV, § 34a *et seq.*
Post, p. 237.

FEDERAL POWER COMMISSION

SALARIES AND EXPENSES

Post, p. 636.

For all expenses necessary for the work of the Federal Power Commission as authorized by law except for the work authorized by the Act of June 28, 1938, authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes (33 U. S. C. 701a), including traveling expenses; contract stenographic reporting services; hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, including not more than one such vehicle for general administrative use in the District of Columbia; and not exceeding \$5,000 for purchase and exchange of lawbooks, books of reference, newspapers, and periodicals, \$2,072,000; of which amount not to exceed \$1,315,991 shall be available for personal services in the District of Columbia exclusive of not to exceed \$20,000, which may be expended for consultants and special counsel.

52 Stat. 1215.
33 U. S. C. § 701b *et seq.*; Supp. IV, § 701b *et seq.*

Flood-control surveys: For all expenses necessary for the work of the Federal Power Commission as authorized by the provisions of the Act of June 28, 1938 (52 Stat. 1215), including travel expenses; contract stenographic reporting services; \$135,000, of which amount not to exceed \$85,000 shall be available for personal services in the District of Columbia.

Post, p. 636.

33 U. S. C. § 701b *et seq.*; Supp. IV, § 701b *et seq.*

National defense activities: For all necessary expenses (except printing and binding) to enable the Federal Power Commission to perform additional activities in connection with the national security and defense, including activities under the provisions of the Federal Power Act, and activities in cooperation with the War Department for the protection of the electric power and gas supplies against hostile acts, such expenses to include all items of expenditure for which the appropriations under the heading "Salaries and expenses, Federal Power Commission", are available, \$110,000: *Provided*, That the Commission may make expenditures in addition to the foregoing, for duties connected with the national security and defense, from

National-defense
activities.

41 Stat. 1063.
16 U. S. C. §§ 791a-
825; Supp. IV, §§ 818,
824a note.

Additional expendi-
tures.

Availability of funds, limitation.

other appropriations available to it: *Provided*, That upon the expiration of sixty days after the cessation of hostilities between the United States and the principal enemy powers or after the date of an armistice between the United States and the principal enemy powers, this appropriation shall cease to be available for obligations unless Congress shall otherwise provide by law.

Printing and binding.

For all printing and binding for the Federal Power Commission, including engraving, lithographing, and photolithographing, \$48,000.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Power Commission as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$4,500.

FEDERAL TRADE COMMISSION

Salaries and expenses.

For salaries and expenses of the Federal Trade Commission, including personal services in the District of Columbia; contract stenographic reporting services; supplies and equipment, lawbooks, books of reference, periodicals, garage rentals; traveling expenses; newspapers not to exceed \$500, foreign postage; not to exceed \$4,500 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and witness fees and mileage in accordance with section 9 of the Federal Trade Commission Act; \$1,897,833, of which not less than \$171,673 shall be available for the enforcement of the Wool Products Labeling Act: *Provided*, That no part of the funds appropriated herein for the Federal Trade Commission shall be expended upon any investigation hereafter provided by concurrent resolution of the Congress until funds are appropriated subsequently to the enactment of such resolution to finance the cost of such investigation.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.
38 Stat. 722.
15 U. S. C. § 49.
54 Stat. 1128.
15 U. S. C. §§ 68-68j.
Restriction on use of funds.

Printing and binding.

For all printing and binding for the Federal Trade Commission, \$44,000.

FEDERAL WORKS AGENCY

OFFICE OF THE ADMINISTRATOR

Special services.

Salaries and expenses: For salaries and expenses in the Office of the Administrator in the District of Columbia, including the salary of a general counsel at \$10,000 per annum; printing and binding (not to exceed \$4,000); purchase (including exchange) of lawbooks and other books of reference, purchase of newspapers and periodicals (not to exceed \$150); preparation, shipment, and installation of photographic displays, exhibits, and other descriptive materials; travel expenses; not to exceed \$4,000 for the temporary employment of persons or organizations by contract or otherwise, for special services determined by the Administrator to be necessary, without regard to section 3709 of the Revised Statutes, and civil-service and classification laws, \$271,651: *Provided*, That the Federal Works Administrator may, under such rules and regulations as he shall prescribe, authorize the Commissioner of Public Roads and the Commissioner of Public Buildings to make appointments of personnel for such administrations.

41 U. S. C. § 5.
Appointments.

Post, p. 638.

58 Stat. 791.
50 U. S. C., Supp. IV, app. § 1671.

Public works advance planning: For carrying out the provisions of title V of the War Mobilization and Reconversion Act of 1944, \$17,500,000, to be immediately available, of which not to exceed 3 per centum shall be available for administrative expenses necessary therefor, to be immediately available and to remain available until June 30, 1946, including salary for not to exceed one position at \$10,000 per annum; personal services and rent in the District of Columbia; printing and binding; purchase and exchange of lawbooks and books

of reference; purchase (not exceeding five) and repair, maintenance, and operation of passenger automobiles; and travel expenses (not to exceed \$20,000).

Virgin Islands public works: To enable the Federal Works Administrator to carry out the functions vested in him by, and in accordance with the provisions of, the Act of December 20, 1944 (Public Law 510), \$150,000, to be immediately available.

For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Works Agency as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$25,767.

Post, p. 638.

58 Stat. 827.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

PUBLIC BUILDINGS ADMINISTRATION

Post, p. 638.

Maintenance.
35 Stat. 537.

For carrying into effect the provisions of the Public Buildings Acts, as provided in section 6 of the Act of May 30, 1908 (31 U. S. C. 683), and for the repair, preservation, and upkeep of all completed public buildings under the control of the Federal Works Agency, the mechanical equipment and the grounds thereof, and sites acquired for buildings, and for the operation of certain completed and occupied buildings under the control of the Federal Works Agency, including furniture and repairs thereof, but exclusive, with respect to operation, of buildings of the United States Coast Guard, of hospitals, quarantine stations, and other Public Health Service buildings, mints, bullion depositories, and assay offices, and buildings operated by the Treasury and Post Office Departments in the District of Columbia:

General administrative expenses: For architectural, engineering, mechanical, administrative, clerical, and other personal services; traveling expenses, printing and binding (not to exceed \$32,000), advertising, testing instruments, lawbooks, books of reference, periodicals, and such other contingencies, articles, services, equipment, or supplies as the Commissioner of Public Buildings may deem necessary in connection with any of the work of the Public Buildings Administration; ground rent of the Federal buildings at Salamanca, New York, and Columbus, Mississippi, for which payment may be made in advance, \$1,335,710, of which not to exceed \$638,540 may be expended for personal services in the District of Columbia and not to exceed \$513,500 for personal services in the field: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate.

Administrative ex-
penses.Surveys, models,
etc.

Repair, preservation, and equipment, outside the District of Columbia: For repairs, alterations, improvement, and preservation, including personal services employed therefor, of completed Federal buildings, the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding, not otherwise provided for, of sites acquired for Federal buildings, including tools and materials for the use of the custodial and mechanical force, wire partitions and insect screens, installation and repair of mechanical equipment, gas, and electric-light fixtures, conduits, wiring, platform scales, and tower clocks; vaults and lockbox equipment in all buildings completed and occupied, and for necessary safe equipments in buildings under the administration of the Federal Works Agency, including repairs thereto, and changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with

Buildings, etc., out-
side D. C.
Maintenance.Pneumatic-tube
system, New York
City.

- the provisions of the Acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533), \$6,000,000: *Provided*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings: *Provided further*, That the Commissioner of Public Buildings may, in his discretion, upon such terms and conditions as he may deem to be in the public interest, with the approval of the Federal Works Administrator, accept on behalf of the United States for installation in the United States Post Office Building at Kennebunkport, Maine, a mural, contributed by public-spirited citizens of the town of Kennebunkport, Maine, depicting, historically, the shipbuilding and seafaring activities of that community.
- Limitation.**
- Kennebunkport, Maine.**
Mural for post office.
- Public buildings and grounds, D. C.**
Salaries and expenses.
- Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For administration, protection, maintenance, and improvement of public buildings and grounds in the District of Columbia and the area adjacent thereto, maintained and operated by the Public Buildings Administration, including the National Archives Building; repair, preservation, and equipment of buildings operated by the Treasury and Post Office Departments in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and carfare; leather and rubber articles and gas masks for the protection of public property and employees; furnishings and equipment; arms and ammunition for the guard force; purchase, repair, and cleaning of uniforms for guards and elevator conductors; \$25,495,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.
- Use of present furniture.**
- Public buildings and grounds outside D. C.**
Salaries and expenses.
- Salaries and expenses, public buildings and grounds outside the District of Columbia: For operation, protection, and maintenance, including cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, furnishings and equipment, personal services in the District of Columbia and elsewhere, arms, ammunition, leather and rubber articles, and gas masks for the protection of public property and employees, purchase of uniforms for guards and elevator conductors, expenses incident to moving Government agencies in connection with the assignment, allocation and transfer of building space, the restoration of leased premises, and every expenditure requisite for and incidental to such maintenance and operation of public buildings and grounds outside of the District of Columbia maintained and operated by the Public Buildings Administration, \$11,500,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.
- Use of present furniture.**
- Per diem employees.**
- Under the appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, per diem employees may be paid at rates approved by the Commissioner of Public Buildings, not exceeding current rates for similar services in the place where such services are employed, and such employees in emergencies may be entered on duty subject to confirmation by the Federal Works Administrator.
- Communication services.**
- The appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, shall be available

for communication services serving one or more governmental activities, and for services to motor vehicles, and where such services, together with quarters, maintenance or other services are furnished on a reimbursable basis to any governmental activity, such activity shall make payment therefor promptly by check upon the request of the Public Buildings Administration, either in advance or after the service has been furnished, for deposit to the credit of the applicable appropriation, of all or part of the estimated or actual cost thereof, as the case may be, proper adjustment upon the basis of actual cost to be made for services paid for in advance.

Services to motor vehicles.

In the prosecution of construction projects or planning programs assigned to the Public Buildings Administration for which funds are provided by direct appropriation or transferred under authority contained in section 35 of the Act of June 15, 1938 (40 U. S. C. 265), an amount administratively determined as necessary for the payment of salaries and expenses of personnel engaged upon the preparation of plans and specifications, field supervision, and general office expense, may be transferred and consolidated on the books of the Treasury Department into a special account for direct expenditure in the prosecution of said work, such expenditures to be subsequently allocated and reported upon by projects in accordance with procedures prescribed by the General Accounting Office.

Transfer of funds.

52 Stat. 683.

For the establishment of a working capital fund, \$50,000, without fiscal year limitation, for the payment of salaries and other expenses necessary to the operation of a central blueprinting, photostating, and duplicating service; said fund to be reimbursed in order to insure continuous operation, from available funds of constituents of the Federal Works Agency, or of any other Federal agency for which services are performed, at rates to be determined by the Public Buildings Administration on the basis of estimated or actual charges for personal services, materials, equipment (including maintenance, repair, and depreciation on existing as well as new equipment) and other expenses: *Provided*, That at the close of each fiscal year any excess of funds resulting from such operation, after making adequate provision for the replacement of mechanical and other equipment and for accrued annual leave of employees engaged in this work by the establishment of reserves therefor, shall be covered into the Treasury of the United States as miscellaneous receipts.

Working capital fund.

Disposition of excess.

PUBLIC ROADS ADMINISTRATION

General administrative expenses: For the employment of persons and means, including rent, advertising (including advertising in the city of Washington for work to be performed in areas adjacent thereto), printing and binding (not to exceed \$27,000), purchase (including exchange) of lawbooks, books of reference and periodicals, purchase of fifty passenger automobiles, and the preparation, distribution, and display of exhibits, in the city of Washington and elsewhere for the purpose of conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; and studies of types of mechanical plants and appliances used for road building and maintenance, and of methods of road repair and maintenance suited to the needs of different localities; for maintenance and repairs of experimental highways; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same;

Road-making experiments.

and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916, as amended (23 U. S. C. 21), or as otherwise provided.

FEDERAL-AID HIGHWAY SYSTEM

Construction of rural post roads.

39 Stat. 355; 42 Stat. 212.
23 U. S. C., Supp. IV, § 2 *et seq.*
Post, p. 507.

54 Stat. 867.

Convict labor.

Charges for designated services.

Warehouse maintenance, etc.

Medical supplies, etc., in emergencies.

Temporary employment.

41 U. S. C. § 6.

For carrying out the provisions of "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", as amended (23 U. S. C. 1-117), to be expended in accordance with the provisions of said Act, as amended, including not to exceed \$1,133,300 for departmental personal services in the District of Columbia, \$25,000,000, to be immediately available and to remain available until expended, which sum is a part of the amount authorized to be appropriated for the fiscal year 1943 by section 1 of the Act approved September 5, 1940 (Public Law 780): *Provided*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That, during the fiscal year 1946, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government and State cooperating agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1946 the appropriations for the work of the Public Roads Administration shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Public Roads Administration, and for sale and distribution to other Government activities and State cooperating agencies, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That the appropriations available to the Public Roads Administration may be used in emergency for medical supplies and services and other assistance necessary for the immediate relief of employees engaged on hazardous work under that Administration, and (not exceeding \$15,000) for the temporary employment, by contract or otherwise, of technical consultants and experts without regard to section 3709 of the Revised Statutes, and civil-service and classification laws.

INTER-AMERICAN HIGHWAY

Fulfillment of U. S. obligations.

45 Stat. 1697.

For all necessary expenses to enable the President to utilize the services of the Public Roads Administration in fulfilling the obligations of the United States under the Convention on the Pan-American Highway Between the United States and Other American Republics, signed at Buenos Aires, December 23, 1936, and proclaimed September 16, 1937 (51 Stat. 152), for the continuation of cooperation with several governments, members of the Pan American Union, in connection with the survey and construction of the Inter-American Highway as provided in public resolution, approved March 4, 1929 (Public Resolution 104), as amended or supplemented, and for performing engineering service in pan-American countries for and upon the request of any

agency or governmental corporation of the United States, \$100,000 to be derived from the administrative funds provided under the Act of July 11, 1916, as amended or supplemented (23 U. S. C. 21), or as otherwise provided.

For surveys in connection with and the construction of the Inter-American Highway, in accordance with the provisions of the Act approved December 26, 1941 (Public Law 375), and necessary expenses incident thereto without regard to section 3709, Revised Statutes, \$1,000,000, to be immediately available and to remain available until expended: *Provided*, That no part of the appropriation made in this paragraph for use in any cooperating country shall be available for obligation or expenditure unless said cooperating country executes a written agreement that it will impose no restrictions on the use of the highway, nor levy directly or indirectly any tax or charge for such use, by traffic or vehicles from any other country that do not apply with equal force to the like use of the highway by traffic or vehicles of the cooperating country.

39 Stat. 355.
42 Stat. 217.

Surveys and construction.

55 Stat. 860.
41 U. S. C. § 5.

Agreements by cooperating countries.

FEDERAL-AID SECONDARY OR FEEDER ROADS

For secondary or feeder roads, including farm-to-market roads, rural-free-delivery mail roads, and public-school bus routes, \$3,000,000, to be immediately available and to remain available until expended, which sum is a part of the amount authorized to be appropriated for the fiscal year 1942, by section 2 of the Act approved September 5, 1940 (Public Law 780).

54 Stat. 868.

ELIMINATION OF GRADE CROSSINGS

For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, \$6,000,000, to be immediately available and to remain available until expended, which sum is a part of the amount authorized to be appropriated for the fiscal year 1941, by section 3 of the Act approved June 8, 1938.

53 Stat. 634.

STRATEGIC HIGHWAY NETWORK

For carrying out projects to correct critical deficiencies in lines of the strategic network of highways and bridges, in accordance with the provisions of section 4 of the Defense Highway Act of 1941 (23 U. S. C. 104), \$10,000,000, to be immediately available and to remain available during the continuance of the emergency declared by the President on May 27, 1941.

55 Stat. 765.
23 U. S. C., Supp. IV, § 104.
55 Stat. 1647.
50 U. S. C., Supp. IV, app., note prec. § 1.

ACCESS ROADS

For the construction, maintenance, and improvement of access roads and for replacing existing highways and highway connections as described in, and in accordance with the provisions of, sections 6 and 9 of the Defense Highway Act of 1941, as amended by the Act approved July 2, 1942 (23 U. S. C. 106), \$35,000,000, to be immediately available and to remain available during the continuance of the emergency declared by the President on May 27, 1941.

55 Stat. 766, 767;
56 Stat. 562.
23 U. S. C., Supp. IV, §§ 106, 109.

55 Stat. 1647.
50 U. S. C., Supp. IV, app., note prec. § 1.

SURVEYS AND PLANS

For advance engineering surveys and plans for future development of the strategic network of highways and bypasses around and extension into and through municipalities and metropolitan areas,

55 Stat. 767.
23 U. S. C., Supp.
IV, § 109.
55 Stat. 1647.
50 U. S. C., Supp.
IV, app., note prec.
§ 1.
Vehicles.

in accordance with the provisions of section 9 of the Defense Highway Act of 1941 (23 U. S. C. 109), \$3,000,000, to be immediately available and to remain available during the continuance of the emergency declared by the President on May 27, 1941.

Any of the foregoing appropriations for general or administrative expenses under the Federal Works Agency shall be available for the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles in the District of Columbia and in the field.

FOREIGN-SERVICE PAY ADJUSTMENT

Post, p. 639.

Foreign-service pay adjustment, appreciation of foreign currencies: For carrying into effect the provisions of the Act approved March 26, 1934 (5 U. S. C. 118c), \$950,000.

48 Stat. 466.

Post, p. 639.

GENERAL ACCOUNTING OFFICE

Salaries: For personal services in the District of Columbia and elsewhere, \$31,750,000.

Miscellaneous expenses: For all expenses necessary for the work of the General Accounting Office, including travel expenses; procurement and exchange of lawbooks and books of reference, and not to exceed \$100 for periodicals; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, \$1,894,700, of which not to exceed \$40,500 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, \$235,000.

Investigations for, and detail of assistants to, committees of Congress: In order to enable the Comptroller General, as authorized in section 312 (b) of the Budget and Accounting Act, 1921, to make investigations and reports ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures, and to furnish, through assistants from his office, to such committees, at their request, any aid or information so requested, including the employment, in the District of Columbia or elsewhere, of necessary personnel for such purposes, and including salaries, contingent expenses, and necessary travel, \$67,980.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.
Printing and binding.

Investigations, reports, etc., for Congress.
42 Stat. 26.
31 U. S. C. § 53 (b).

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

Post, p. 639.

General administrative expenses: For salaries and expenses necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic, at \$10,000 each per annum, field hearings, traveling expenses, and contract stenographic reporting services, \$2,769,400, of which amount not to exceed \$2,488,000 may be expended for personal services in the District of Columbia, exclusive of special counsel, for which the expenditure shall not exceed \$50,000; not exceeding \$5,000 for purchase and exchange of necessary books, reports, newspapers, and periodicals.

Regulating accounts: To enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the Interstate Commerce Act as amended by the Act approved June 29, 1906, the Transportation Act, 1920 (49 U. S. C. 20), and the Transportation Act of 1940, including the employment of necessary special

24 Stat. 379, 386; 34
Stat. 584; 41 Stat. 474;
54 Stat. 898.
49 U. S. C. chs. 1, 8,
12; Supp. IV, chs. 1,
8, 12, 13.
Post, p. 169.

accounting agents or examiners, and traveling expenses, \$400,000, of which amount not to exceed \$112,000 may be expended for personal services in the District of Columbia.

Safety of employees: To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with Acts to promote the safety of employees and travelers upon railroads; the Act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test appliances intended to promote the safety of railway operation, as authorized by the Joint Resolution approved June 30, 1906 (45 U. S. C. 35), and the provision of the Sundry Civil Act approved May 27, 1908 (45 U. S. C. 36, 37), to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, inspectors, and for traveling expenses, \$550,000, of which amount not to exceed \$92,000 may be expended for personal services in the District of Columbia.

Signal safety systems: For all authorized expenditures under section 25 of the Interstate Commerce Act, as amended by the Transportation Act, 1920, the Act of August 26, 1937 (49 U. S. C. 26), and the Transportation Act of 1940, with respect to the provision thereof under which carriers by railroad subject to the Act may be required to install automatic train-stop or train-control devices which comply with specifications and requirements prescribed by the Commission, including investigations and tests pertaining to block-signal and train-control systems, as authorized by the Joint Resolution approved June 30, 1906 (45 U. S. C. 35), and including the employment of the necessary engineers, and for traveling expenses, \$178,000, of which amount not to exceed \$35,000 may be expended for personal services in the District of Columbia.

Locomotive inspection: For all authorized expenditures under the provisions of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto" (45 U. S. C. 22), as amended by the Act of March 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotive and tender" (45 U. S. C. 30), and amendment of June 7, 1924 (45 U. S. C. 27), providing for the appointment from time to time by the Interstate Commerce Commission of not more than fifteen inspectors in addition to the number authorized in the first paragraph of section 4 of the Act of 1911 (45 U. S. C. 26), and the amendment of June 27, 1930 (45 U. S. C. 24, 26), including such legal, technical, stenographic, and clerical help as the business of the offices of the director of locomotive inspection and his two assistants may require and for traveling expenses, \$500,000, of which amount not to exceed \$73,000 may be expended for personal services in the District of Columbia.

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the Act entitled "An Act to amend an Act entitled 'An Act to regulate commerce', approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities", approved March 1, 1913, as amended by the Act of June 7, 1922 (49 U. S. C. 19a), and by the "Emergency Railroad Transportation Act, 1933" (49 U. S. C. 19a), including traveling expenses, \$388,319.

Reports and investigations.

Safety appliances.

34 Stat. 838.

35 Stat. 325.

41 Stat. 498; 50 Stat. 835; 54 Stat. 919.

34 Stat. 838.

36 Stat. 913; 38 Stat. 1192.

43 Stat. 659.

36 Stat. 914; 46 Stat. 822.

Traveling expenses.

Post, p. 639.

37 Stat. 701; 42 Stat. 624; 48 Stat. 221.

Post, p. 639.

49 Stat. 543; 24 Stat. 380.
49 U. S. C. §§ 301, 5; Supp. IV, §§ 301 *et seq.*, 5.
54 Stat. 919.

Transportation re-
quests.

Printing and binding.

Post, p. 639.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

Salaries and ex-
penses.

Aeronautical labora-
tories.

Director of Aero-
nautical Research.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

Printing and bind-
ing.

Motor transport regulation: For all authorized expenditures necessary to enable the Interstate Commerce Commission to carry out the provisions of part II of the Interstate Commerce Act and section 5, part I, of the Interstate Commerce Act insofar as applicable to common carriers subject to part II (Transportation Act of 1940), including one director at \$10,000 per annum and other personal services in the District of Columbia and elsewhere; traveling expenses; supplies; services and equipment; not to exceed \$1,000 for purchase and exchange of books, reports, newspapers, and periodicals; contract stenographic reporting services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; not to exceed \$5,000 for the purchase of evidence in connection with investigations of apparent violations of said Act, \$2,502,619: *Provided*, That Joint Board members may use Government transportation requests when traveling in connection with their duties as Joint Board members.

For all printing and binding for the Interstate Commerce Commission, including not to exceed \$17,000 to print and furnish to the States, at cost, blank annual report forms of common carriers, and the receipts from such sales shall be credited to this appropriation, \$130,000.

For deposit in the general fund of the Treasury for cost of penalty mail of the Interstate Commerce Commission as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$27,000.

Salaries and expenses, emergency: For necessary expenses, including traveling expenses, to enable the Interstate Commerce Commission, for the purpose of promoting the national security and defense, to adopt measures for preventing shortages of railroad equipment and congestion of traffic, and expediting the movement of cars by railroads through terminals, and related activities, \$231,000.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

For necessary salaries and expenses of the National Advisory Committee for Aeronautics, including contracts for personal services in the making of special investigations and reports; traveling expenses of members and employees, including the cost of a compartment or such other accommodation as may be authorized by the Chairman for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment; periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory, the Ames Aeronautical Laboratory, and the aircraft engine research laboratory at Cleveland, Ohio; purchase and maintenance of cafeteria equipment; maintenance and operation of aircraft, including aircraft borrowed from the Army and Navy; maintenance and operation of motor-propelled passenger-carrying vehicles; not to exceed \$286,871 for personal services in the District of Columbia, including one Director of Aeronautical Research at not to exceed \$10,000 per annum; not to exceed \$5,468 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and not to exceed \$2,500 for temporary employment of consultants, at not to exceed \$50 per diem, by contract or otherwise, without regard to the civil-service and classification laws; in all, \$25,999,393.

For all printing and binding for the National Advisory Committee for Aeronautics, including all of its offices, laboratories, and services located in Washington, District of Columbia, and elsewhere, \$15,000.

NATIONAL ARCHIVES

Salaries and expenses: For salaries and expenses of the Archivist and The National Archives; including personal services in the District of Columbia; scientific, technical, first-aid, protective, and other apparatus and materials for the arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of photographic and other records (including motion-picture and other films and sound recordings) in the custody of the Archivist; purchase and exchange of books, including lawbooks, books of reference, maps, and charts; contract stenographic reporting services; purchase of newspapers and periodicals; not to exceed \$100 for payment in advance when authorized by the Archivist for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed \$2,700 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); travel expenses; exchange of scientific and technical apparatus; and maintenance, operation, and repair of one passenger-carrying motor vehicle; \$913,934.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Printing and binding: For all printing and binding, \$7,000.

NATIONAL CAPITAL HOUSING AUTHORITY

For the maintenance and operation of properties under title I of the District of Columbia Alley Dwelling Authority Act, \$14,700: *Provided*, That all receipts derived from sales, leases, or other sources shall be covered into the Treasury of the United States monthly.

52 Stat. 1136.
D. C. Code, §§ 5-103 to 5-111; Supp. IV, §§ 5-104 note, 5-106, 5-108.
Post, p. 410.

For deposit in the general fund of the Treasury for cost of penalty mail of the National Capital Housing Authority as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$2,700.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For all expenses necessary for the National Capital Park and Planning Commission in connection with the acquisition of land for the park, parkway, and playground system of the National Capital, as authorized by section 4 of the Act of May 29, 1930 (46 Stat. 485), including personal services; technical services, including real estate appraisers, by contract or otherwise, at rates of pay or fees not to exceed those usual for similar services elsewhere and without regard to the Classification Act of 1923, as amended, and section 3709 of the Revised Statutes; purchase of options and other costs incident to the acquisition of land; not to exceed \$59 for deposit in the general fund of the Treasury for cost of penalty mail, for the fiscal year 1946, as required by section 2 of the Act of June 28, 1944 (Public Law 364); and operation and maintenance of passenger-carrying vehicles; \$393,994, to be immediately available and to remain available until expended.

Acquisition of land.

D. C. Code § 8-106
note.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*
41 U. S. C. § 5.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

NATIONAL HOUSING AGENCY

OFFICE OF THE ADMINISTRATOR

Salaries and expenses: In addition to the amounts available by or pursuant to law (which shall be transferred to this authorization) for the administrative expenses of the Office of the Administrator, National Housing Agency, in carrying out duties imposed by or pursuant to law, such amounts, not exceeding \$400,000, as the Administrator determines are required for the expenses of the Office of the Administrator in the performance of administrative and supervisory services relating to the constituent units of said

Post, p. 639.

Transfer of funds.

Agency shall be transferred, from the funds available for the administrative expenses of such constituent units for the fiscal year 1946, to this authorization for expenditure hereunder and all such amounts shall be available for all necessary expenses of said Office of the Administrator, including personal services and rent in the District of Columbia; printing and binding; purchase and exchange of lawbooks, books of reference; periodicals and newspapers (not to exceed \$500); preparation, mounting, shipping, and installation of exhibits (not to exceed \$500); maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; not to exceed \$5,000 for temporary employment of persons or organizations, by contract or otherwise, for legal or other special services without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; and reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls: *Provided*, That section 7 of the First Deficiency Appropriation Act, 1936, shall continue to apply to administrative expenses of and for the constituent units of the National Housing Agency mentioned in said section 7 and shall also apply to such expenses of said National Housing Agency in connection with the functions and purposes of said constituent units, and none of the funds made available by this Act for such administrative expenses shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant, and all such expenditures shall be accounted for and audited in accordance with the Budget and Accounting Act, as amended: *Provided further*, That the Administrator may, with the approval of the President of the United States, transfer to this authorization or to an authorization of a constituent unit from funds available for administrative expenses of the constituent units or the Office of the Administrator such additional sums as represent a consolidation in the Office of the Administrator or in a constituent unit of any of the administrative functions of the National Housing Agency; but no such transfer of funds shall be made unless the consolidation will result in a reduction in manpower and a savings in administrative expenses, which savings shall not be used for administrative expenses but instead shall be returned to or remain in the funds from which administrative expenses are drawn under this authorization: *Provided further*, That a report of such transfers and the savings effected thereby shall be submitted to Congress in the annual budget.

For deposit in the general fund of the Treasury for costs of penalty mail of the National Housing Agency as required by the Act of June 28, 1944 (Public Law 364), \$241,905, said sum to be derived by transfer from the funds of the constituent units of said Agency available for administrative expenses as follows: Office of the Administrator, \$6,075; Federal Home Loan Bank Administration, \$124,410; Federal Housing Administration, \$49,500; and Federal Public Housing Authority, \$61,920.

FEDERAL HOME LOAN BANK ADMINISTRATION

Post, p. 640.

Salaries and expenses: Not to exceed a total of \$7,490,127, to be derived from the same sources as the funds made available for administrative expenses of the Federal Home Loan Bank Administration, including the Federal Savings and Loan Insurance Corporation and the Home Owners' Loan Corporation, by the Independent Offices Appropriation Act, 1945, shall be available during the fiscal year 1946 for administrative expenses of the Federal Home Loan Bank Administration (Executive Order 9070 of February 24, 1942), which term and the term Administration, wherever used herein,

Temporary employ-
ment.

41 U. S. C. § 5.

Administrative ex-
penses.
49 Stat. 1647.
15 U. S. C. § 712a.

42 Stat. 20.
31 U. S. C. § 1;
Supp. IV, § 16 *et seq.*
Consolidation of
functions; transfer of
funds.

Savings.

Report to Congress.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

58 Stat. 375.

50 U. S. C., Supp.
IV, app. § 601 note.

shall unless otherwise qualified include and apply to said corporations but shall be exclusive of any corporation organized in pursuance of authority contained in the Act of May 16, 1918 (40 Stat. 550), and any amendments thereof, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; law-books, books of reference, and not to exceed \$1,250 for periodicals and newspapers; rent in the District of Columbia; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; use of the services and facilities of the Federal home-loan banks, Federal Reserve banks, and agencies of the Government, including the use of services and facilities within the Administration; the amounts so derived to be credited upon the books of the Treasurer of the United States in such account or accounts as the Administration may determine, and the Administration in its discretion may utilize the facilities of the Division of Disbursement of the Treasury Department for the disbursement of funds in or derived from such account or accounts relating to said corporations: *Provided*, That (1) all necessary expenses in connection with the liquidation of insured institutions; (2) all necessary expenses (including services performed on a force account, contract or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to the Home Owners' Loan Corporation or in which it has an interest; and (3) all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the handling, including the purchase, sale, and exchange, of securities on behalf of Federal home-loan banks, and the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under the Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except as herein otherwise provided, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of the Federal Home Loan Bank Act of July 22, 1932, as amended (12 U. S. C. 1421-1449), the Home Owners' Loan Act of 1933, as amended (12 U. S. C. 1461-1468), and title IV of the National Housing Act of June 27, 1934, as amended (12 U. S. C. 1724-1730).

FEDERAL HOUSING ADMINISTRATION

Salaries and expenses: In addition to the amounts available by or pursuant to law (which shall be transferred to this authorization) for the administrative expenses of the Federal Housing Administration in carrying out duties imposed by or pursuant to law, not to exceed \$10,250,000 of the various funds of the Federal Housing Administration as follows, (1) the mutual mortgage insurance fund, (2) the housing insurance fund, (3) the account in the Treasury comprised of funds derived from premiums collected under authority of section 2 (f), title I of the National Housing Act, as amended (12 U. S. C. 1701), and (4) the war housing insurance fund shall be available for expenditure, in accordance with the provisions of said Act for the administrative expenses of the Federal Housing Administration, including: Personal services in the District of Columbia; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833), but there may be allowed, in addition to mileage at a rate not to exceed 4 cents per mile for travel by motor vehicle, reimbursement for the actual cost of ferry fares and

Travel expenses.

44 Stat. 688.
5 U. S. C., Supp.
IV, § 823.

Use of services and facilities.

Nonadministrative expenses.

47 Stat. 725.
12 U. S. C. §§ 1421-
1449; Supp. IV, § 1430.
Payment, etc., of obligations.

48 Stat. 128, 1255.
12 U. S. C., Supp.
IV, § 1422 *et seq.*

Post, p. 640.

53 Stat. 805.
5 U. S. C., Supp.
IV, § 1703 (f).

Travel expenses.

44 Stat. 688.
5 U. S. C., Supp.
IV, § 823.

bridge, road, and tunnel tolls, and employees engaged in the inspection of property, servicing of loans, or the liquidation of delinquent accounts, may be paid an allowance not to exceed 4 cents per mile for all travel performed in privately owned automobiles within the limits of their official posts of duty when such travel is performed in connection with such inspection, servicing, or liquidation; printing and binding; lawbooks, books of reference, and not to exceed \$1,500 for periodicals and newspapers; not to exceed \$1,500 for contract actuarial services; maintenance, repair, and operation of two motor-propelled passenger-carrying vehicles; and rent in the District of Columbia: *Provided*, That all necessary expenses of the Administration (including services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, protection, completion, operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority of titles I, II, and VI of said National Housing Act, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That, except as herein otherwise provided, the administrative expenses and other obligations, including non-administrative expenses, of the Administration shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (12 U. S. C. 1701).

Payment of losses: Not to exceed \$2,500,000 of the funds (after allowance for salaries and expenses as authorized under the heading, "Salaries and expenses, National Housing Agency, Federal Housing Administration") in the account in the Treasury comprised of premiums collected under authority of section 2 (f), title I, of said Act, shall be available for the payment of losses under insurance granted under section 2 and section 6, title I, of said Act.

FEDERAL PUBLIC HOUSING AUTHORITY

Salaries and expenses: In addition to the amounts available by or pursuant to law for the administrative expenses of the Federal Public Housing Authority in carrying out duties imposed by or pursuant to law, and not to exceed \$96,200 of the funds of the Defense Homes Corporation available for its administrative expenses (all of which are hereby merged with this authorization), not to exceed \$2,200,000 of the funds of said Authority derived from its operations under the Act of September 1, 1937, as amended (42 U. S. C. 1401), shall be available for all necessary administrative expenses of said Authority, including personal services and rent in the District of Columbia; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; temporary employment of persons or organizations, by contract or otherwise, for legal or other special services, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls; printing and binding; purchase of lawbooks, books of reference, and periodicals; and photographing equipment: *Provided*, That all necessary expenses of providing representatives of the Authority at the sites of non-Federal projects in connection with the construction of such non-Federal projects by public housing agencies with the aid of the Authority, shall be reimbursed or paid by such agencies, and expenditures by the Authority for such purpose shall be considered nonadministrative expenses, and funds received from such payments or reimbursements may be used only for the payment of all necessary expenses of providing representatives of the Authority at the sites of non-Federal projects or for administrative expenses of the Authority not in excess of the amount authorized by the Congress.

Actuarial services.

Nonadministrative expenses.

48 Stat. 1246, 1247;
55 Stat. 55.
12 U. S. C. §§ 1701-
1715c; Supp. IV,
§§ 1701b-1715c, 1736-
1743.

Ante, p. 47.

48 Stat. 1246.
12 U. S. C., Supp.
IV, ch. 13.
Ante, p. 47.

53 Stat. 805.
12 U. S. C., Supp.
IV, § 1703 (f).
48 Stat. 1246; 49 Stat.
1233.
12 U. S. C. §§ 1703,
1706a; Supp. IV,
§ 1703.

Merger of funds.

50 Stat. 888.
42 U. S. C. §§ 1401-
1430; Supp. IV, § 1406c,
§ 1420.

41 U. S. C. § 5.

Nonadministrative expenses.

Annual contributions: For the payment of annual contributions to public housing agencies in accordance with section 10 of the United States Housing Act of 1937, as amended (42 U. S. C. 1410), \$7,600,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1945: *Provided*, That except for payments required on contracts entered into prior to April 18, 1940, no part of this appropriation shall be available for payment to any public housing agency for expenditure in connection with any low-rent housing project, unless the public housing agency shall have adopted regulations prohibiting as a tenant of any such project by rental or occupancy any person other than a citizen of the United States.

50 Stat. 891.

58 Stat. 378.
Citizenship of tenants.

SECURITIES AND EXCHANGE COMMISSION

For salaries and expenses, including personal services in the District of Columbia, of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law, including employment of experts when necessary; contract stenographic reporting services; purchase and exchange of lawbooks, books of reference, directories, and periodicals; not to exceed \$1,000 for the purchase of newspapers; travel expenses; garage rental; foreign postage; mileage and witness fees; rental of equipment; operation, maintenance, and repair of one motor-propelled passenger-carrying vehicle; not to exceed \$13,500 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and purchase of rubber gloves; \$4,100,000.

Post, p. 641.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

For all printing and binding for the Securities and Exchange Commission, \$43,000.

SMITHSONIAN INSTITUTION

Salaries and expenses: For all salaries and expenses necessary for continuing preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government and from other sources; for the system of international exchanges between the United States and foreign countries; for anthropological researches among the American Indians; and the natives of Hawaii and the excavation and preservation of archeological remains; for maintenance of the Astrophysical Observatory, including assistants, and making necessary observations in high altitudes; and for the administration of the National Collection of Fine Arts; including personal services in the District of Columbia; traveling expenses; not to exceed \$4,536 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); printing and binding, not exceeding \$88,500, of which not to exceed \$12,000 shall be available for printing the report of the American Historical Association; purchase, repair, and cleaning of uniforms for guards and elevator conductors; repairs and alterations of buildings and approaches; not exceeding \$5,500 for preparation of manuscripts, drawings, and illustrations for publications; and not exceeding \$6,500 for purchase of books, pamphlets, and periodicals, \$1,054,061.

Post, p. 641.

Astrophysical Observatory.

National Collection of Fine Arts.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

American Historical Association, report.

Salaries and expenses, National Gallery of Art: For the upkeep and operation of the National Gallery of Art, the protection and care of the works of art therein, and all administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including personal services in the District

National Gallery of Art.

20 U. S. C. §§ 71-76.
53 Stat. 577.

20 U. S. C. § 74(c).
58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

of Columbia (except as otherwise provided in sec. 4 (c) of such Act); traveling expenses; not to exceed \$1,742 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); periodicals, newspapers, lawbooks (not to exceed \$150), and books of reference; not to exceed \$250 for payment in advance when authorized by the treasurer of the Gallery for membership in library museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators; leather and rubber articles and gas masks for the protection of public property and employees; not to exceed \$5,000 for printing and binding; maintenance, repair, and operation of one passenger-carrying automobile; purchase or rental of devices and services for protecting buildings and contents thereof; and maintenance and repair of buildings, approaches, and grounds; \$583,207: *Provided*, That section 3709 of the Revised Statutes, or the Classification Act of 1923, as amended, shall not apply to the restoration and repair of works of art for the National Gallery of Art, the cost of which shall not exceed \$15,000.

41 U. S. C. § 5.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 288 *et seq.*

TARIFF COMMISSION

Salaries and expenses.

For salaries and expenses of the Tariff Commission, including personal services in the District of Columbia and elsewhere, traveling expenses not to exceed \$16,200, purchase and exchange of lawbooks, books of reference, gloves and other protective equipment for photostat and other machine operators, subscriptions to newspapers and periodicals not to exceed \$2,250, contract stenographic reporting services, as authorized by sections 330 to 341 of the Tariff Act of 1930 (19 U. S. C. 1330-1341), and not to exceed \$900 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$823,410: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

46 Stat. 696.

56 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

46 Stat. 701.
19 U. S. C. §§ 1336-
1338.

For all printing and binding for the Tariff Commission, \$10,000.

TENNESSEE VALLEY AUTHORITY

48 Stat. 58.
16 U. S. C., Supp.
IV, §§ 831c, 831b, 831g.
Construction of
dams.

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U. S. C., ch. 12A), including the continued construction of Kentucky Dam at Gilbertsville, Kentucky; and construction of South Holston Dam and Watauga Dam; and the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction or purchase of transmission lines and other facilities, and all other necessary works authorized by such Act, and for printing and binding, lawbooks, books of reference, newspapers, periodicals, maintenance, repair, and operation of passenger-carrying vehicles, rents in the District of Columbia and elsewhere, not to exceed \$20,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), not to exceed \$15,000 for maintenance and operation of aircraft, and all necessary salaries and expenses connected with the organization, operation, and investigations of the Tennessee Valley Authority, and for examination of estimates of appropriations and activities in the field, \$9,648,000, together with the unexpended balance on June 30,

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

1945, in the "Tennessee Valley Authority fund, 1945", to remain available until June 30, 1946, and to be available for the payment of obligations chargeable against the "Tennessee Valley Authority fund, 1945".

58 Stat. 380.

THE TAX COURT OF THE UNITED STATES

For necessary expenses of The Tax Court of the United States as authorized by chapter 5 of the Internal Revenue Code, and sections 504 and 510 of the Revenue Act of 1942, including personal services and contract stenographic reporting services, traveling expenses, carfare, stationery, purchase and exchange of lawbooks and books of reference, and periodicals, \$510,675, of which not to exceed \$675 shall be available for deposit in the general fund of the Treasury for costs of penalty mail as required by the Act of June 28, 1944 (Public Law 364): *Provided*, That traveling expenses of the judges of The Tax Court shall be paid upon the written certificate of the judge.

53 Stat. 158; 56 Stat. 957, 967.
26 U. S. C. §§ 1100-1146; Supp. IV, § 1100 *et seq.*
7 U. S. C., Supp. IV, §§ 644, 648.

58 Stat. 394.
39 U. S. C., Supp. IV, §§ 321c-321h.

For all printing and binding for The Tax Court of the United States, \$15,000.

UNITED STATES MARITIME COMMISSION

Not to exceed \$28,287,450 of the construction fund established by the Merchant Marine Act, 1936, shall be available during the fiscal year 1946 for administrative expenses of the United States Maritime Commission, including personal services at the seat of government; printing and binding; lawbooks and books of reference; periodicals and newspapers (not to exceed \$6,500); teletype services; maintenance, repair, and operation of passenger-carrying automobiles; compensation as authorized by the Act of August 4, 1939, for officers of the Army, Navy, Marine Corps, or Coast Guard, detailed to the Commission; not to exceed \$90,000 for deposit in the general fund of the Treasury for cost of penalty mail of the United States Maritime Commission and the War Shipping Administration as required by section 2 of the Act of June 28, 1944 (Public Law 364); and not to exceed \$325,000 for the employment by contract or otherwise of persons, firms, or corporations for the performance of legal and other special services, without regard to section 3709 of the Revised Statutes or the civil-service and classification laws.

Administrative expenses.
49 Stat. 1967.
46 U. S. C. § 1116.

53 Stat. 1182.
46 U. S. C. § 1111.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

41 U. S. C. § 5.

VETERANS ADMINISTRATION

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (38 U. S. C. 11-11f), and any and all laws for which the Veterans Administration is now or may hereafter be charged with administering, \$227,675,000, of which \$44,940 shall be available for salaries and expenses of the Federal Board of Hospitalization: *Provided*, That this appropriation shall be available also for personal services in the District of Columbia and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; furnishing and laundering of such wearing apparel as may be prescribed for em-

Salaries and expenses.
Post, p. 642.

46 Stat. 1016.
38 U. S. C., Supp. IV, § 11a note.

Personal services, etc.

ployees in the performance of their official duties; purchase and exchange of lawbooks, books of reference, periodicals, and newspapers; for purchase (not to exceed fifty-five), maintenance, repair, and operation of passenger automobiles; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to utilize Government-owned automotive equipment in transporting children of Veterans Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend not to exceed \$5,000 of this appropriation for actuarial services pertaining to the Government life-insurance fund and the National Service Life Insurance Fund, to be obtained by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for allotment and transfer to the Federal Security Agency (Public Health Service), the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment; for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans Administration accruing during the year for which this appropriation is made or prior fiscal years: *Provided further*, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans Administration hospitals or homes: *Provided further*, That this appropriation shall be available for continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the Act approved August 27, 1888 (24 U. S. C. 134), as amended, for those veterans eligible for admission to Veterans Administration facilities for hospital or domiciliary care: *Provided further*, That the Administrator is hereby authorized to employ medical consultants for duty on such terms as he may deem advisable and without regard to the civil-service and classification laws: *Provided further*, That this appropriation shall be available for the purchase directly from sources authorized by the common carriers of printed reduced fare requests for use by veterans when traveling at their own expense from or to Veterans Administration facilities: *Provided further*, That notwithstanding any limitation in this Act, this appropriation shall be available for the purchase of legal newspapers in an amount not exceeding \$200: *Provided further*, That not to exceed \$50,000 of this appropriation shall be available for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures, and other visual educational information and descriptive material, including the purchase or rental of equipment.

No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than \$3,650,000 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the juris-

Transportation of school children.

Actuarial services.

Transfer of funds.

Purchase of tobacco.

Aid to State or Territorial homes.

25 Stat. 450.
 24 U. S. C., Supp. IV, § 134.

Medical consultants.

Reduced fare requests.

Legal newspapers.

Visual educational information.

Construction, purchase, and repair restrictions.
 Post, p. 642.

diction of the Veterans Administration either by contract or by the hire of temporary employees and the purchase of materials.

For printing and binding for the Veterans Administration, including all its bureaus and functions located in Washington, District of Columbia, and elsewhere, \$780,000.

For deposit in the general fund of the Treasury for cost of penalty mail of the Veterans Administration as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$614,250.

Pensions: For the payment of compensation, pensions, gratuities, and allowances, now authorized under any Act of Congress, or regulation of the President based thereon, or which may hereafter be authorized (except the benefits authorized by the Servicemen's Readjustment Act of 1944), including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans Administration, accruing during the fiscal year for which this appropriation is made or in prior fiscal years, \$1,080,150,000, to be immediately available and to remain available until expended.

For the payment of benefits to or on behalf of veterans as authorized by title II, III, and V, of the Servicemen's Readjustment Act of 1944, \$295,000,000, to be immediately available and to remain available until expended.

For military and naval insurance, \$18,000,000, to be merged with the appropriation for this purpose in section 20 of the Act of October 6, 1917 (40 Stat. 400), the consolidated appropriation to remain available until expended.

National service life insurance: For transfer to the national service life insurance fund, in accordance with the provisions of the National Service Life Insurance Act of 1940, on account of payments of benefits in excess of the reserve of the policy in case of death, or for premiums waived in case of total disability, in cases where the death or total disability of the insured shall have been determined by the Administrator of Veterans Affairs to be the result of disease or injury traceable to the extra hazards of military or naval service, and to reimburse the national service life insurance fund for payments made therefrom when recovery of such payments is waived by the Administrator of Veterans Affairs under the authority of section 609 (a) of said Act, \$900,000,000, to be immediately available and to remain available until expended.

Soldiers' and sailors' civil relief: For payment of claims as authorized by article IV of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942, \$400,000, to be immediately and continuously available until expended: *Provided*, That any moneys received under said article IV shall be credited to this appropriation.

Hospital and domiciliary facilities: For hospital and domiciliary facilities, \$84,500,000, to be immediately available and to remain available until expended: *Provided*, That this amount shall be available for use by the Administrator of Veterans Affairs, with the approval of the President, for extending any of the facilities under the jurisdiction of the Veterans Administration or for any of the purposes set forth in sections 1 and 2 of the Act approved March 4, 1931 (38 U. S. C. 438j-k) or in section 101 of the Servicemen's Readjustment Act of 1944: *Provided further*, That not to exceed 3 per centum of this amount shall be available for the employment in the District of Columbia and in the field of necessary technical and clerical assistants to aid in the preparation of plans and specifications for the projects as approved hereunder and in the supervision of the execution thereof, and for traveling expenses, field office equipment, and supplies in connection therewith.

Total, Veterans Administration, \$2,607,119,250: *Provided*, That no

Printing and binding.
Post, p. 642.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

Pensions.

58 Stat. 284.
38 U. S. C., Supp. IV, §§ 693-697e, 701, note foll. § 735.
Post, pp. 270, 463, 542, 623 *et seq.*

58 Stat. 287, 291, 295.
38 U. S. C., Supp. IV, §§ 701, note foll. § 735, 694-694e, 696-696m.

Post, pp. 270, 542, 626 *et seq.*
Military and naval insurance.

National service life insurance.

Post, p. 642.
54 Stat. 1008.
38 U. S. C. §§ 801-818; Supp. IV, § 801 *et seq.*

54 Stat. 1013.
38 U. S. C. §809 (a).

Payment of claims.

56 Stat. 773.
50 U. S. C., Supp. IV, app. §§ 540-548.

Hospital and domiciliary facilities.

Post, p. 642.
Extension.

46 Stat. 1550, 1551.
58 Stat. 284.
38 U. S. C., Supp. IV, § 693a.
Technical and clerical assistants.

Total.

Hospitalization
etc., restrictions.

part of this appropriation shall be available for hospitalization or examination of any persons except beneficiaries entitled under the laws bestowing such benefits to veterans, unless reimbursement of cost is made to the appropriation at such rates as may be fixed by the Administrator of Veterans Affairs.

Salaries of desig-
nated officers.

SEC. 102. During the fiscal year ending June 30, 1946, the salaries of the Commissioners of the United States Maritime Commission, with the exception of the Chairman so long as the office is held by the present incumbent, and the Commissioners of the United States Tariff Commission shall be at the rate of \$10,000 each per annum.

Persons advocating
overthrow of U. S.
Government.

SEC. 103. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

Payment of certain
salaries, etc., restric-
tion.

SEC. 104. No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act; but this prohibition shall be effective only during the period for which such prohibition in such other Act is effective.

Travel expenses,
limitation.

SEC. 105. Where appropriations in this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations.

Expenditures for
newspapers, etc., limi-
tation.
Post, p. 642.

SEC. 106. Where appropriations in this Act are expendable for the purchase of newspapers and periodicals and no specific limitation has been placed thereon, the expenditures therefor under each such appropriation may not exceed the amount of \$50: *Provided*, That this limitation shall not apply to the purchase of scientific, technical, trade, or traffic periodicals necessary in connection with the performance of the authorized functions of the agencies for which funds are herein provided.

Restoration of vet-
erans to former posi-
tions.

SEC. 107. No part of any appropriation contained in this Act shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the armed forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified to perform the duties of his former position and has not been restored thereto.

TITLE II—GENERAL PROVISIONS

SEC. 201. (a) Appropriations for the fiscal year 1946 available for expenses of travel of civilian officers and employees of the executive departments and independent establishments shall be available also for expenses of travel performed by them including expenses of transportation of their immediate families in accordance with regulations prescribed by the President, on transfer from one official station to another for permanent duty when authorized by the head of the department or establishment concerned in the order directing such transfer: *Provided*, That such expenses shall not be allowed for any transfer effected for the convenience of any officer or employee.

Travel of civilian personnel.

(b) Appropriations of the executive departments and independent establishments for the fiscal year 1946 available for the transportation of things shall be available, in accordance with the Act of October 10, 1940 (5 U. S. C. 73c-1), for expenses incurred in the transfer of household goods and effects of civilian officers and employees of such departments and establishments when transferred from one official station to another for permanent duty.

Transportation of household goods, etc.

54 Stat. 1105.
5 U. S. C., Supp.
IV, § 73c-1 note.

(c) Appropriations contained in this Act, available for expenses of travel shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made: *Provided*, That there shall be available for such purpose during the fiscal year 1946 to each such agency or establishment not to exceed 50 per centum of the amount authorized for the same purpose for each such agency or establishment for the fiscal year 1945, except that in the case of the Veterans Administration the amount available for such purpose shall not exceed 75 per centum of the amount authorized for the fiscal year 1945.

Attendance at meetings.

Post, p. 642.

Limitation.

(d) Appropriations of the executive departments and independent establishments for the fiscal year 1946 available for expenses of travel shall be available for the payment of travel expenses while away from their homes or regular place of business, including per diem in lieu of subsistence at place of employment, in accordance with the Standardized Government Travel Regulations, the Subsistence Expense Act of 1926, as amended (5 U. S. C., ch. 16), and the Act of February 14, 1931, as amended (5 U. S. C. 73a), of (1) persons employed intermittently as consultants or experts and receiving compensation on a per diem when-actually-employed basis, and (2) persons serving in an advisory capacity or employed without compensation or at \$1 per annum; except that in case of (2) above there may be allowed not to exceed \$10 per diem in lieu of subsistence en route and at place of service or employment, unless a higher rate is specifically provided by law.

Part-time consultants, dollar-a-year men, etc.

Travel expenses.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.
46 Stat. 1103.
5 U. S. C., Supp.
IV, § 73a.

SEC. 202. Unless otherwise specifically provided, no appropriation available for the executive departments and independent establishments for the fiscal year 1946 in this Act or any other Act, shall be expended—

Vehicles.

(a) To purchase any motor-propelled passenger-carrying vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of such amount as the Secretary of War, in the case of the War Department, the Secretary of the Navy, in the case of the Navy Department, the Commissioners, in the case of the government of the District of Columbia, and the Director of the Bureau of the Budget, in the case of other essential governmental needs, may determine necessary to obtain satisfactory motor-propelled

Purchase limitation.

passenger-carrying vehicles, but in no event shall the price so paid for any such vehicle exceed the maximum price therefor established by the Office of Price Administration and in no event more than \$1,500, which amount shall be in addition to the amount required for transportation.

Maintenance, repair, etc.

"Official purposes."

(b) For the maintenance, operation, and repair of any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except in case of medical officers on out-patient medical services and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department or establishment concerned. Any officer or employee of the Government who uses or authorizes the use of any Government-owned motor-propelled passenger-carrying vehicle, or of any motor-propelled passenger-carrying vehicle leased by the Government, for other than official purposes or otherwise violates the provisions of this subsection shall be summarily removed from office by the head of the department or establishment concerned. The limitations of this subsection (b) shall not apply to any motor vehicles for official use of the President, the heads of the executive departments, Ambassadors, Ministers, chargés d'affaires, and other principal diplomatic and consular officials.

Aircraft purchase, limitation.

SEC. 203. Excepting appropriations for the Military and Naval Establishments, no appropriation for the fiscal year 1946 in this or any other Act shall be available for the purchase, maintenance, or operation of any aircraft unless specific authority for the purchase, maintenance, or operation thereof has been or is provided in such appropriation, and the acquisition of aircraft by any agency by transfer from another agency of the Government shall be considered as a purchase within the meaning hereof.

Exchange allowances, etc.

SEC. 204. In purchasing motor-propelled or animal-drawn vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, the head of any executive department or independent establishment or his duly authorized representative may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor: *Provided*, That any transaction carried out under the authority of this section shall be evidenced in writing.

Minor purchases.

SEC. 205. Section 3709, Revised Statutes (41 U. S. C. 5), shall not apply to any purchase by or service rendered to any executive department or independent establishment during the fiscal year 1946 when the aggregate amount involved does not exceed \$100, but this section shall not be construed as affecting any provision of law authorizing purchases or services without regard to said section 3709 in amounts greater than \$100.

Citizenship requirements.

SEC. 206. Unless otherwise specified and until July 1, 1946, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, had filed a declaration of intention to become a citizen of the United States prior to such date, or (3) is a person

who owes allegiance to the United States: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Commonwealth of the Philippines or to nationals of those countries allied with the United States in the prosecution of the war.

SEC. 207. Appropriations for the executive departments and independent establishments for the fiscal year 1946 available for travel expenses shall be available for the payment of per diem allowances in lieu of subsistence expenses without regard to the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), to civilian officers and employees of such departments and establishments while traveling on official business outside the continental limits of the United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department or independent establishment concerned or by such official as he may designate for the purpose, but shall in no case, notwithstanding any other provision of law, exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed: *Provided further*, That the availability of appropriations of the War and Navy Departments with respect to the foregoing shall not be restricted thereby.

SEC. 208. The provision of law prescribing the use of vessels of United States registry by employees of the Government traveling overseas (46 U. S. C. 1241) shall not apply to such travel during the fiscal year 1946.

SEC. 209. Appropriations of the executive departments and independent establishments for the fiscal year 1946 shall be available for reimbursement at not to exceed 5 cents per mile to personnel serving without compensation from the United States for expenses of travel performed by them in privately owned automobiles away from their designated posts of duty.

SEC. 210. Appropriations of the executive departments and independent establishments for the fiscal year 1946, available for expenses of travel are hereby made available (1) for allowances for living and quarters in accordance with Standardized Regulations prescribed by the President for civilian officers and employees of the Government temporarily stationed in foreign countries, (2) for living quarters allowances in accordance with the Act of June 26, 1930 (5 U. S. C. 118a), and regulations prescribed thereunder, and (3) cost of living allowances in accordance with the Act of February 23, 1931, as amended (22 U. S. C. 12), and regulations prescribed thereunder, for all civilian officers and employees of the Government permanently stationed in foreign countries: *Provided*, That the availability of appropriations of the Departments of War and Navy and of the Department of State under the caption "Foreign Service" shall not be affected hereby.

SEC. 211. No part of any appropriation for the fiscal year 1946 contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

Affidavit.

Penalty.

Recoupment.

Exceptions.

Per diem allowances in lieu of subsistence expenses.

44 Stat. 688.
5 U. S. C., Supp. IV,
§ 823.

Appropriations for War and Navy Departments.

Travel on American ships.

49 Stat. 2015.
46 U. S. C., Supp.
IV, § 1241 note.

Reimbursement for travel in private automobiles.

Allowances for living and quarters.

46 Stat. 818.

46 Stat. 1209.
Ante, p.104.

Senate disapproval of nomination, effect.

Per diem rates of allowance.
56 Stat. 359.
37 U. S. C., Supp. IV, §§ 101-120.
Post, pp. 541, 542, 587.

SEC. 212. The funds appropriated in the appropriation Acts for the fiscal year 1946 of the services mentioned in the title of the Act of June 16, 1942 (Public Law 607, Seventy-seventh Congress), shall be available for, and the heads of the executive departments concerned are authorized to prescribe, per diem rates of allowance, at rates not to exceed \$7 per day, in lieu of subsistence to officers traveling on official business and away from their designated posts of duty, and to members of the services concerned (including officers, warrant officers, contract surgeons, enlisted personnel, aviation cadets, and members of the Nurse Corps) when traveling by air under competent orders and on duty without troops; and for the payment in advance, or otherwise, of money allowances in lieu of transportation, at the rate of 3 cents per mile to enlisted men, regardless of the mode of travel.

U. S. Code Annotated; Lifetime Federal Digest.

SEC. 213. No part of any appropriation contained in this or any other Act shall be used to pay in excess of \$2 per volume for the current and future volumes of the United States Code Annotated or in excess of \$3.25 per volume for the current or future volumes of the Lifetime Federal Digest.

Expenses of inter-agency groups.

SEC. 214. Hereafter appropriations of the executive departments and independent establishments of the Government shall be available for the expenses of committees, boards, or other interagency groups engaged in authorized activities of common interest to such departments and establishments and composed in whole or in part of representatives thereof who receive no additional compensation by virtue of such membership: *Provided*, That employees of such departments and establishments rendering service for such committees, boards, or other groups, other than as representatives, shall receive no additional compensation by virtue of such service.

Veterans' priorities respecting building materials.

SEC. 215. In order to enable persons who have served ninety days or more in the land or naval forces during the present war, and who have satisfactorily completed their period of active military or naval service, to obtain materials required for the construction, alteration, or repair of dwelling houses to be occupied by them, any department or agency of the Government, in allocating or granting priorities with respect to any materials, shall give to such persons a preference over all other users of such materials (except to the extent such materials are needed by such other users to meet actual military needs), without requiring any showing of hardship or other necessity for the construction, alteration, or repair of such dwelling houses.

Short title.

SEC. 216. This Act may be cited as the "Independent Offices Appropriation Act, 1946".

Approved May 3, 1945.

[CHAPTER 107]

JOINT RESOLUTION

May 3, 1945

[H. J. Res. 18]

[Public Law 50]

Providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Maryland.

U. S. Naval Academy Centennial Commission.
Establishment and purpose.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide for the commemoration of the one-hundredth anniversary of the founding of the United States Naval Academy there is hereby established a commission to be known as the United States Naval Academy Centennial Commission (hereafter referred to as the "Commission"), to be composed of three Senators to be appointed by the President of the Senate, three Members of the House of Representatives to be

appointed by the Speaker of the House of Representatives, the President of the United States, the Governor of the State of Maryland, the Secretary of the Navy, the Superintendent of the United States Naval Academy, and five persons to be appointed by the President. The members of the Commission shall select from among their number, a Chairman and a Vice Chairman. The Superintendent of the United States Naval Academy shall appoint, subject to the approval of the Chairman and Vice Chairman of the Commission, a secretary for the Commission. If any vacancy occurs in the office of secretary, such vacancy shall be filled in the manner provided for the original appointment. The authority of the Commission under this joint resolution shall cease and terminate on June 30, 1946.

SEC. 2. It shall be the duty of the Commission to formulate plans for the celebration to be held on or about October 10, 1945, in commemoration of such anniversary.

SEC. 3. The Commission is authorized to cooperate with the State of Maryland, the city of Annapolis, the Navy Athletic Association, and other organizations, in order to carry out the provisions of this joint resolution.

SEC. 4. The members of the Commission shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties as members of the Commission.

SEC. 5. The Commission is authorized to make such expenditures for the purpose of carrying out the provisions of this joint resolution as it may deem advisable, but no expenditure shall be made except for the purposes authorized by a majority of the members thereof. Expenditures of the Commission shall be paid upon the presentation of vouchers approved by the Chairman of the Commission.

SEC. 6. The Commission shall make a report to the Congress, as soon as practicable, of the plans formulated and the recommendations of the Commission for the observance of such anniversary.

SEC. 7. There is hereby authorized to be appropriated the sum of \$5,000, to be expended by the Commission for the purpose of carrying out the provisions of this joint resolution.

Approved May 3, 1945.

[CHAPTER 108]

AN ACT

To amend section 2, Public Law 140, Seventy-seventh Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of Public Law 140, Seventy-seventh Congress, is hereby amended by adding a colon at the end thereof and the following: "Provided, That this Act shall apply to all former enlisted men of the Regular Army and the Philippine Scouts who have served for twenty years or more, and who were honorably discharged therefrom by reason of becoming permanently incapacitated for active service due to physical disability incurred in line of duty: Provided further, That any former enlisted man placed upon the retired list in accordance with the provisions of the foregoing proviso shall not be entitled to receive retirement pay for any period prior to the effective date of this amendment."

Approved May 4, 1945.

Plans.

Cooperation with other organizations.

Reimbursement for expenses.

Expenditures.

Report to Congress.

Appropriation authorized.

May 4, 1945

[H. R. 1701]

(Public Law 51)

Regular Army and Philippine Scouts.
55 Stat. 394.
10 U. S. C., Supp. IV, § 939.
Retirement for disability.

[CHAPTER 109]

AN ACT

Making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes.

May 5, 1945

[H. R. 2689]

[Public Law 52]

Department of Agriculture Appropriation Act, 1946.

Post, pp. 422, 423, 644, 645.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture for the fiscal year ending June 30, 1946, hereinafter referred to as the current fiscal year, namely:

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For the Secretary of Agriculture, hereafter in this Act referred to as the Secretary, and other personal services in the Office of the Secretary in the District of Columbia, and elsewhere, and other necessary expenses, including the purchase of one and the maintenance, repair, and operation of four motor-propelled passenger-carrying vehicles; travel expenses, including examination of estimates for appropriations in the field; stationery, supplies, materials, and equipment; freight, express, and drayage charges; advertising, communication service, postage, washing towels, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, \$1,450,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such services and expenses, which several amounts or portions thereof as may be determined by the Secretary, not exceeding a total of \$131,390, shall be transferred to and made a part of this appropriation: *Provided, however,* That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department of Agriculture, hereafter in this Act referred to as the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further,* That, of appropriations herein made which are available for the purchase of lands, not to exceed \$1 may be expended for each option to purchase any particular tract or tracts of land: *Provided further,* That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast, except as to damage threatened or caused by insects and pests, with respect to future prices of cotton or the trend of same: *Provided further,* That, except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this Act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

Adjustments in amounts.

Options to purchase lands.

Employee predicting future price of cotton.

Purchase of twine.

PENALTY MAIL

For deposit in the general fund of the Treasury for cost of penalty mail of the Department of Agriculture, including the War Food Administration, as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$3,238,740, together with not to exceed \$30,000 of the funds made available to the Commodity Credit Corporation for administrative expenses, for penalty mail for said Corporation, and the amount authorized for penalty mail for said Corporation in the First Supplemental Appropriation Act, 1945, for the fiscal year 1945 is hereby increased by \$12,000.

58 Stat. 304.
39 U. S. C., Supp.
IV, § 321d.
Post, p. 153.

58 Stat. 875.

OFFICE OF THE SOLICITOR

For necessary expenses for the Office of Solicitor including personal services in the District of Columbia and elsewhere, purchase of law-books, books of reference, and periodicals, and payment of fees or dues for the use of law libraries by attorneys in the field service, \$1,730,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$197,500, shall be transferred to and made a part of this appropriation; and there may be expended for personal services in the District of Columbia not to exceed \$906,990: *Provided, however,* That if the total amount of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations.

Post, p. 422.

Adjustments in
amounts.

OFFICE OF INFORMATION

SALARIES AND EXPENSES

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, the preparation, distribution, and display of agricultural motion and sound pictures, and exhibits, and the coordination of informational work in the Department, \$453,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$161,179 shall be transferred to and made a part of this appropriation, of which total appropriation amounts not exceeding those specified may be used for the purposes enumerated as follows: For personal services in the District of Columbia, \$487,640; for preparation and display of exhibits, \$58,470 and the preparation, distribution, and display of motion and sound pictures \$50,000, including cooperation with Federal, State, county, municipal, and other agencies: *Provided, however,* That if the total amounts of the appropriations or authorizations for the current fiscal year from which transfers to this appropriation are herein authorized shall at any time exceed or fall below the amounts estimated,

Adjustments in
amounts.

respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That when and to the extent that in the judgment of the Secretary agricultural exhibits and motion and sound pictures relating to the authorized programs of the various agencies of the Department can be more advantageously prepared, displayed, or distributed by the Office of Information, as the central agency of the Department therefor, additional funds not exceeding \$300,000 for these purposes may be transferred to and made a part of this appropriation, from the funds applicable, and shall be available for the objects specified herein, including personal services in the District of Columbia: *Provided further*, That in the preparation of motion pictures or exhibits by the Department, not exceeding a total of \$10,000 may be used for employment pursuant to the second sentence of section 706 (a) of the Act of September 21, 1944 (Public Law 425): *Provided*, That no part of this appropriation shall be used for the establishment or maintenance of regional or State field offices or for the compensation of employees in such offices except that not to exceed \$11,856 may be used to maintain the San Francisco radio office.

PRINTING AND BINDING

For all printing and binding for the Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, except as otherwise in this Act provided, \$1,000,000, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary, as required by the Acts of January 12, 1895 (44 U. S. C. 111, 212-220, 222, 241, 244), March 4, 1915 (7 U. S. C. 418), and June 20, 1936 (5 U. S. C. 108), and in pursuance of the Act approved March 30, 1906 (44 U. S. C. 214, 224), also including not to exceed \$250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220): *Provided*, That the Secretary may transfer to this appropriation from the appropriation made for "Conservation and Use of Agricultural Land Resources" such sums as may be necessary for printing and binding in connection with marketing quotas under the Agricultural Adjustment Act of 1938, and from funds appropriated to carry into effect the terms of section 32 of the Act of August 24, 1935 (7 U. S. C. 612c), as amended, such sums as may be necessary for printing and binding in connection with the activities under said section 32, and from funds appropriated for "Salaries and expenses, War Food Administration", such sums as may be necessary for printing and binding in connection with functions assigned to the Office of Information by the War Food Administrator: *Provided further*, That the total amount that may be transferred under the authority granted in the preceding proviso shall not exceed \$225,000.

Transfer of additional funds if Office acts as central agency.

Temporary employment.

58 Stat. 742.
5 U. S. C., Supp.
IV, § 574.
Regional or State field offices.

Annual Report of the Secretary.
28 Stat. 601; 38 Stat. 1110; 49 Stat. 1550; 34 Stat. 825.

Farmers' bulletins.

40 Stat. 1270.

Transfer of funds.

Post, p. 154.

52 Stat. 31.
7 U. S. C. § 1281;
Supp. IV, ch. 35.
Ande, p. 50.
49 Stat. 774.
7 U. S. C., Supp.
IV, § 612c note.
Post, p. 152.

Limitation.

LIBRARY, DEPARTMENT OF AGRICULTURE

Salaries and expenses: For purchase and exchange of reference books, lawbooks, technical and scientific books, periodicals, and for expenses incurred in completing imperfect series; not to exceed \$1,200 for newspapers; for dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; for salaries in the city of Washington and elsewhere; for official travel expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, \$467,900, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year, for such salaries and expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$750, shall be transferred to and made a part of this appropriation, of which total appropriation not to exceed \$306,433, may be expended for personal services in the District of Columbia: *Provided, however,* That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations.

Adjustments in amounts.

BUREAU OF AGRICULTURAL ECONOMICS

For the employment of persons and means in the District of Columbia and elsewhere, either independently or in cooperation with public agencies or organizations, including not to exceed \$1,888,589 for personal services in the District of Columbia, including the salary of Chief of Bureau at \$10,000 per annum, and not to exceed \$1,000 for the purchase of books of reference, periodicals, and newspapers, as follows:

Economic investigations: For acquiring and diffusing useful information among the people of the United States, for conducting investigations, experiments, and demonstrations, and for aiding in formulating programs for authorized activities of the Department, relative to agricultural production, distribution, land utilization, and conservation in their broadest aspects, including farm management and practice, utilization of farm and food products, purchasing of farm supplies, farm population and rural life, farm labor, farm finance, insurance and taxation, adjustments in production to probable demand for the different farm and food products; land ownership and values, costs, prices and income in their relation to agriculture, including causes for their variations and trends, \$2,110,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such salaries and expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$122,933 shall be transferred to and made a part of this appropriation: *Provided, however,* That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred

Adjustments in amounts.

therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That no part of the funds herein appropriated or made available to the Bureau of Agricultural Economics shall be used for State and county land-use planning.

Land-use planning.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops and numbers, grades, and value of livestock and livestock products on farms, in cooperation with the Extension Service and other Federal, State, and local agencies, and for the collection and publication of statistics of peanuts as provided by the Act approved June 24, 1936, as amended May 12, 1938 (7 U. S. C. 951-957), \$1,520,000, together with such amounts from other appropriations or authorizations as are provided in the schedules in the Budget for the current fiscal year for such salaries and expenses, which several amounts or portions thereof, as may be determined by the Secretary, not exceeding a total of \$149,000, shall be transferred to and made a part of this appropriation: *Provided, however*, That if the total amounts of such appropriations or authorizations for the current fiscal year shall at any time exceed or fall below the amounts estimated, respectively, therefor in the Budget for such year, the amounts transferred or to be transferred therefrom to this appropriation and the amount which may be expended for personal services in the District of Columbia shall be increased or decreased in such amounts as the Director of the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine are appropriate to the requirements as changed by such reductions or increases in such appropriations or authorizations: *Provided further*, That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton: *Provided further*, That estimates of apple production shall be confined to the commercial crop.

Peanut statistics.

49 Stat. 1898; 52 Stat. 348.

Adjustments in amounts.

Cotton acreage report.

Apple production.

OFFICE OF FOREIGN AGRICULTURAL RELATIONS

46 Stat. 497.

Salaries and expenses: For carrying out the functions of the Secretary under the Act of June 5, 1930, as amended (7 U. S. C. 541-545), independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations and persons engaged in the production, transportation, marketing, and distribution of farm and food products, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including the employment of persons and means in the District of Columbia and elsewhere, and the purchase of such books and periodicals and not to exceed \$500 for newspapers as may be necessary in connection with this work, \$500,000.

INTERNATIONAL PRODUCTION CONTROL COMMITTEES

Not to exceed \$12,500 may be expended from the appropriations "Salaries and expenses, Agricultural Adjustment Administration" and "Sugar Act" for the share of the United States as a member of the International Wheat Advisory Committee, the International Sugar Council, or like events or bodies concerned with the reduction of agricultural surpluses or with other objectives of said appropriations, together with traveling and other necessary expenses relating thereto.

Post, p. 158.

EXTENSION SERVICE

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO

For payments to the States, Hawaii, Alaska, and Puerto Rico, for cooperative agricultural extension work as follows:

Cooperative agricultural extension work.

Capper-Ketcham, Bankhead-Jones, and related Acts: Capper-Ketcham Act, the Act approved May 22, 1928 (7 U. S. C. 343a, 343b), \$1,480,000; Bankhead-Jones Act, section 21, title II, of the Act approved June 29, 1935 (7 U. S. C. 343c), \$12,000,000; additional extension work, the Act approved April 24, 1939 as amended (7 U. S. C. 343c-1), \$555,000; Alaska, the Act approved February 23, 1929 (7 U. S. C. 386c), extending the benefits of the Smith-Lever Act to the Territory of Alaska, \$13,950, and section 3 of the Act approved June 20, 1936 (7 U. S. C. 343e), extending the benefits of the Capper-Ketcham Act to the Territory of Alaska, \$10,000, in all, for Alaska, \$23,950; Puerto Rico, the Act approved August 28, 1937 (7 U. S. C. 343f-343g) extending the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico, \$140,000; in all, Capper-Ketcham, Bankhead-Jones, and related Acts, \$14,198,950.

45 Stat. 711.

49 Stat. 438.

Post, p. 233.

53 Stat. 589.

7 U. S. C., Supp.

IV, § 343c-1.

45 Stat. 1256.

49 Stat. 1554.

50 Stat. 881.

SALARIES AND EXPENSES

Administration and coordination of extension work: For the employment of persons and means in the District of Columbia and elsewhere to enable the Secretary to administer the provisions of the Smith-Lever Act, approved May 8, 1914 (7 U. S. C. 341-348), and Acts amendatory or supplementary thereto, and to coordinate the extension work of the Department and the several States, Territories, and insular possessions, including cooperation with other bureaus and offices of the Department, and Federal, State, county, and other agencies, in the development, preparation, and distribution of educational material designed to increase the effectiveness of cooperative extension work as conducted by the Department in cooperation with land-grant colleges, \$697,900, of which amount not to exceed \$543,610 may be expended for personal services in the District of Columbia.

38 Stat. 372.
Cooperation with other agencies, etc.

AGRICULTURAL RESEARCH ADMINISTRATION

OFFICE OF ADMINISTRATOR

Salaries and expenses: For necessary salaries and expenses of the Office of Administrator, including the salary of the Administrator at \$9,200 per annum, and personal services in the District of Columbia and elsewhere, and for necessary expenses in connection with the maintenance, operation, and furnishing of facilities and services at the Agricultural Research Center, \$285,200: *Provided*, That the appropriation current at the time services are rendered may be reim-

Reimbursement.

bursed (by advance credits or reimbursements based on estimated or actual charges) from applicable appropriations, to cover the charges, including handling and other related services, for equipment rentals (including depreciation, maintenance, and repairs); for services, supplies, equipment and materials furnished, stores of which may be maintained at the Center, and for building construction, alteration, and repair performed by the Center in carrying out the purposes of such applicable appropriations and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation: *Provided further*, That the several appropriations of the Agricultural Research Administration shall be available for the construction, alteration, and repair of buildings and improvements: *Provided, however*, That unless otherwise provided, the cost of constructing any one building (excepting headhouses connecting greenhouses) shall not exceed \$5,000, the total amount for construction of buildings costing more than \$2,500 each shall be within the limits of the estimates submitted and approved therefor, and the cost of altering any one building during the fiscal year shall not exceed \$2,500 or 2 per centum of the cost of the building as certified by the Research Administrator, whichever is greater.

Buildings and improvements.

Limitation on construction, etc., costs.

SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

For enabling the Secretary to carry into effect the provisions of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (7 U. S. C. 427, 427b, 427c, 427f); for administration of the provisions of section 5 of the said Act, and for special research work, including the planning, programming, coordination, and printing the results of such research, to be conducted by such agencies of the Department as the Secretary may designate or establish, and to which he may make allotments from this fund, including the employment of persons and means in the District of Columbia and elsewhere; \$1,088,000, of which amount \$662,894 shall be available for the maintenance and operation of research laboratories and facilities in the major agricultural regions provided for by section 4 of said Act.

49 Stat. 436.

7 U. S. C. § 427d; Supp. IV, § 427d.

7 U. S. C. § 427c.

OFFICE OF EXPERIMENT STATIONS

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO

For payments to the States, Hawaii, Alaska, and Puerto Rico to be paid quarterly in advance, to carry into effect the provisions of the following Acts relating to agricultural experiment stations:

Hatch, Adams, Purnell, Bankhead-Jones, and related Acts: Hatch Act, the Act approved March 2, 1887 (7 U. S. C. 362, 363, 365, 368, 377-379), \$720,000; Adams Act, the Act approved March 16, 1906 (7 U. S. C. 369), \$720,000; Purnell Act, the Act approved February 24, 1925 (7 U. S. C. 361, 366, 370, 371, 373-376, 380, 382), \$2,880,000; Bankhead-Jones Act, title I of the Act approved June 29, 1935 (7 U. S. C. 427-427g), \$2,663,708; Hawaii, the Act approved May 16, 1928 (7 U. S. C. 386-386b), extending the benefits of certain Acts of Congress to the Territory of Hawaii, \$90,000; Alaska, the Act approved February 23, 1929 (7 U. S. C. 386c), extending the benefits of the Hatch Act to the Territory of Alaska, \$15,000, and the provisions of section 2 of the Act approved June 20, 1936

24 Stat. 440.

34 Stat. 63.

43 Stat. 970.

49 Stat. 436.
7 U. S. C., Supp.
IV, § 427d.

45 Stat. 571.

45 Stat. 1256.

49 Stat. 1554.

(7 U. S. C. 369a), extending the benefits of the Adams and Purnell Acts to the Territory of Alaska, \$27,500; in all, for Alaska, \$42,500; Puerto Rico, the Act approved March 4, 1931, as amended (7 U. S. C. 386d-386f), extending the benefits of certain Acts of Congress to Puerto Rico, \$90,000; in all, payments to States, Hawaii, Alaska, and Puerto Rico, \$7,206,208.

46 Stat. 1520.

SALARIES AND EXPENSES

Administration of grants and coordination of research with States: For salaries and expenses, including personal services in the District of Columbia, necessary to enable the Secretary to enforce the provisions of the Acts approved March 2, 1887, March 16, 1906, February 24, 1925, May 16, 1928, February 23, 1929, March 4, 1931, and June 20, 1936, and Acts amendatory thereto (7 U. S. C. 361-363, 365-383, 386-386f), relative to their administration and for the administration of an agricultural experiment station in Puerto Rico, \$153,600, of which not to exceed \$143,700 may be expended for personal services in the District of Columbia; and the Secretary shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the research work of the State agricultural colleges and experiment stations in the lines authorized in said Acts with research of the Department in similar lines, and make report thereon to Congress.

24 Stat. 440; 34 Stat. 63; 43 Stat. 970; 45 Stat. 571, 1256; 46 Stat. 1520; 49 Stat. 1553.
7 U. S. C., Supp. IV, § 367.

Federal Experiment Station, Puerto Rico: To enable the Secretary to establish and maintain an agricultural experiment station in Puerto Rico, including the preparation, illustration, and distribution of reports and bulletins, \$99,375; and the Secretary is authorized to sell such products as are obtained on the land belonging to the agricultural experiment station in Puerto Rico and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts.

Sale of products.

BUREAU OF ANIMAL INDUSTRY

SALARIES AND EXPENSES

For the employment of persons and means in the District of Columbia and elsewhere, including not to exceed \$591,004 for departmental personal services in the District of Columbia, for carrying out, independently or in cooperation with public or private agencies, including individuals, the provisions of the Act, as amended, establishing a Bureau of Animal Industry, and related Acts, and for investigations concerned with the livestock and meat industries, as follows:

23 Stat. 31.
7 U. S. C. §§ 391-394;
Supp. IV, §§ 391-395.

Animal husbandry: For investigations and experiments in animal husbandry and animal and poultry feeding and breeding, and for cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries, \$840,000.

Diseases of animals: For scientific investigations of diseases of animals, and necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, \$708,900.

Eradicating tuberculosis and Bang's disease: For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, avian tuberculosis, and Bang's disease of cattle, \$5,048,000, together with not to exceed \$800,000 of the unobligated balance of the appropriation for the fiscal year 1943: *Provided*, That no part of the

56 Stat. 674.

Compensation of cattle owners, restrictions.

money hereby appropriated shall be used in compensating owners of cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than \$25 for any grade animal or more than \$50 for any purebred animal.

Limitation on amount of payment.

Inspection and quarantine: For inspection and quarantine work, including the control and eradication of hog cholera and related swine diseases, southern cattle ticks, scabies in sheep and cattle, and dourine in horses, the supervision of the transportation of livestock, the inspection of vessels, the execution of the twenty-eight-hour law, the inspection and quarantine of imported animals in accordance with the Act of August 30, 1890 (21 U. S. C. 102), and the inspection work relative to the existence of contagious diseases, \$999,600.

26 Stat. 416.

Meat inspection: For carrying out the provisions of laws relating to Federal inspection of meat and meat food products, \$7,800,000.

37 Stat. 832.

Virus Serum Toxin Act: For carrying out the provisions of the Act approved March 4, 1913 (21 U. S. C. 151-158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals, \$243,400.

48 Stat. 38.
7 U. S. C. § 612,
Supp. IV, § 612 note.

Marketing agreements, hog cholera virus and serum: The sum of \$31,940 of the appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, is hereby made available during the fiscal year for which appropriations are herein made to carry into effect sections 56 to 60, inclusive, of the Act approved August 24, 1935 (7 U. S. C. 851-855), entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", including the employment of persons and means in the District of Columbia and elsewhere.

49 Stat. 781.

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

Payment of claims.

In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, which, in the opinion of the Secretary, threatens the livestock industry of the country, he may expend in the city of Washington or elsewhere any unexpended balances of appropriations heretofore made for this purpose, not to exceed \$305,000, in the arrest and eradication of any such disease, including the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on

Basis of appraisal.

appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary, the payment by the United States Government for any animals shall not exceed one-half of any such appraisements: *Provided further*, That of said \$305,000 not to exceed \$5,000 may be used to control and eradicate the European fowl pest and similar diseases in poultry.

Eradication of European fowl pest, etc.

BUREAU OF DAIRY INDUSTRY

Salaries and expenses: For necessary expenses, including not to exceed \$332,325 for personal services in the District of Columbia, of the Bureau of Dairy Industry in carrying out the provisions of the Act of May 29, 1924 (7 U. S. C. 401-404), including investigations, experiments, and demonstrations in dairy industry, cooperative investigations of the dairy industry in the various States, for carrying out the applicable provisions of the Acts of May 9, 1902 (26 U. S. C. 2325, 2326 (c), 2327 (b)), and August 10, 1912 (26 U. S. C. 2327 (c)), relating to process or renovated butter, and the Act of May 23, 1908 (21 U. S. C. 94 (a)) insofar as it relates to the exportation of process or renovated butter, \$742,300.

43 Stat. 243.
7 U. S. C., Supp.
IV, §§ 401-404 note.

32 Stat. 193.

37 Stat. 269.

35 Stat. 254.

BUREAU OF PLANT INDUSTRY, SOILS, AND AGRICULTURAL ENGINEERING

SALARIES AND EXPENSES

For expenses, independently or in cooperation with public or private agencies, including individuals, necessary for investigations, experiments, and demonstrations in connection with the production and improvement of farm crops and other plants and plant industries; soils and soil-plant relationships, and the application of engineering principles to agriculture; plant diseases, including nematodes, and methods for their prevention and control; plant and plant-disease collections and surveys; the distribution of weeds and means for their control; methods of handling, processing, transportation, and storage of agricultural products; and plants in foreign countries and our possessions for introduction into the United States, including explorations and surveys, and propagation and testing in this country; for the operation and maintenance of airplanes and the purchase of not to exceed two; and for personal services in the city of Washington and elsewhere, as follows:

Plant and soil investigations.

Field crops: For investigations on the production, improvement, and diseases of alfalfa, barley, clover, corn, cotton, flax, grasses, oats, rice, rubber crops, sorghums, soybeans, sugar beets, sugarcane, tobacco, wheat, and other field crops, \$1,983,900.

Fruit, vegetable, and specialty crops: For investigations on the production, improvement, and diseases of fruit, vegetable, nut, ornamental, drug, condiment, oil, insecticide, and related crops and plants, \$1,572,000.

Forest diseases: For investigations of diseases of forest and shade trees and forest products, and methods for their control, \$252,700.

Soils, fertilizers, and irrigation: For investigations of soil management methods to increase and maintain productivity, including fertilization, liming, crop rotations, tillage practices, and other means of improving soils; fertilizers, fertilizer ingredients, and their improvement for agricultural use; soil management and crop production on dry and irrigated lands, and the quality of irrigation water and its use by crops; and for the classification of soils in a national system

Airplanes.

and indication of their extent and distribution on maps, and determination of their potential productivity under adapted cropping and improved soil management, \$913,000.

Agricultural engineering: For investigations involving the application of engineering principles to agriculture, including farm power and equipment, rural water supply and sanitation, and rural electrification; farm buildings and their appurtenances and buildings for processing and storing farm products, and the preparation and distribution of building plans and specifications; cotton ginning, and other engineering problems relating to the production, processing, transportation, and storage of agricultural products, \$445,500.

National Arboretum: For the maintenance and development of the National Arboretum established under the provisions of the Act entitled "An Act authorizing the Secretary of Agriculture to establish a National Arboretum, and for other purposes", approved March 4, 1927 (20 U. S. C. 191-194), including travel expenses of the advisory counsel, \$26,800, of which not to exceed \$2,500 may be expended for employment pursuant to the second sentence of section 706 (a) of the Act of September 21, 1944 (Public Law 425).

44 Stat. 1422.

58 Stat. 742.
5 U. S. C., Supp.
IV, § 574.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SALARIES AND EXPENSES

For expenses, independently or in cooperation with public or private agencies, including individuals, corporations, or foreign governments, necessary for investigations, experiments, demonstrations and surveys for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, and the best ways of utilizing beneficial insects, for carrying into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151-167), the Honey Bee Act (7 U. S. C. 281-282), the Insect Pest Act (7 U. S. C. 141-144), the Mexican Border Act (7 U. S. C. 149) and the Department of Agriculture Organic Act of 1944 (Public Law 425), authorizing the eradication, control, and prevention of spread of injurious insects and plant pests; including the operation and maintenance of airplanes and the purchase of not to exceed seven, and not to exceed \$544,493 for personal services in the District of Columbia, as follows:

Insect investigations: For the investigation of insects affecting fruits, grapes, nuts, trees, shrubs, forests and forest products, truck and garden crops, cereal, forage and range crops, cotton, tobacco, sugar plants, ornamental and other plants and agricultural products, household possessions, and man and animals; for bee culture and apiary management; for classifying, identifying, and collecting information to determine the distribution and abundance of insects; for investigations in connection with introduction of natural enemies of injurious insects and related pests and for the exchange with other countries of useful and beneficial insects and other arthropods; for developing methods, equipment, and apparatus to aid in enforcing plant quarantines and in the eradication and control of insect pests and plant diseases; and for investigations of insecticides and fungicides, including methods of their manufacture and use and the effects of their application, \$2,114,900.

37 Stat. 315.
42 Stat. 833.
33 Stat. 1269.
56 Stat. 40.
7 U. S. C., Supp.
IV, § 149.
58 Stat. 734.
7 U. S. C., Supp.
IV, § 147a.
Airplanes.

Insect and plant disease control: For carrying out operations or measures to eradicate, suppress, control, or to prevent or retard the spread of Japanese beetle, sweetpotato weevil, Mexican fruitflies, gypsy and brown-tail moths, Dutch elm disease, phony peach and peach mosaic, cereal rusts, and pink bollworm and *Thurberia* weevil, including the enforcement of quarantine regulations and cooperation with States to enforce plant quarantines as authorized by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151-167), and including the establishment of such cotton-free areas as may be necessary to stamp out any infestation of the pink bollworm as authorized by the Act of February 8, 1930 (46 Stat. 67), and for the enforcement of domestic plant quarantines through inspection in transit, including the interception and disposition of materials found to have been transported interstate in violation of Federal plant quarantine laws or regulations, and operations under the Terminal Inspection Act (7 U. S. C. 166), \$2,298,300: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees, farm animals, farm crops, or other property injured or destroyed: *Provided further*, That, in the discretion of the Secretary, no part of this appropriation shall be expended for the control of sweetpotato weevil in any State until such State has provided cooperation necessary to accomplish this purpose, or for barberry eradication until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of this purpose: *Provided further*, That, in the discretion of the Secretary, no expenditures from this appropriation shall be made for applying methods of control of the Dutch elm disease in any State where measures for the removal and destruction of trees on non-Federal lands suffering from the Dutch elm disease are not in force, provided such removal and destruction are deemed essential or appropriate for the carrying on of the control program, nor until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals, or organizations concerned: *Provided, however*, That expenditures incurred for removal of trees infected with Dutch elm disease from non-Federal lands shall not be considered a part of such appropriations, subscriptions, or contributions: *Provided further*, That no part of this appropriation shall be expended for the removal and destruction of trees infected with the Dutch elm disease except where such trees are located on property owned or controlled by the Government of the United States, or on property included within local experimental control areas.

Foreign plant quarantines: For operations against the introduction of insect pests or plant diseases into the United States, including the enforcement of foreign plant quarantines and regulations promulgated under sections 5 and 7 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151-167), the Insect Pest Act of 1905 (7 U. S. C. 141-144), and the Mexican Border Act of 1942 (7 U. S. C. 149), for enforcement of domestic plant quarantines as they pertain to territories of the United States and enforcement of regulations governing the movement of plants into and from the District of Columbia promulgated under section 15 of the Plant Quarantine Act of August 20, 1912, as amended, and for inspection and certification of plants and plant products to meet the sanitary requirements of foreign countries, as authorized in section 102 of the Department of Agriculture Organic Act of 1944 (Public Law 425), \$1,027,000.

37 Stat. 315.
Establishment of
cotton-free areas.

Inspection in transit.

38 Stat. 1113.
Restriction.

State, etc., cooperation.

Dutch elm disease,
local requirements.

Removal and destruction of trees.

Post, p. 644.

37 Stat. 316, 317.
7 U. S. C. §§ 159,
160.

33 Stat. 1269.
56 Stat. 40.
7 U. S. C., Supp.
IV, § 149.

41 Stat. 726.
7 U. S. C. § 167.

58 Stat. 735.
7 U. S. C., Supp.
IV, § 147a.

CONTROL OF EMERGENCY OUTBREAKS OF INSECTS AND PLANT DISEASES

52 Stat. 344.
Cooperation with—
Canada.

To enable the Secretary to carry out the provisions of and for expenditures authorized by the joint resolution approved May 9, 1938 (7 U. S. C. 148–148e), including the operation and maintenance of airplanes and the purchase of not to exceed three, and surveys and control operations in Canada in cooperation with the Canadian Government or local Canadian authorities, and the employment of Canadian citizens, \$2,700,000.

BUREAU OF AGRICULTURAL AND INDUSTRIAL CHEMISTRY

SALARIES AND EXPENSES

For investigations, experiments, and demonstrations hereinafter authorized, independently or in cooperation with other branches of the Department, other departments or agencies of the Federal Government, States, State agricultural experiment stations, universities, and other State agencies and institutions, counties, municipalities, business, farm, or other organizations and corporations, individuals, associations, and scientific societies, including the employment of necessary persons and means in the city of Washington and elsewhere, of which not to exceed \$176,528 may be expended for personal services in the District of Columbia, as follows:

12 Stat. 387.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (5 U. S. C. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, plant and animal products, and substances used in the manufacture thereof; for investigations of the physiological effects and for the pharmacological testing of such products and of insecticides; for the investigation and development of methods for the manufacture of sugars, sugar sirups, and starches and the utilization of new agricultural materials for such purposes; for the technological investigation of the utilization of fruits and vegetables and for frozen pack investigations; and to cooperate with associations and scientific societies in the development of methods of analysis, \$350,000.

49 Stat. 653.

Naval-stores investigations: For the investigation of naval stores (turpentine and rosin) and their components; the investigation and experimental demonstration of improved equipment, methods, or processes of preparing naval stores; the weighing, storing, handling, transportation, and utilization of naval stores; and for the assembling and compilation of data on production, distribution, and consumption of turpentine and rosin, pursuant to the Act of August 15, 1935 (5 U. S. C. 556b), \$125,000.

52 Stat. 37.

Regional research laboratories: For continuing the researches established under the provisions of section 202 (a) to 202 (e), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1292), including research on food products of farm commodities, \$4,000,000.

BUREAU OF HUMAN NUTRITION AND HOME ECONOMICS

Salaries and expenses: For necessary expenses, including not to exceed \$236,184 for personal services in the District of Columbia, of the Bureau of Human Nutrition and Home Economics for conducting, either independently or in cooperation with other agencies, investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special sugges-

tions of plans and methods for the more effective utilization of such products for these purposes, and such economic investigations, including housing and household buying, as have for their purpose the improvement of the rural home, and for disseminating useful information on this subject, \$850,000.

WHITE PINE BLISTER RUST CONTROL

For expenses necessary to enable the Secretary to carry out the purposes of the Act entitled "An Act for forest protection against the white pine blister rust", approved April 26, 1940 (16 U. S. C. 594a), and in accordance with the provisions thereof, including the employment of persons and means in the District of Columbia and elsewhere, \$2,923,867, of which amount \$259,838 shall be available to the Department of the Interior for control of white pine blister rust on or endangering Federal lands under the jurisdiction of that Department or lands of Indian tribes which are under the jurisdiction of or retained under restrictions of the United States; \$1,266,066 of said amount to the Forest Service for the control of white pine blister rust on or endangering lands under its jurisdiction; and \$1,397,963 of said amount to the Bureau of Entomology and Plant Quarantine for leadership and general coordination of the entire program, method development, and for operations conducted under its direction for such control, including, but not confined to, cooperation with individual States, local authorities and private agencies in the control of white pine blister rust on or endangering State and privately owned lands.

54 Stat. 168.

Availability of funds for designated agencies.

FOREST SERVICE

SALARIES AND EXPENSES

For the employment of persons and means in the District of Columbia and elsewhere, including not to exceed \$842,861 for departmental personal services in the District of Columbia, and to enable the Secretary to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed \$10,000, with the exception that any building erected, purchased, or acquired, the cost of which was \$10,000 or more, may be improved out of the appropriations made under this Act for the Forest Service by an amount not to exceed 2 per centum of the cost of such building as certified by the Secretary; to protect, administer, and improve the national forests, including tree planting and other measures to prevent erosion, drift, surface wash, soil waste, and the formation of floods, and to conserve water; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase lawbooks, reference and

Experiments and investigations.

Cost of buildings.

Protection, etc., of national forests.

Care of fish and game.

International Union
of Forest Research
Stations, etc.

technical books, and technical journals for officers of the Forest Service stationed outside of Washington: *Provided further*, That not to exceed \$1,500 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Union of Forest Research Stations and of the Department of Timber Utilization of the Comité International du Bois, as follows:

36 Stat. 963.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief Forester at \$9,200 per annum, for the necessary expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (16 U. S. C. 514), and for other personal services in the District of Columbia, \$542,000.

Post, p. 644

National forest protection and management: For the administration, protection, use, maintenance, improvement, and development of the national forests, including the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the operation and maintenance of airplanes and the purchase of not to exceed eight; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests, including experimental areas under Forest Service administration, except that where, in the opinion of the Secretary, direct purchases will be more economical than construction, improvements may be purchased; the construction (not to exceed \$10,000 for any one structure), equipment, and maintenance of sanitary and recreational facilities; control of destructive forest tree diseases and insects; timber cultural operations; development and application of fish and game management plans; propagation and transplanting of plants suitable for planting on semiarid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906, and the Act of August 10, 1912 (16 U. S. C. 506-509), as provided by the Act of March 4, 1913 (16 U. S. C. 512); investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national forests; and all expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests, \$16,649,100.

Airplanes.

Direct purchases.

Homestead lands.

34 Stat. 233; 37 Stat.
287, 842.

Fighting forest fires: For fighting and preventing forest fires on or threatening lands under Forest Service administration, including lands under contract for purchase or in process of condemnation for Forest Service purposes, \$100,000, which amount shall also be available for meeting obligations of the preceding fiscal year.

Forest research: For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical

conduct of forest research in the Department of Agriculture through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", approved May 22, 1928, as amended (16 U. S. C. 581, 581a, 581f-581i), as follows:

Forest management: Fire, silvicultural, watershed, and other forest investigations and experiments under said section 2, as amended, at forest experiment stations or elsewhere, \$970,900.

Range investigations: Investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, \$337,500.

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, \$1,228,900.

Forest resources investigations: A comprehensive forest survey under section 9, and investigations in forest economics under section 10, \$204,600.

45 Stat. 699.
16 U. S. C., Supp.
IV, § 581h.

16 U. S. C. § 581a.

16 U. S. C. § 581f.

16 U. S. C. § 581g.

16 U. S. C., Supp.
IV, § 581h; 16 U. S. C.
§ 581i.

FOREST-FIRE COOPERATION

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924, as amended (16 U. S. C. 564-570), \$7,300,000, of which not to exceed \$57,584 and \$5,000 shall be available for personal services and for the purchase of supplies and equipment, respectively, in the District of Columbia.

43 Stat. 653.
16 U. S. C., Supp.
IV, §§ 565, 566.

FARM AND OTHER PRIVATE FORESTRY COOPERATION

To enable the Secretary (1) to carry into effect, through such agencies of the Department as he may designate, the provisions of the Cooperative Farm Forestry Act, approved May 18, 1937 (16 U. S. C. 568b), (not to exceed \$495,957) and the provisions of sections 4 (not to exceed \$83,700) and 5 (not to exceed \$65,100), of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (16 U. S. C. 567-568), and Acts supplementary thereto; and (2) through the Forest Service to cooperate with and advise timberland owners and associations, wood-using industries or other appropriate agencies in the application of forest management principles to federally owned lands leased to States and to private forest lands, so as to attain sustained-yield management, the conservation of the timber resources, the productivity of forest lands, and the stabilization of employment and economic continuance of forest industries, not to exceed \$87,743; in all, not to exceed \$732,500, of which not to exceed \$39,870 may be expended for personal services in the District of Columbia; the purchase of reference books and technical journals; not to exceed \$30,000 for the construction, alteration, or purchase of necessary buildings, and other improvements: *Provided*, That in carrying into effect the provisions of the Cooperative Farm Forestry Act, no part of this appropriation shall be used to establish new nurseries or to acquire land for the establishment of such new nurseries.

50 Stat. 188.

43 Stat. 654.
16 U. S. C., Supp.
IV, §§ 567 note, 568
note.

New nurseries.

Post, p. 644.

FOREST ROADS AND TRAILS

42 Stat. 218.

Experimental areas.

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921, as amended (23 U. S. C. 23, 23a), and for the construction, reconstruction, and maintenance of roads and trails on experimental areas under Forest Service administration, (1) \$4,418,778 for forest development roads and trails (including not to exceed \$68,846 for personal services in the District of Columbia), and (2) \$1,500,000 for maintenance and reconstruction of forest highways, which latter sum is part of the balance of the amount of \$5,714,222 authorized to be appropriated for the fiscal year 1942 by the Act of September 5, 1940 (54 Stat. 867, Public Law 780—Seventy-sixth Congress), in all, \$5,918,778, to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, construction, or alteration of buildings necessary for the storage and repair of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased, altered, or constructed under this authorization shall not exceed \$10,000, with the exception that any building erected, purchased, or acquired, the cost of which was \$10,000 or more, may be improved within any fiscal year by an amount not to exceed 2 per centum of the cost of such building as certified by the Secretary, and that \$10,200 may be expended for the installation of a heating plant in, and for other betterments to the Sellwood shop buildings in Portland, Oregon.

Buildings for storage of equipment.

Sellwood shop buildings, Portland, Oreg.

Post, p. 422.

EMERGENCY RUBBER PROJECT

56 Stat. 126.
7 U. S. C., Supp. IV,
§§ 171-175.

40 Stat. 1270.

56 Stat. 128.
7 U. S. C., Supp. IV,
§ 173.57 Stat. 415.
Proceeds from sales.

For all expenses necessary to enable the Secretary to carry into effect the Act of March 5, 1942, as amended (7 U. S. C. 171-175), including personal services in the District of Columbia and elsewhere; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); purchase of books of reference and periodicals; erection of necessary buildings; procurement of medical supplies or services for emergency use in the field; and the acceptance of donations of land and rubber-bearing plants, and furnishing to employees daily transportation between points of assembly and work projects, there is hereby continued available, in accordance with section 3 of said Act of March 5, 1942, not to exceed \$4,253,662 of the unobligated balances of appropriations made under this head for the fiscal years 1942 and 1943, which balances shall be merged with the appropriation made under this head in the Department of Agriculture Appropriation Act, 1944: *Provided*, That any proceeds from the sales of guayule, rubber processed from guayule, or other rubber-bearing plants, or from other sales, rentals, and fees resulting from operations under such Act of March 5, 1942, as amended, shall be covered into the Treasury as miscellaneous receipts.

WAR FOOD ADMINISTRATION

Post, p. 644.
50 U. S. C., Supp.
IV, app. §§ 601 note,
§ 601 note.
10 F. R. 8087.58 Stat. 742.
5 U. S. C., Supp.
IV, § 574.

Salaries and expenses: For expenses necessary to enable the War Food Administration to perform its functions, including those prescribed by Executive Orders 9280, 9310, 9322, 9328, and 9334, independently or in cooperation (by transfer of funds or otherwise) with public and private agencies and individuals, other personal services in the District of Columbia and elsewhere, including not to exceed \$25,000 for employment pursuant to the second sentence of section 706 (a) of the Act of September 21, 1944 (Public Law 425); actual transportation and other necessary expenses, and not to exceed

\$10 per diem in lieu of subsistence, of persons serving while away from their permanent homes in an advisory capacity to or employed by the War Food Administration, without other compensation from the United States, except that such expenditures shall not exceed \$115,000; printing and binding; the purchase of lawbooks, books of reference, periodicals, and not to exceed \$700 for newspapers; and the purchase of one, operation, and maintenance of two passenger-carrying vehicles in the District of Columbia; \$14,986,472, including \$275,000 for the wage stabilization program, and, in the absence of other governing statute, the provisions of law applicable to such program during the fiscal year 1945 are continued during the current fiscal year: *Provided*, That none of the funds herein appropriated shall be used for the promulgation or execution of orders under which assessments are made against producers or handlers of agricultural products, excepting walnuts, for administration of such orders: *Provided further*, That no part of this appropriation shall be used for agricultural wage stabilization with respect to any commodity unless a majority of the producers of such commodity within the area affected participating in a referendum or meeting held for that purpose request the intervention of the Administrator of the War Food Administration.

Wage stabilization program.

Restriction on use of funds.

COMMODITY CREDIT CORPORATION

Salaries and administrative expenses: Not to exceed \$6,565,000 of the funds of the Commodity Credit Corporation shall be available for administrative expenses of the Corporation in carrying out its activities as authorized by law, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821–833); printing and binding; lawbooks and books of reference; not to exceed \$400 for periodicals, maps, and newspapers; procurement of supplies, equipment, and services; rent in the District of Columbia; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That none of the fund made available by this paragraph shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant, and all such expenditures shall be accounted for and audited in accordance with the Budget and Accounting Act of 1921, as amended: *Provided further*, That none of the fund made available by this paragraph shall be used for administrative expenses connected with the sale of Government-owned or Government-controlled stocks of farm commodities at less than parity price as defined by the Agricultural Adjustment Act of 1938 or the comparable price as provided by section 4 (a) of the Act of July 1, 1941, as amended (15 U. S. C. 713a–8); and the method that is now used for the purposes of Commodity Credit Corporation loans for determining the parity price or its equivalent for $\frac{7}{8}$ -inch Middling cotton at the average location used in fixing the base loan rate for cotton shall also be used for determining the parity price for $\frac{7}{8}$ -inch Middling cotton at such average location for the purposes of this proviso: *Provided*

Ante, p. 50.

Post, pp. 423, 644.

Travel expenses.

44 Stat. 688.
5 U. S. C., Supp. IV, § 823.

Nonadministrative expenses.

Accounting.

42 Stat. 20.
31 U. S. C. § 1;
Supp. IV, § 16 *et seq.*
Sales at less than parity price.

52 Stat. 38; 55 Stat. 498.
7 U. S. C. § 1301 (a);
15 U. S. C., Supp. IV, § 713a–8 (a).

Sale of deteriorated commodities, etc.

58 Stat. 776.
50 U. S. C., Supp.
IV, app. § 1630 (c).

Sale of wheat or corn for feed.

Regional price adjustments.

further, That the foregoing shall not apply to the sale or other disposition of any agricultural commodity substantially deteriorated in quality (or in the case of perishable fruits, vegetables, and animal products if there is danger of deterioration or of accumulation of stocks) or sold for the purpose of feeding, or the extraction of peanut oil, or commodities disposed of for export pursuant to section 21 (c) of the Surplus Property Act of 1944 (Public Law 457) or commodities sold to farmers for seed or for new or byproduct uses, or commodities sold for the purpose of establishing claims against persons who have committed fraud, misrepresentations, or other wrongful acts with respect to such commodities: *Provided further*, That no wheat or corn shall be sold for feed at a price less than the parity price of corn at the time such sale is made: *Provided further*, That in making regional adjustments in the sale price of corn or wheat the minimum price need not be higher in any area than the United States average parity price of corn.

Post. p. 422.

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES

Soil conservation.

49 Stat. 1148.
16 U. S. C., Supp.
IV, § 590h.
52 Stat. 31.
7 U. S. C., Supp.
IV, ch. 35.
Ante. p. 50.

57 Stat. 417.

Harvesting of seeds.

58 Stat. 919.
7 U. S. C., Supp.
IV, § 1302 note.
Administrative expenses.

Agricultural Adjustment Agency.

Information employees.

50 U. S. C., Supp.
IV, app. § 601 note.

Programs of soil-building practices, etc.

For all expenses necessary to enable the Secretary to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U. S. C. 590g-590q), and the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281-1407) (except the provisions of sections 201, 202, 303, 381, and 383 and the provisions of titles IV and V), including personal services in the District of Columbia and elsewhere; not to exceed \$6,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; purchase of lawbooks, books of reference, periodicals; \$300,000,000, together with \$13,000,000 of the unobligated balance of the appropriation "Parity payments" in the Department of Agriculture Appropriation Act, 1944, in all \$313,000,000, to remain available until December 31, 1946, for compliance with programs under said provisions of the Agricultural Adjustment Act of 1938, as amended, and the Act of February 29, 1936, as amended, pursuant to the provisions of the 1945 programs carried out during the period July 1, 1944, to December 31, 1945, inclusive, and, in addition, \$12,500,000 for making additional payments on an acreage and pound basis for harvesting seeds of grasses and legumes determined by the War Food Administrator to be necessary for an adequate supply of such seeds and \$29,750,000 for making payments pursuant to section 5 of the Act of December 23, 1944 (Public Law 551): *Provided*, That not to exceed \$22,911,200 of the total sum provided under this head shall be available during the current fiscal year, for salaries and other administrative expenses for carrying out such programs; but not more than \$6,382,103 shall be transferred to the appropriation account, "Administrative expenses, Agricultural Adjustment Agency": *Provided further*, That none of the funds herein appropriated or made available for the functions assigned to the Agricultural Adjustment Agency pursuant to the Executive Order (No. 9069) of February 23, 1942, shall be used to pay the salaries or expenses of any regional information employees or any State or county information employees, but this shall not preclude the answering of inquiries or supplying of information to individual farmers: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of

the 1946 programs of soil-building practices and soil- and water-conservation practices, under the Act of February 29, 1936, as amended, and programs under the Agricultural Adjustment Act of 1938, as amended, the total expenditures of which, including administration, shall not exceed \$300,000,000; but the payments or grants under such program shall be conditioned upon the utilization of land with respect to which such payments or grants are to be made, in conformity with farming practices which will encourage and provide for soil-building and soil- and water-conserving practices in the most practical and effective manner and adapted to conditions in the several States, as determined and approved by the State committee of the Agricultural Adjustment Agency for the respective States: *Provided further*, That no part of such amounts shall be available after the end of the current fiscal year for salaries and other administrative expenses except for payment of obligations therefor incurred prior to the end of such year: *Provided further*, That the Secretary, may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of the General Accounting Office in auditing payments under this item: *Provided further*, That such amount shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary in the 1945, 1946, and 1947 programs under said Act of February 29, 1936, as amended: *Provided further*, That no part of any funds available to the Department of Agriculture, the War Food Administration, or any bureau, office, corporation, or other agency constituting a part of such Department or Administration shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939, as amended, or who has been found in accordance with the provisions of section 6 of the Act of July 11, 1919 (18 U. S. C. 201), to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels: *Provided further*, That none of the funds appropriated in this Act for the War Food Administration or any of its constituent agencies shall be paid out for the salary, per diem allowance, or expenses of any person after it is determined by the War Food Administrator that such person has, personally or by letter, demanded that a farmer join the triple-A program as a condition of draft deferment or for the granting of a priority certificate for any rationed article or commodity. Hearings on charges filed with the War Food Administrator shall be held and decision made within thirty days after such charges are filed with him.

FEDERAL CROP INSURANCE ACT

Administrative and operating expenses: For operating and administrative expenses under the Federal Crop Insurance Act, as amended (7 U. S. C. 1501-1518), as amended by the Act of December 23, 1944 (Public Law 551), \$7,984,900, including personal services in the District of Columbia, printing and binding, purchase of books of reference and periodicals, and not to exceed \$700 for newspapers.

49 Stat. 1148.
16 U. S. C. § 590q;
Supp. IV, ch. 3B.
52 Stat. 31.
7 U. S. C. § 1281;
Supp. IV, ch. 35.
And, p. 50.
Payments or grants.

Availability of
funds, time limit.

Transfer of funds.

Purchase of farming
materials.

49 Stat. 1148.
16 U. S. C. § 590q;
Supp. IV, ch. 3B.
Political activities.

53 Stat. 1147.
18 U. S. C. §§ 61-61t;
Supp. IV, §§ 61h, 61u-
61x.

41 Stat. 68.

War Food Adminis-
tration.
Restriction on sal-
aries, etc.

52 Stat. 72; 58 Stat.
918.
7 U. S. C., Supp.
IV, ch. 36.

SOIL CONSERVATION SERVICE

To carry out the provisions of "An Act to provide for the protection of land resources against soil erosion, and for other purposes", approved April 27, 1935 (16 U. S. C. 590a-590f), which provides for a national program of erosion control and soil and water conservation to be carried out directly and in cooperation with other agencies, including the employment of persons and means in the District of Columbia and elsewhere (but not to exceed \$870,000 may be expended for personal services in the District of Columbia), purchase of books and periodicals, maintenance, repair, and operation of one passenger-carrying automobile in the District of Columbia, furnishing of subsistence to employees, training of employees, operation and maintenance of aircraft, and the purchase and erection or alteration of permanent buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed \$2,500 except where buildings are acquired in conjunction with land being purchased for other purposes and except for eight buildings to be constructed at a cost not to exceed \$15,000 per building: *Provided further*, That no money appropriated in this Act shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That in the State of Missouri where the State has established a central State agency authorized to enter into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district, as follows:

Soil conservation research: For research and investigations into the character, cause, extent, history, and effects of erosion, soil and moisture depletion and methods of soil and water conservation (including the construction and hydrologic phases of farm irrigation and land drainage); and for construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, \$1,063,000.

Soil conservation operations: For carrying out preventive measures to conserve soil and water, including such special measures as may be necessary to prevent floods and the siltation of reservoirs, and including the improvement of farm irrigation and land drainage, the establishment and operation of conservation nurseries, the making of conservation plans and surveys, and the dissemination of information, \$28,636,800: *Provided*, That no part of this appropriation may be expended for soil and water conservation operations in demonstration projects.

Demonstration projects.

Everglades region, Fla.

Erosion control, Everglades region, Florida: For research and demonstration work in soil conservation control measures, including research and demonstration work in fire control and irrigation construction work to eliminate fire hazards, in the Everglades region of Florida, \$54,500: *Provided*, That no expenditures shall be made for these purposes until a sum at least equal to such expenditures shall have been made available by the State of Florida, or a political subdivision thereof, for the same purposes.

49 Stat. 163.
16 U. S. C., Supp.
IV, § 590f.

Cost of buildings.

Construction on land not owned by Government.
Central State agency, Missouri.

LAND UTILIZATION AND RETIREMENT OF SUBMARGINAL LAND

To enable the Secretary to carry out the provisions of title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1010-1013), including the employment of persons and means in the District of Columbia and elsewhere, \$1,087,300.

50 Stat. 525.
7 U. S. C., Supp. IV,
§ 1011 (c).

SCHOOL LUNCH PROGRAM

Not exceeding \$50,000,000 of the funds appropriated by and pursuant to section 32, as amended, of the Act of August 24, 1935 (7 U. S. C. 612 (c)), may also be used during the current fiscal year to provide food for consumption by children in nonprofit schools of high-school grade or under and for child-care centers through (a) the purchase, processing, and exchange, and the distribution of agricultural commodities and products thereof; or (b) the making of payments to such schools and centers or agencies having control thereof in connection with the purchase and distribution of agricultural commodities in fresh or processed form and, when desirable, for the processing and exchange of such commodities and their products; or (c) by such other means as the Secretary may determine: *Provided*, That funds made available hereunder for a school lunch program shall be apportioned for expenditure in the States, Territories, possessions, and the District of Columbia in accordance with school enrollment and need, as determined by the Secretary, except that if program participation in any State, Territory, possession, or the District of Columbia does not require all funds so apportioned, the Secretary may reapportion such excess funds to such other States, Territories, possessions, or the District of Columbia in consideration of need, as he may determine: *Provided further*, That benefits under (b) of this paragraph to schools or child-care centers or other sponsoring agencies shall in no case exceed the cost of the agricultural commodities or products thereof purchased by the school or child-care center or other sponsoring agencies as established by certificates executed by the authorized representative of the sponsoring agency: *Provided further*, That such sponsoring agency shall maintain accounts and records clearly establishing costs of agricultural commodities or products furnished in the program and that such accounts and records shall be available for audit by representatives of the Department of Agriculture: *Provided further*, That these funds may be used for, or to make payments in connection with, the purchase of such agricultural commodities and for exchanging, distributing, disposing, transporting, storing, processing, inspection, commission, and other incidental costs and expenses without regard to the provisions of section 3709 of the Revised Statutes and without regard to the 25 per centum limitation contained in said section 32: *Provided further*, That not more than 2 per centum of the funds made available hereunder for a school lunch program shall be used to provide food for children in child-care centers. The amount of funds available hereunder for a school lunch program used in any State, Territory, possession, or the District of Columbia during any fiscal year shall not exceed the total amount otherwise furnished for the same purpose by or on behalf of the school authorities and other sponsoring agencies in such State, Territory, possession, or District of Columbia including the value of donated services and supplies, as certified by the respective schools, care centers, or agencies having control thereof.

Post, p. 645.
49 Stat. 774.
7 U. S. C. § 612c.

Apportionment of funds.

Limitation.

Accounts and records.

Use of funds.

41 U. S. C. § 5.

Child-care centers.

Funds not to exceed State, etc., amount.

SUGAR ACT

To enable the Secretary to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, approved September 1, 1937, as amended (7 U. S. C. 1100–1183), including the employment of persons and means, in the District of Columbia and elsewhere, as authorized by said Act, \$48,446,000, to remain available until June 30, 1947.

50 Stat. 903.
7 U. S. C., Supp.
IV, ch. 34.

MARKETING SERVICE

For the employment of such persons and means in the city of Washington and elsewhere (including not to exceed \$1,228,446 for departmental personal services in the District of Columbia) as may be necessary in conducting investigations, experiments, and demonstrations, either independently or in cooperation with public or private agencies, organizations, or individuals, as follows:

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, cottonseed, and seeds, and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the production, transportation, marketing, and distribution of farm and food products, \$1,125,300.

Market inspection of farm products: For enabling the Secretary, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of businessmen or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, canned, or otherwise processed, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered, \$474,000.

Marketing farm products: For acquiring and diffusing among the people of the United States useful information relative to the standardization, classification, grading, preparation for market, handling, and marketing of farm and food products, including the demonstration and promotion of the use of uniform standards of classification of American farm and food products throughout the world, and for making analyses of cotton fiber as provided by the Act of April 7, 1941 (7 U. S. C. 473d), \$388,000.

Cotton fiber analyses.
55 Stat. 131.
7 U. S. C., Supp.
IV, § 473d.

Tobacco Acts: To enable the Secretary to carry into effect the provisions of "An Act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco-inspection service, and for other purposes", approved August 23, 1935 (7 U. S. C. 511–511q), "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929 (7 U. S. C. 501–508), as amended,

49 Stat. 731.

45 Stat. 1079.

and "An Act to prohibit the exportation of tobacco seed and plants, except for experimental purposes", approved June 5, 1940 (7 U. S. C. 516), \$1,000,000.

Perishable Agricultural Commodities, Produce Agency, and Standard Container Acts: To enable the Secretary to carry into effect the provisions of the Perishable Agricultural Commodities Act, approved June 10, 1930, as amended (7 U. S. C. 499a-499r), and the Act to prevent the destruction or dumping of farm produce, and for other purposes, approved March 3, 1927 (7 U. S. C. 491-497), the Standard Baskets Act, approved August 31, 1916, as amended (15 U. S. C. 251-256), and the Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes, approved May 21, 1928 (15 U. S. C. 257-257i), \$181,600.

Cotton Statistics, Classing, Standards, and Futures Acts: To enable the Secretary to carry into effect the provisions of the Act authorizing him to collect and publish statistics of the grade and staple length of cotton, approved March 3, 1927, as amended by the Act of April 13, 1937 (7 U. S. C. 471-476), and to perform the duties imposed upon him by chapter 14 of the Internal Revenue Code relating to cotton futures (26 U. S. C. 1920-1935), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923, as amended (7 U. S. C. 51-65), \$1,042,000.

United States Grain Standards Act: To enable the Secretary to carry into effect the provisions of the United States Grain Standards Act, \$741,000.

United States Warehouse Act: To enable the Secretary to carry into effect the provisions of the United States Warehouse Act, \$507,000.

Federal Seed Act: To enable the Secretary to carry into effect the provisions of the Act entitled "An Act to regulate interstate and foreign commerce in seeds; to require labeling and to prevent misrepresentation of seeds in interstate commerce; to require certain standards with respect to certain imported seeds; and for other purposes", approved August 9, 1939 (7 U. S. C. 1561-1610), \$102,400: *Provided*, That not to exceed \$250 of this amount may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress.

Packers and Stockyards Act: For carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921, as amended by the Act of August 14, 1935 (7 U. S. C. 181-229), \$363,500.

Naval Stores Act: For enabling the Secretary to carry into effect the provisions of the Naval Stores Act of March 3, 1923 (7 U. S. C. 91-99), \$30,100.

Insecticide Act: For enabling the Secretary to carry into effect the provisions of the Act of April 26, 1910 (7 U. S. C. 121-134), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes", \$186,800.

Commodity Exchange Act: To enable the Secretary to carry into effect the provisions of the Commodity Exchange Act, as amended (7 U. S. C. 1-17a), \$300,000.

Freight rates for farm products: To carry out the provisions of section 201 (a) to 201 (d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U. S. C. 1291), \$84,200.

54 Stat. 231.

46 Stat. 531.
7 U. S. C., Supp.
IV, § 499b.

44 Stat. 1355.

39 Stat. 673.

45 Stat. 685.

44 Stat. 1372; 50 Stat.
62.
7 U. S. C., Supp.
IV, § 473d.

53 Stat. 210.

42 Stat. 1517.
7 U. S. C., Supp.
IV, § 57a.

39 Stat. 482.

7 U. S. C. §§ 71-87.

39 Stat. 486.

7 U. S. C. §§ 241-273.

53 Stat. 1275.
7 U. S. C., Supp.
IV, § 1605.
International Seed
Testing Congress.42 Stat. 159; 49 Stat.
648.
7 U. S. C., Supp.
IV, ch. 9.

42 Stat. 1435.

Post, p. 645.
36 Stat. 331.

49 Stat. 1491.

52 Stat. 36.

LOANS, GRANTS, AND RURAL REHABILITATION

Assistance to needy farmers.

To enable the Secretary through the War Food Administration to continue to provide assistance through rural rehabilitation and grants to needy farmers in the United States, its Territories and possessions, including (1) loans to needy individual farmers, (2) grants, (3) making and servicing of loans and grants under this and prior laws, (4) farm debt adjustment service, (5) liquidation as expeditiously as possible of Federal rural rehabilitation projects under the supervision of the War Food Administration, and (6) servicing and collecting loans made under the provisions of the Act of July 12, 1943, Public Law 140, as amended, \$22,357,264, together with not to exceed \$198,000 of the unobligated balance of the appropriation made to carry out the provisions of said Act, which sums shall be also available for necessary administrative expenses incident to the foregoing, including personal services in the District of Columbia and elsewhere; not to exceed \$57,000 for employment pursuant to the second sentence of section 706 (a) of the Act of September 21, 1944 (Public Law 425); purchase of lawbooks, books of reference, periodicals, and not to exceed \$1,000 for newspapers; and printing and binding: *Provided*, That the War Food Administrator shall transmit to the Congress semiannually a progress report with respect to the liquidation of Federal rural rehabilitation projects, under his supervision, showing by name and by States all dispositions of such projects, or parts thereof, together with the amounts of Federal funds expended in the process of liquidation, and any losses incurred in the use of such funds.

57 Stat. 542.

58 Stat. 742.
5 U. S. C., Supp. IV, § 574.

Semiannual report to Congress.

Grant payments.
Work requirement.

In making any grant payments under this Act, the Secretary is authorized to require with respect to such payments the performance of work on useful public projects, Federal and non-Federal, including work on private or public land in furtherance of the conservation of natural resources, and the provisions of the Act of February 15, 1934 (5 U. S. C. 796), as amended, relating to disability or death compensation, and benefits shall apply to those persons performing such work: *Provided*, That this section shall not apply to any case coming within the purview of the workmen's compensation law of any State, Territory, or possession, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

Disability or death benefits.
48 Stat. 351.
5 U. S. C., Supp. IV, § 796 note.

Advances from RFC.

For additional funds for the purpose of making rural rehabilitation loans to needy individual farmers, who are unable to obtain credit elsewhere at comparable rates for the area where such loan is proposed to be made, the Reconstruction Finance Corporation is authorized and directed to make advances to the Secretary upon his request in an aggregate amount of not to exceed \$67,500,000. Such advances shall be made (1) with interest at not to exceed the rate of 3 per centum per annum payable semiannually; (2) upon the security of obligations acceptable to the Corporation heretofore or hereafter acquired by the Secretary pursuant to law; (3) in amounts which shall not exceed 75 per centum of the then unpaid principal amount of the obligations securing such advances; and (4) upon such other terms and conditions, and with such maturities as the Corporation may determine. The Secretary shall pay to the Corporation, currently as received by him, all moneys collected as payments of principal and interest on the loans made from the amounts so advanced or collected upon any obligations held by the Corporation as security for such advances, until such amounts are fully repaid. The amount of notes, debentures, bonds, or other such obligations which the Corporation is authorized and empowered to issue and to have outstanding at any one time under the provisions of law in force on the date

Repayment.

Increase of obligations.
RFC

this Act takes effect is hereby increased by an amount sufficient to carry out the provisions of this paragraph.

None of the moneys appropriated or otherwise authorized under this caption "Loans, grants, and rural rehabilitation", shall be used for (1) the purchase or leasing of land or for the carrying on of any land-purchase or land-leasing program; or (2) the carrying on of any operations in collective farming, or cooperative farming, or the organization, promotions, or management of homestead associations, land-leasing associations, land-purchasing associations, or cooperative land purchasing for colonies of rehabilitants or tenant purchasers, except for the liquidation as expeditiously as possible of any such projects heretofore initiated; or (3) the making of loans to any individual farmer in excess of \$2,500; or (4) the making of loans to any cooperative association; or (5) the making of loans for the payment of dues to or the purchase of any share or stock interest in any cooperative association (except for medical, dental, or hospital services) or for any expenditure other than that deemed necessary, in the discretion of the Administrator, for the production of agricultural commodities.

The Secretary may expend funds administered by him as trustee under the various transfer agreements with the several State rural rehabilitation corporations only for purposes for which funds made available under this caption may be expended, and the limitations applicable to such funds shall also be applicable to the expenditure of such trust funds by the Secretary.

The appropriation and authorizations herein made under the heading "Loans, grants, and rural rehabilitation", shall constitute the total amount to be available for obligation under this heading during the current fiscal year and shall not be supplemented by funds from any source.

No part of the appropriation herein made under the heading "Loans, grants, and rural rehabilitation", shall be available to pay the compensation of any person appointed in accordance with the civil-service laws.

FARM TENANCY

To enable the Secretary through the War Food Administration to carry into effect the provisions of title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000-1006), as follows:

Salaries and expenses: For necessary expenses in connection with the making of loans under title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000-1006), and the collection of moneys due the United States on account of loans heretofore made under the provisions of said Act, including the employment of persons and means in the District of Columbia and elsewhere, exclusive of printing and binding, as authorized by said Act, \$2,500,000.

Loans: For loans to individual farmers in accordance with title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000-1006) and section 505 (b) of the Servicemen's Readjustment Act of 1944 (Public Law 346), \$50,000,000, including \$25,000,000 for loans to eligible veterans which may be distributed, without regard to the provisions of section 4 of the Bankhead-Jones Farm Tenant Act, among the States and Territories in such amounts as are necessary to make such loans, which sums shall be borrowed from the Reconstruction Finance Corporation at an interest rate of not to exceed 3 per centum per annum and no loan, excepting those to eligible veterans, shall be made in an amount greater than 15 per centum above the census value of the average farm unit of thirty acres and

Limitation on use of funds.

Trust funds.

Total amount available for obligation.

Civil-service appointees.

50 Stat. 522.
7 U. S. C., Supp. IV,
§ 1001 note.

50 Stat. 522.
7 U. S. C., Supp. IV,
§ 1001 note.

50 Stat. 522.
7 U. S. C., Supp. IV,
§ 1001 note.
58 Stat. 293.
38 U. S. C., Supp.
IV, § 694e.
Post, p. 629.

RFC loans.

50 Stat. 522.
7 U. S. C., Supp.
IV, § 1001 note.
Limitation on
amount.

Repayment.

Increase of RFC
obligations.

more in the county, parish, or locality where the purchase is made, as determined by the 1940 farm census; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum to the Secretary upon the security of any obligations of borrowers from the Secretary under the provisions of title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000-1006): *Provided*, That the amount loaned by the Reconstruction Finance Corporation shall not exceed 85 per centum of the principal amount outstanding of the obligations constituting the security therefor: *Provided further*, That the Secretary may utilize proceeds from payments of principal and interest on any loans made under such title I to repay the Reconstruction Finance Corporation the amount borrowed therefrom under the authority of this paragraph: *Provided further*, That the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof.

WATER FACILITIES, ARID AND SEMIARID AREAS

50 Stat. 869.

To enable the Secretary to carry into effect the provisions of the Act entitled "An Act to promote conservation in the arid and semi-arid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes", approved August 28, 1937, as amended (16 U. S. C. 590r-590x, 590z-5), \$1,000,000, of which not to exceed \$11,000 may be expended for personal services in the District of Columbia.

WATER CONSERVATION AND UTILIZATION PROJECTS

54 Stat. 1119.
16 U. S. C., Supp.
IV, § 590y et seq.

For expenses necessary to enable the Secretary, through such agencies of the Department as he may designate, to carry into effect the functions of the Department under the Act of October 14, 1940 (16 U. S. C. 590y-z-10), as amended, relating to the construction, operation, and maintenance of water conservation and utilization projects, \$1,165,066, to be immediately available and to remain available until expended, which sum shall be merged with the unexpended balances of funds heretofore appropriated or transferred to said Department for the purposes of said Act, including personal services in the District of Columbia; purchase of books of reference and periodicals; and leveling or otherwise preparing such lands for the utilization of irrigation water, irrespective of ownership.

RURAL ELECTRIFICATION ADMINISTRATION

49 Stat. 1363.
7 U. S. C., Supp.
IV, §§ 903-905.

Post, p. 422.

To enable the Secretary to carry into effect the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, as amended (7 U. S. C. 901-914), as follows:

Salaries and expenses: For administrative expenses and expenses of studies, investigations, publications, and reports including the salary of the Administrator, Rural Electrification Administration, and other personal services in the District of Columbia and elsewhere; purchase and exchange of books, lawbooks, books of reference, directories, and periodicals; not to exceed \$300 for newspapers; and not to exceed \$500 for financial and credit reports, \$3,200,000.

Loans: For loans in accordance with sections 3, 4, and 5 of said Act, and for carrying out the provisions of section 7 thereof, \$80,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation in accordance with the provisions of section 3 (a) of said Act.

Post, p. 422.
49 Stat. 1364, 1365.
7 U. S. C. §§ 903-905,
907; Supp. IV, §§ 903-
906.

FARM CREDIT ADMINISTRATION

SALARIES AND EXPENSES

For salaries and expenses of the Farm Credit Administration in the District of Columbia and the field, including printing and binding; travel expenses, including not to exceed \$5,000 for travel incurred under proper authority attending meetings or conventions of members of organizations at which matters of importance to the work of the Farm Credit Administration are to be discussed or transacted; law-books, books of reference, and not to exceed \$750 for periodicals and newspapers; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; not to exceed \$20,000 for expenditures authorized by section 602 of the Act of September 21, 1944 (Public Law 425); purchase of one, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles in the District of Columbia and elsewhere; garage rental in the District of Columbia; payment of actual transportation and other necessary expenses and not to exceed \$10 per diem in lieu of subsistence of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Farm Credit Administration, except that such expenditures shall not exceed \$10,000; necessary administrative expenses in connection with the making of loans under the provisions of the Act of January 29, 1937 (12 U. S. C. 1020i-1020n, 1020o), and the collection of moneys due the United States on account of loans made under the provisions of said Act and similar Acts administered by the Farm Credit Administration relating to loans for crop production, feed, seed, and harvesting; examination of corporations, banks, associations, and institutions operated, supervised, or regulated by the Farm Credit Administration; in all, \$526,000, together with not to exceed \$3,845,209 from the funds made available to the Farm Credit Administration pursuant to the Act of January 29, 1937 (12 U. S. C. 1020i-1020n, 1020o). Collections made pursuant to section 601 of the Act of September 21, 1944 (Public Law 425), are hereby made available to reimburse this appropriation for the cost of examining and supervising the corporations, banks, associations, and other organizations as provided in said section.

Farmers' crop production and harvesting loans: For loans to farmers under the Act of January 29, 1937 (12 U. S. C. 1020i-1020n, 1020o), as amended by the Acts of February 4, 1938 (Public Resolution 78), June 30, 1939 (Public Law 159), June 25, 1940 (12 U. S. C. 1020n-1), July 1, 1941 (Public Law 144), July 22, 1942 (Public Law 674), July 12, 1943 (Public Law 129), and June 28, 1944 (Public Law 367), the unobligated balance (exclusive of the amount of such balance made available for "Salaries and expenses, Farm Credit Administration, 1946") of the appropriation "Crop production and harvesting loans" as made in the First Deficiency Appropriation Act, fiscal year 1937 (Act of February 9, 1937, Public Law 4), and as continued available by the Acts of February 4, 1938 (Public Resolution 78), June 30, 1939 (Public Law 159), June 25, 1940 (12 U. S. C. 1020n-1), July 1, 1941 (Public Law 144), July 22, 1942 (Public Law 674), July 12, 1943 (Public Law 129), and June 28, 1944 (Public Law 367), is hereby made available, together with all collections of principal and interest on loans heretofore or hereafter made under said Act of January 29, 1937 (12 U. S. C. 1020i-1020n, 1020o).

Purchase of manuscripts, etc.

58 Stat. 741.
12 U. S. C., Supp.
IV, § 833.

50 Stat. 5.

Collection of moneys on loans.

Examination of banks, etc.

50 Stat. 5.

Reimbursement of costs.
58 Stat. 740.
12 U. S. C., Supp.
IV, § 832.

50 Stat. 5; 52 Stat.
27; 53 Stat. 979; 54
Stat. 569; 55 Stat. 444;
56 Stat. 700; 57 Stat.
424; 58 Stat. 459.

Supra.

50 Stat. 11; 52 Stat.
27; 53 Stat. 979; 54
Stat. 569; 55 Stat. 444;
56 Stat. 700; 57 Stat.
424; 58 Stat. 459.

50 Stat. 5.

FEDERAL FARM MORTGAGE CORPORATION

Administrative ex-
penses.
48 Stat. 344.
Post, p. 269.

Travel expenses.

44 Stat. 688.
5 U. S. C., Supp.
IV, § 823.

Special services.

Payment of admin-
istrative expenses, etc.

48 Stat. 344.
12 U. S. C., Supp.
IV, § 1016.
Post, p. 269.

Limitations respect-
ing loans and advances.

Not to exceed \$6,450,000 of the funds of the Federal Farm Mortgage Corporation, established by the Act of January 31, 1934 (12 U. S. C. 1020-1020h), shall be available during the current fiscal year for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses of officers and employees of the Corporation, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding, lawbooks, books of reference, and not to exceed \$250 for periodicals and newspapers; contract stenographic reporting services; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; rent in the District of Columbia; payment of actual transportation and other necessary expenses and not to exceed \$10 per diem in lieu of subsistence of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Corporation; employment on a contract or fee basis of persons, firms, and corporations for the performance of special services, including legal services; use of the services and facilities of Federal land banks, national farm loan associations, Federal Reserve banks, and agencies of the Government as authorized by said Act of January 31, 1934; and all other necessary administrative expenses: *Provided*, That except for the limitation in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Act of January 31, 1934, as amended (12 U. S. C. 1016-1020h).

GENERAL PROVISIONS

Sec. 2. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation or expenses of any officer or employee of the Department of Agriculture, or any bureau, office, agency, or service of the Department, or any corporation, institution, or association supervised thereby, who makes or approves, or directs or authorizes any other officer or employee of the Department or of any such bureau, office, agency, service, corporation, institution, or association to make or approve, (1) any loan or advance under the provisions of food production financing bulletins F-1 or F-2, issued by the Farm Credit Administration operating under the Food Production Administration, Production Loans Branch, as heretofore or hereafter amended, unless (a) the applicant represents in writing and it is administratively determined that credit sufficient in amount to finance the production of the crops or livestock specified in the application is not available to him from sources other than the Regional Agricultural Credit Corporation or is available from other sources only on such terms and conditions that he could not use the other credit available to the extent necessary to produce the entire quantity of such crops or livestock specified in his application and (b) the person authorized to approve the loan or advance on behalf of the Regional Agricultural Credit Corporation finds that a greater quantity of the crops or livestock specified in the application would be likely to be produced if the loan or advance is made than would be produced otherwise, or (2) any loan or advance under the provisions of section 201 (e) of the Emergency Relief and Construction Act of 1932 (12 U. S. C. 1148), as amended (other than loans or advances under bulletins F-1 and F-2 made or approved on the conditions specified in this

section) except (a) in regions in which loans or advances had been made under said section 201 (e) of the Emergency Relief and Construction Act of 1932 within one year prior to December 1, 1942, or (b) in any region which the Secretary of Agriculture shall have designated as a region in which the making of such loans or advances is necessary in order to finance the production of crops or livestock that otherwise would not be produced in such region: *Provided*, That none of the limitations provided for by this section shall apply with respect to any loan or advance made or approved at any time for the purpose of financing the completion of production undertaken before July 12, 1943, or for the purpose of protecting or preserving the security for or assisting in the collection or liquidation of any loan or advance made or approved before such date.

SEC. 3. Within the unit limit of cost fixed by law the lump-sum appropriations herein made for the Department shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department outside the District of Columbia, but the number of such vehicles purchased or otherwise acquired for all the activities of the Department for which appropriations are made in this Act shall not exceed the total number indicated for purchase by the Department under the statements of proposed expenditures for purchase, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles in the Budget: *Provided*, That such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motortrucks in the District of Columbia: *Provided further*, That appropriations contained in this Act shall be available for the maintenance, operation, and repair of motor-propelled and horse-drawn passenger-carrying vehicles: *Provided further*, That the funds available to the Agricultural Adjustment Agency may be used for the maintenance, repair, and operation of one passenger-carrying vehicle in the District of Columbia.

SEC. 4. Provisions of law prohibiting or restricting the employment of aliens shall not apply to (1) the temporary employment of translators when competent citizen translators are not available; (2) employment in cases of emergency of persons in the field service of the Department for periods of not more than sixty days; (3) employment on the emergency rubber project; (4) employment by the Rural Electrification Administration of not to exceed twenty junior engineer trainees who are citizens of other American republics; and (5) employment under the appropriation for the Office of Foreign Agricultural Relations.

SEC. 5. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That such administrative or supervisory employees of the Department as may be designated for the purpose by the Secretary are hereby authorized to administer the oaths to persons making affidavits required by this section, and they shall charge no fee for so doing: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon

47 Stat. 713.
12 U. S. C. § 1148.

Exceptions.

Vehicles.

Limitation on use.

Maintenance, etc.

Use of AAA funds.

Employment of
aliens.

Persons advocating
overthrow of U. S.
Government.

Affidavit.

Administration of
oaths.

Penalty.

conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That nothing in this section shall be construed to require an affidavit from any person employed for less than sixty days for sudden emergency work involving the loss of human life or destruction of property, and payment of salary or wages may be made to such persons from applicable appropriations for services rendered in such emergency without execution of the affidavit contemplated by this section.

Emergency work.

Short title.

SEC. 6. This Act may be cited as the "Department of Agriculture Appropriation Act, 1946".

Approved May 5, 1945.

[CHAPTER 110]

JOINT RESOLUTION

Making additional appropriations for the fiscal year ending June 30, 1945.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, namely:

May 5, 1945
[H. J. Res. 174]
[Public Law 53]

Additional approp-
riations, 1945.

CIVIL SERVICE COMMISSION

Panama Canal construction annuity fund: For Panama Canal construction annuity fund, fiscal year 1945, \$315,480, to be additional to the appropriation under this head in the Second Deficiency Appropriation Act, 1944.

58 Stat. 602.

FEDERAL SECURITY AGENCY

SAINT ELIZABETHS HOSPITAL

Salaries and expenses: For an additional amount, fiscal year 1945, for "Salaries and expenses, Saint Elizabeths Hospital", including the objects specified under this head in the Federal Security Appropriation Act, 1945, \$347,500.

58 Stat. 560.

Approved May 5, 1945.

[CHAPTER 112]

AN ACT

To extend the Selective Training and Service Act of 1940, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 (b) of the Selective Training and Service Act of 1940, as amended, is amended by deleting "May 15, 1945," and inserting in lieu thereof the following: "May 15, 1946, or the date of the termination of hostilities in the present war, or on such earlier date as may be specified in a concurrent resolution of the two Houses of Congress for that purpose," and by adding at the end of section 16 (b) the following new sentence: "As used in this section the term 'date of the termination of hostilities in the present war' means the date proclaimed by the President as the date of such termination or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier".

May 9, 1945
[H. R. 2625]
[Public Law 54]

Selective Training
and Service Act of
1940, extension.
54 Stat. 897.
50 U. S. C. app.
§ 316 (b).

"Date of termina-
tion of hostilities in
the present war."

54 Stat. 885.
50 U. S. C., Supp.
IV, app. § 303 (a).
Training period of
inductees under 19.

SEC. 2. Section 3 (a) of such Act, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*And provided further*, That no man under nineteen years of age who is inducted into the land or

naval forces under the provisions of this Act shall be ordered into actual combat service until after he has been given at least six months of military training of such character and to the extent necessary to prepare such inductee for combat duty; this proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on combat vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States."

Approved May 9, 1945.

Naval and Coast
Guard training assign-
ments.

[CHAPTER 122]

AN ACT

To amend section 3 (b) of the Securities Act of 1933, as amended, so as to permit exemption of security issues not exceeding \$300,000 from the provisions of such Act.

May 15, 1945

[S. 62]

[Public Law 55]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 3 of the Securities Act of 1933, as amended, is amended by striking out "\$100,000" where it appears in such subsection, and inserting in lieu thereof "\$300,000".

Securities Act of
1933, amendment.
48 Stat. 76.
15 U. S. C. § 77c (b).

Approved May 15, 1945.

[CHAPTER 123]

AN ACT

Amending the Act of June 25, 1938 (52 Stat. 1207), authorizing the Secretary of the Interior to pay salary and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath business committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe, as amended, and for other purposes.

May 15, 1945

[S. 655]

[Public Law 56]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 25, 1938 (52 Stat. 1207), as amended, be, and the same hereby is, further amended so as to read in full as follows:

Klamath Indians.
25 U. S. C. § 563.

"The Secretary of the Interior, or such official as may be designated by him, is hereby authorized beginning as of July 1, 1937, and until otherwise directed by Congress, to pay out of any unobligated tribal funds of the Klamath Indians in the Treasury of the United States salaries and expenses to the chairman, secretary, and interpreter of the Klamath General Council and members of the Klamath business committee or other committees appointed by the Klamath General Council (except the Klamath Reimbursable Loan Fund Board), when engaged on business of the tribe, and to such official delegates of the Klamath Tribe who may carry on the business of the tribe at the seat of government: *Provided*, That the rate of salary and per diem paid shall be fixed in advance by resolution of the Klamath General Council, subject to the approval of the Commissioner of Indian Affairs, except that additional salaries and expenses, fixed and approved in the same way, may be made retroactive to July 1, 1943: *Provided further*, That the official delegates of the tribe carrying on said business at the seat of government shall receive, if travel is by rail, the usual railroad and sleeping-car transportation to and from the seat of government, or, if travel is by automobile, delegates furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further*, That the aforesaid official delegates shall also receive reimbursement for telegraphic

Salaries and ex-
penses of tribe officials.

Rates.

Transportation of
official delegates.

Telegraphic ex-
penses.

Limitation.

Length of stay at
seat of government.

expenses incurred on tribal business: *Provided further*, That the aforesaid salaries and expenses shall not exceed \$15,000 per annum: *Provided further*, That the length of stay of the official delegates at the seat of government shall be determined by the Commissioner of Indian Affairs."

Approved May 15, 1945.

[CHAPTER 124]

AN ACT

May 15, 1945
[S. 701]

[Public Law 57]

To provide a method for the wartime reduction of temporary grades held by general officers of the Army of the United States.

Army of U. S.
Temporary general
officer grades.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the continuance of any of the wars in which the United States is now engaged and for six months thereafter, the President, without the advice and consent of the Senate, is authorized to appoint any member of the Army of the United States who, since August 27, 1940, has been appointed, by and with the advice and consent of the Senate, to the temporary grade of major general in the Army of the United States or to any higher grade, and whose appointment to such grade has been terminated, to any temporary general officer grade in the Army of the United States which is lower than the grade held under the appointment terminated.

Approved May 15, 1945.

[CHAPTER 126]

AN ACT

May 15, 1945
[H. R. 2992]

[Public Law 58]

To extend the provisions of the Act of July 11, 1941 (Public Law 163, Seventy-seventh Congress).

Suppression of pros-
titution near military
and naval establish-
ments.

55 Stat. 583.
18 U. S. C., Supp.
IV, § 518a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 163, Seventy-seventh Congress (518a, ch. 13, title 18 of the Criminal Code), is hereby amended by deleting "May 15, 1945" and inserting in lieu thereof the following: "May 15, 1946, or the date of the termination of hostilities in the present war, or on such earlier date as may be specified in a concurrent resolution of the two Houses of Congress for that purpose. As used in this section the term 'date of the termination of hostilities in the present war' means the date proclaimed by the President as the date of such termination or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier."

Approved May 15, 1945.

[CHAPTER 127]

AN ACT

May 15, 1945
[H. R. 3070]

[Public Law 59]

To extend the provisions of the Act of November 29, 1940 (Public Law 884, Seventy-sixth Congress).

Medical, Dental,
and Veterinary Corps,
Army.

Examination for pro-
motion.

54 Stat. 1219.
10 U. S. C. § 101
note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the duration of the wars in which the United States is presently engaged and for six months thereafter, the Secretary of War may, in his discretion, dispense with any part of the examination for promotion in the Regular Army of officers of the Medical, Dental, and Veterinary Corps, except those relating to physical examination.

SEC. 2. This Act shall become effective as of May 15, 1945.

Approved May 15, 1945.

[CHAPTER 128]

AN ACT

To amend section 409 of the Interstate Commerce Act, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 409 of the Interstate Commerce Act, as amended, is amended by striking out the words "thirty-six months" wherever they appear therein and inserting in lieu thereof the words "forty-five months".

Approved May 16, 1945.

May 16, 1945
[H. R. 3038]
[Public Law 60]

Joint freight rates,
56 Stat. 290; 57 Stat.
590.
49 U. S. C., Supp.
IV, § 1009.

[CHAPTER 129]

AN ACT

Making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes.

May 21, 1945
[H. R. 2603]
[Public Law 61]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, namely:

TITLE I—DEPARTMENT OF STATE

OFFICE OF THE SECRETARY OF STATE

Salaries: For Secretary of State; Under Secretary of State, \$10,000; members of the Visa Board of Appeals (not to exceed \$10,000 each); and other personal services in the District of Columbia, including not to exceed \$6,500 for employees engaged on piece work at rates to be fixed by the Secretary of State; \$9,900,000.

Contingent expenses: For contingent and miscellaneous expenses, including stationery, furniture, fixtures; purchase of uniforms; microfilming equipment, including rental and repair thereof; translating services and services for the analysis and tabulation of technical information and the preparation of special maps, globes, and geographic aids by contract without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); purchase and presentation of various objects of a cultural nature suitable for presentation (through diplomatic and consular offices) to foreign governments, schools, or other cultural or patriotic organizations, the purchase, rental, distribution, and operation of motion-picture projection equipment and supplies, including rental of halls, hire of motion-picture projector operators, and all other necessary services by contract or otherwise without regard to section 3709 of the Revised Statutes; purchase and exchange of books, maps, and periodicals, domestic and foreign, and, when authorized by the Secretary of State, dues for library membership in societies or associations which issue publications to members only, or at a price to members lower than to subscribers who are not members, newspapers, teletype rentals, and tolls (not to exceed \$30,000); purchase (not to exceed four passenger-carrying vehicles), maintenance, and repair of motortrucks and motor-propelled passenger-carrying vehicles; streetcar fare; traveling expenses, including not to exceed \$10,000 for expenses of attendance at meetings concerned with the work of the Department of State when authorized by the Secretary of State; transportation and other necessary expenses in accordance with the Standardized Government Travel Regulations, and not to exceed \$25 per diem in lieu of subsistence,

Department of State
Appropriation Act,
1946.

Post, pp. 427, 428,
652, 653.

Post, p. 652.

Objects for presen-
tation to foreign gov-
ernments.

41 U. S. C. § 5.
Books, periodicals,
etc.

Traveling expenses.

Transportation, etc.

- Refund of certain passport fees. 41 Stat. 750; 44 Stat. 887.
- Foreign-trade agreements. 48 Stat. 945. 19 U. S. C. §§ 1354, 1352; Supp. IV, § 1352. Post, p. 411.
- 41 U. S. C. § 5.
- Cost of handling penalty mail, Department of State: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of State as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$50,000.
- Printing and binding. 58 Stat. 394. 39 U. S. C., Supp. IV, § 321d.
- Printing and binding. Department of State, including all of its bureaus, offices, institutions, and services, located in Washington, District of Columbia, and elsewhere, \$379,000.
- Passport agencies. 45 Stat. 1412; 50 Stat. 323.
- Passport agencies: For salaries and expenses of maintenance, rent, and travel not to exceed \$500, for not to exceed five passport agencies, \$69,300.
- Collecting and editing official papers of U. S. Territories. 45 Stat. 1412; 50 Stat. 323.
- Collecting and editing official papers of Territories of the United States: For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United States, including personal services in the District of Columbia and elsewhere, printing and binding, and contingent and traveling expenses, as provided by the Act approved February 28, 1929, as amended by the Act approved June 28, 1937 (5 U. S. C. 168-168b), \$8,400.
- President's War Relief Control Board. 54 Stat. 8. 22 U. S. C. § 448 (b). 50 U. S. C., Supp. IV, app., note prec. § 1.
- President's War Relief Control Board: For all expenses necessary to enable the President's War Relief Control Board to continue to administer section 8 (b) of the Neutrality Act of 1939 and to perform the functions vested in it by Executive Order 9205 of July 25, 1942, including personal services in the District of Columbia; fees for professional or expert services at rates to be determined by the Secretary of State, but not in excess of \$25 per day; not to exceed \$500 for expenses of attendance at meetings and conferences concerned with the work of the Board; printing and binding; purchase of books, newspapers, and periodicals; and stenographic reporting services by contract, without regard to section 3709 of the Revised Statutes, \$15,500.
- 41 U. S. C. § 5.

FOREIGN SERVICE

Salaries, ambassadors and ministers: For salaries of ambassadors and ministers appointed by the President, with the advice and consent of the Senate, to such countries and at such salary rates, not exceeding \$10,000 per annum each for ministers (except one at not exceeding \$12,000 per annum) and not exceeding \$17,500 per annum each for ambassadors, as the President may determine, notwithstanding the provisions of any other law, \$783,000, including also salaries as authorized by section 1740, Revised Statutes, as amended by the

Act of April 24, 1939 (22 U. S. C. 3, 121): *Provided*, That no salary shall be paid to any official receiving any other salary from the United States Government: *Provided further*, That during the continuance of the present war and for six months after its termination, any ambassador or minister whose salary as such is payable from the appropriation "Salaries, Ambassadors and Ministers" and who, prior to appointment as ambassador or minister was legally appointed and served as a diplomatic or consular officer or as a Foreign Service officer, and who, on account of emergent conditions abroad, is unable properly to serve the United States at his regular post of duty, or, on account of such emergent conditions abroad, it shall be or has been found necessary in the public interest to terminate his appointment as ambassador or minister at such post, may be appointed or assigned to serve in any capacity in which a Foreign Service officer is authorized by law to serve, and, notwithstanding the provisions of any other law, the payment from such appropriation for the fiscal year 1946 of the salary of such officer, while serving under such assignment, is hereby authorized: *Provided further*, That no person, while serving under such emergency appointment or assignment, shall receive compensation in excess of \$9,000 per annum while serving in the continental United States or in excess of \$10,000 per annum while serving elsewhere: *Provided further*, That this appropriation shall be available also for the payment, at not to exceed \$10,000 per annum, of the salary of any person who, incident to reestablishment of representation in areas liberated from the enemy and prior to recognition by the United States of the governments of the countries concerned, may be or has been designated or assigned to serve as commissioner, adviser, or in any similar representative capacity and who, prior to such designation, has served as ambassador or minister, having previously been legally appointed to serve as a diplomatic, consular, or Foreign Service officer of the United States.

Salaries, Foreign Service officers: For salaries of Foreign Service officers as provided in the Act approved February 23, 1931, as amended by the Act of April 24, 1939 (22 U. S. C. 3, 3a), including salaries of such officers for the period actually and necessarily occupied in receiving instructions and in making transits to and from their posts, and while awaiting recognition and authority to act in pursuance with the provisions of section 1740 of the Revised Statutes (22 U. S. C. 121); and salaries of Foreign Service officers or vice consuls while acting as *chargés d'affaires ad interim* or while in charge of a consulate general or consulate during the absence of the principal officer (22 U. S. C. 20); \$4,875,000.

Transportation, Foreign Service: To pay the traveling expenses of diplomatic, consular, and Foreign Service officers, and other employees of the Foreign Service, including Foreign Service inspectors, and under such regulations as the Secretary of State may prescribe, of their families and expenses of transportation of effects, in going to and returning from their posts, and in removing the family and effects of any such officer or employee from any foreign post, and thereafter transporting such family and effects to his post of assignment, to whatever extent may be determined necessary by the Secretary of State by reason of emergency conditions in any country that in his opinion may endanger the life of such officer or employee or any member of his family, including automobiles as authorized by the Act of April 30, 1940 (5 U. S. C. 73c), and storage of effects while such officers or employees are absent from their permanent posts of duty, including also not to exceed \$250,000 for expenses in connection with leaves of absence; attendance at trade and other conferences and congresses

53 Stat. 583.
Ante, p. 102.
Double - salary re-
striction.
Assignments during
emergency.

Limitation on com-
pensation.

Liberated areas.

46 Stat. 1207; 53 Stat.
583.
Ante, p. 102.

Post, p. 652.
Emergency condi-
tions.

54 Stat. 174.
Leaves of absence.

46 Stat. 1209, 1210.
22 U. S. C., Supp.
IV, § 17.
Ante, p. 104.
Transportation of
remains of personnel
dying abroad.

under orders of the Secretary of State as authorized by the Act approved February 23, 1931 (22 U. S. C. 16, 17); preparation and transportation of the remains of those officers and employees of the Foreign Service (including their families), who have died or may die abroad or in transit during the period of the employment of such officers and employees, to their former homes in this country or to a place not more distant for interment, and for the ordinary expenses of such interment, and also for payment under the provisions of section 1749 of the Revised Statutes (22 U. S. C. 130) of allowances to the widows or heirs at law of Diplomatic, Consular, and Foreign Service officers of the United States dying in foreign countries in the discharge of their duties; \$2,000,000, of which amount not to exceed \$50,000 shall be available until June 30, 1947, for disbursement for expenses of travel under orders issued during the fiscal year 1946: *Provided*, That this appropriation shall be available also for the authorized subsistence expenses of Consular and Foreign Service officers while on temporary detail under commission.

Travel under orders.

Subsistence while
on temporary detail.

Post, p. 652.

46 Stat. 518.

Advance payment
of rent.
Leases.

Limitations.

Foreign Service quarters: For rent, heat, fuel, and light for the Foreign Service for offices and grounds, and, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), for living quarters and for allowances for living quarters, including heat, fuel, and light, \$3,422,000: *Provided*, That payment for rent may be made in advance: *Provided further*, That the Secretary of State may enter into leases for such offices, grounds, and living quarters for periods not exceeding ten years and without regard to section 3709 of the Revised Statutes (41 U. S. C. 5): *Provided further*, That no part of this appropriation shall be used for allowances for living quarters, including heat, fuel, and light, in an amount exceeding \$4,000 for an ambassador, minister, or chargé d'affaires, and not exceeding \$2,000 for any other Foreign Service officer.

46 Stat. 1209; 53 Stat.
583.
Ante, pp. 104, 102.

Cost of living allowances, Foreign Service: To carry out the provisions of the Act approved February 23, 1931, as amended by the Act of April 24, 1939 (22 U. S. C. 12, 23c), relating to allowances and additional compensation to diplomatic, consular, and Foreign Service officers, clerks, and other employees when such allowances and additional compensation are necessary to enable such officers, clerks, and other employees to carry on their work efficiently, \$2,150,000.

Post, p. 652.

46 Stat. 1209.
Ante, p. 104.

Representation allowances, Foreign Service: For representation allowances as authorized by the Act approved February 23, 1931 (22 U. S. C. 12), \$585,000.

46 Stat. 1211; 53 Stat.
584.
22 U. S. C., Supp.
IV, § 21.

Foreign Service retirement and disability fund: For financing the liability of the United States, created by the Act approved February 23, 1931, as amended by the Act of April 24, 1939 (22 U. S. C. 21-21 (o)), \$922,800, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund".

Post, p. 652.

Salaries of clerks, Foreign Service: For salaries of vice consuls commissioned by the Secretary of State and of clerical, administrative, and fiscal personnel in the Foreign Service, as provided in the Act approved February 23, 1931 (22 U. S. C. 23a), including salaries while under instruction in the United States and during transit to and from homes in the United States upon the beginning and after termination of services, \$4,250,000.

46 Stat. 1207.
Ante, p. 102.

Miscellaneous sala-
ries and allowances.
Post, p. 652.

Miscellaneous salaries and allowances, Foreign Service: For salaries or compensation of kavasses, guards, dragomans, porters, interpreters, prison keepers, translators, archive collators, Chinese writers, messengers, couriers, telephone operators, radio operators, supervisors of construction, and custodial and operating force for maintenance and operation of Government-owned and leased diplomatic and consular

properties in foreign countries, including salaries while under instruction in the United States and during transit to and from their homes in the United States upon the beginning and after termination of service in foreign countries; compensation of agents and employees of despatch agencies established by the Secretary of State; operation of motor-propelled and other passenger- and non-passenger-carrying vehicles; for allowances to consular officers, who are paid in whole or in part by fees, for services necessarily rendered to American vessels and seamen, as provided in the Act of June 26, 1884 (22 U. S. C. 89; 46 U. S. C. 101); and such other miscellaneous personal services as may be necessary; \$1,700,000: *Provided*, That no part of this appropriation shall be expended for salaries or wages of persons not American citizens performing clerical services (except interpreters, translators, and messengers), whether officially designated as clerks or not, in any diplomatic mission or in the diplomatic section of any combined mission: *Provided further*, That the Secretary of the Navy is authorized, upon request by the Secretary of State, to assign enlisted men of the Navy and Marine Corps to serve as custodians, under the immediate supervision of the Secretary of State or the chief of mission, whichever the Secretary of State shall direct, at embassies, legations, or consulates of the United States located in foreign countries.

Foreign Service, auxiliary (emergency): For all necessary expenses to enable the Department of State during the fiscal year 1946 to continue to perform functions or activities in connection with the Auxiliary Foreign Service for the performance of which, during the fiscal years 1941 and 1942, the Department of State received allocations of funds from the appropriation "Emergency fund for the President" contained in the Military Appropriation Act, 1941, including the objects for which and subject to the conditions under which such allocations were provided or expended during the fiscal years 1941 and 1942, \$6,200,000: *Provided*, That cost of living and representation allowances, as authorized by the Act approved February 23, 1931, as amended, may be paid from this appropriation to American citizens employed hereunder.

Contingent expenses, Foreign Service: For stationery; blanks, record and other books; seals, presses, flags; signs; military equipment and supplies; repairs, alterations, preservation, and maintenance of Government-owned and leased diplomatic and consular properties in foreign countries, including minor construction on Government-owned properties, water, materials, supplies, tools, seeds, plants, shrubs, and similar objects; purchase, rental, repair, and operation of microfilm and motion picture equipment; newspapers (foreign and domestic); freight; postage; telegrams; advertising; ice and drinking water for office purposes; purchase (not to exceed forty passenger automobiles), maintenance and hire of motor-propelled, horse-drawn, or other passenger-carrying vehicles, including purchase of twelve automobiles for chiefs of missions at not to exceed \$3,000 each; insurance of official motor vehicles in foreign countries when required by the law of such countries; excise taxes on negotiable instruments; funds for establishment and maintenance of commissary service; uniforms; furniture; household furniture and furnishings, except as provided by the Act of May 7, 1926, as amended (22 U. S. C. 292-299), for Government-owned or rented buildings without regard to section 3709 of the Revised Statutes; maintenance and rental of launch for embassy in Turkey, not exceeding \$3,500, including personnel for operation; rent and other expenses for despatch agencies established by the Secretary of State; traveling expenses, including the transportation of members of families and personal effects of diplomatic officers or Foreign Service officers acting as

Despatch agencies.

Services to American vessels and seamen.

23 Stat. 56.

Citizenship requirement.

Assignment of naval personnel as custodians.

Auxiliary Foreign Service.
Post, p. 652.

54 Stat. 377.

46 Stat. 1207.
22 U. S. C. § 1 et seq.
Ante, p. 102 et seq.Contingent expenses.
Post, p. 652.

Commissary service.

44 Stat. 403.
Ante, p. 53.

41 U. S. C. § 5.

Traveling expenses.

- chargé d'affaires in traveling to seats of government at which they are accredited other than the city of usual residence and returning to the city of usual residence; loss by exchange; radio broadcasting; payment in advance for subscriptions to commercial information, telephone and other similar services, including telephone service in residences as authorized by the Act of April 30, 1940 (31 U. S. C. 679); burial expenses and expenses in connection with last illness and death of certain native employees, as authorized by and in accordance with the Act of July 15, 1939 (5 U. S. C. 118f); expenses of vice consulates and consular agencies for any of the foregoing objects; allowances for special instruction, education, and individual training of officers of the Foreign Service at home and abroad, not to exceed \$50,000; cost, not exceeding \$500 per annum each, of the tuition of officers of the Foreign Service assigned for the study of foreign languages; for relief, protection, and burial of American seamen, and alien seamen as authorized by Public Law 17, approved March 24, 1943, in foreign countries and in Territories and insular possessions of the United States, and for expenses which may be incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck or other catastrophe at sea; for expenses of maintaining in Egypt, Ethiopia, Morocco, and Muscat, institutions for incarcerating American convicts and persons declared insane by any consular court, rent of quarters for prisons, ice and drinking water for prison purposes, and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane by any consular court in Egypt, Ethiopia, Morocco, and Muscat; for every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime as authorized by section 5275 of the Revised Statutes (18 U. S. C. 659); and such other miscellaneous expenses as may be necessary; \$8,260,000: *Provided*, That this appropriation shall be available for reimbursement of appropriations for the Navy Department for materials, supplies, equipment, and services furnished by the Navy Department, including pay, subsistence, allowances, and transportation of enlisted men of the Navy and Marine Corps who may be assigned by the Secretary of the Navy, upon request of the Secretary of State, to embassies, legations, or consular offices of the United States located in foreign countries: *Provided further*, That reimbursements incident to the maintenance of commissary service authorized under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received: *Provided further*, That a detailed report shall be made to Congress annually of the receipts and expenditures of said commissary service.
- Foreign Service buildings fund: For the purpose of carrying into effect the provisions of the Act of May 25, 1938, entitled "An Act to provide additional funds for buildings for the use of the diplomatic and consular establishments of the United States" (22 U. S. C. 295a), including the initial alterations, repair, and furnishing of buildings acquired under said Act, \$1,000,000.
- Emergencies arising in the Diplomatic and Consular Service: To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, to be expended pursuant to the requirement of section 291 of the Revised Statutes (31 U. S. C. 107), \$17,500,000, of which not to exceed \$25,000 shall, in the discretion of the President, be available for personal services in the District of Columbia: *Provided*, That all refunds, repayments, or other credits on account of funds disbursed under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received.
- Radio broadcasting.
54 Stat. 175.
53 Stat. 1043.
- Language study.
Relief, etc., of American seamen.
57 Stat. 45.
50 U. S. C., Supp. IV, app. § 1291.
- Consular prisons, etc.
- Bringing home persons charged with crime.
- Navy Department, reimbursement.
- Commissary service, reimbursements.
- Annual report to Congress.
- 52 Stat. 441.
- Crediting of refunds, etc.

During the continuance of the present war and for six months after its termination, American citizens holding positions in the Foreign Service of the United States and who on account of emergent conditions abroad are unable properly to serve the United States at their regular posts of duty may be assigned to the Department of State to perform temporary services in that Department or to be detailed for temporary services of comparable importance, difficulty, responsibility, and value in any other department or agency of the United States, in cases where there is found to be a need of services for the performance of which such persons have the requisite qualifications. The salaries of such persons shall, notwithstanding the provisions of any other law, continue to be paid during the periods of such assignments from the appropriations under the caption "Foreign Service" in the Department of State Appropriation Act for the fiscal year 1946.

Contracts entered into in foreign countries involving expenditures from any of the foregoing appropriations under the caption "Foreign Service" shall not be subject to the provisions of section 3741 of the Revised Statutes (41 U. S. C. 22).

INTERNATIONAL OBLIGATIONS

United States contributions to international commissions, congresses, and bureaus: For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts as follows: Pan American Union, \$301,219.88, including not to exceed \$20,000 for printing and binding; Bureau of Interparliamentary Union for Promotion of International Arbitration, \$10,000; Pan American Sanitary Bureau, \$62,493.31; Bureau of International Telecommunication Union, Radio Section, \$8,215; Inter-American Radio Office, \$6,377.50; Government of Panama, \$430,000; International Hydrographic Bureau, \$2,286.90; Inter-American Trade-Mark Bureau, \$14,330.20; International Bureau for Protection of Industrial Property, \$2,490.08; Gorgas Memorial Laboratory, \$50,000; American International Institute for the Protection of Childhood, \$3,200, including not to exceed \$1,200 for traveling expenses of the United States member of the Council of the American International Institute for the Protection of Childhood in attending the annual meeting of the Council; International Map of the World on the Millionth Scale, \$50; International Penal and Penitentiary Commission, \$3,260.87, including not to exceed \$800 for the necessary expenses of the Commissioner to represent the United States on the Commission at its annual meetings, personal services without regard to the Classification Act of 1923, as amended, printing and binding, traveling expenses, and such other expenses as the Secretary of State may deem necessary; International Labor Organization, \$547,638.90, including not to exceed \$15,000 for the expenses of participation by the United States in the meetings of the General Conference and of the Governing Body of the International Labor Office and in such regional, industrial, or other special meetings, as may be duly called by such Governing Body, including personal services, in the District of Columbia and elsewhere, rent, traveling expenses, purchase of books, documents, newspapers, periodicals, and charts, stationery, official cards, printing and binding, entertainment, hire, maintenance, and operation of motor-propelled passenger-carrying vehicles, and such other expenses as may be authorized by the Secretary of State; Implementing the Narcotics Convention of 1931, \$15,681.60; International Council of Scientific Unions and Associated Unions, as follows: International Council of Scientific Unions, \$32.67;

Emergency assignments.

Payment of salaries.

Ante, p. 170.

Contracts, interest of Members of Congress.
Ante, p. 170.

Contributions, quotas, etc.
Post, pp. 427, 428, 653.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*
International Labor Organization.
Post, p. 653.

48 Stat. 1543.
International Council of Scientific Unions, etc.

International Astronomical Union, \$1,045.44; International Union of Geodesy and Geophysics, \$3,920.40; International Scientific Radio Union, \$392.04; in all, \$5,390.55; Pan American Institute of Geography and History, \$10,000; Inter-American Coffee Board, \$8,000; Inter-American Indian Institute, \$4,800; Inter-American Institute of Agricultural Sciences, \$156,233.26; Inter-American Statistical Institute, \$29,300; Inter-American Financial and Economic Advisory Committee, \$22,808.45; and participation by the United States in the Emergency Advisory Committee for Political Defense, as authorized by Public Law 80, approved June 19, 1943, \$96,623.50; in all, \$1,790,400, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

57 Stat. 159.

Additional sums due to increased rates of exchange.

International conferences (emergency).
Post, p. 652.
41 U. S. C. § 5.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.

Printing and binding.
40 Stat. 1270.
Representation allowances.
46 Stat. 1209.
Act, pp. 104, 102.

International Boundary Commission, U. S. and Mexico.
Post, p. 653.
24 Stat. 1011; 26 Stat. 1512; 35 Stat. 1863; 34 Stat. 2953;
48 Stat. 1621.
22 U. S. C. §§ 277-277d.

International conferences (emergency): For all necessary expenses, without regard to section 3709 of the Revised Statutes, of participation by the United States, upon approval by the Secretary of State, in international activities which arise from time to time in the conduct of foreign affairs and for which specific appropriations have not been provided pursuant to treaties, conventions, or special Acts of Congress, including personal services in the District of Columbia or elsewhere without regard to civil-service and classification laws; employment of aliens; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; transportation of families and effects under such regulations as the Secretary of State may prescribe; stenographic and other services; rent of quarters by contract or otherwise; purchase or rental of equipment, purchase of supplies, books, maps, periodicals and newspapers; transportation of things; contributions for the share of the United States in expenses of international organizations; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); entertainment; and representation allowances as authorized by the Act of February 23, 1931, as amended (22 U. S. C. 12, 23c); \$1,500,000, of which \$400,000 shall be immediately available.

Salaries and expenses, International Boundary Commission, United States and Mexico: For expenses of meeting the obligations of the United States under the treaties of 1884, 1889, 1905, 1906, and 1933 between the United States and Mexico, and of compliance with the Act approved August 19, 1935, as amended (49 Stat. 660, 1370), operation and maintenance of the Rio Grande rectification, canalization, flood control, and western land boundary fence projects; construction and operation of gaging stations where necessary and their equipment; personal services in the District of Columbia and elsewhere; rent; fees for professional or expert services at rates and in amounts to be determined by the Secretary of State; expenses of attendance at meetings which, in the discretion of the Commissioner, may be necessary for the efficient discharge of the responsibilities of the Commission (not to exceed \$500); traveling expenses; printing and binding; lawbooks and books of reference; subscriptions to foreign and domestic newspapers and periodicals; purchase (not exceeding six), maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, machinery and equipment and parts thereof, and map-reproduction machines; hire with or without personal services, of work animals, and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, purchase,

or condemnation, of real and personal property, including expenses of abstracts and certificates of title (not to exceed \$1,500); reimbursement to other agencies of the Government for expenses incurred by them in connection with the making of maps or making of photographs by airplane; purchase of rubber boots and waders, asbestos gloves and welders' goggles, for official use of employees; purchase of ice and drinking water; inspection of equipment, supplies, and materials by contract; advertising in newspapers and technical publications without regard to section 3828 of the Revised Statutes; drilling and testing of foundations and dam sites, by contract if deemed necessary, purchase in the field of planographs and lithographs, and leasing of private property to remove therefrom sand, gravel, stone, and other materials, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); equipment and such other miscellaneous expenses as the Secretary of State may deem proper; \$400,000.

Advertising.
44 U. S. C. § 324.

Construction, operation, and maintenance, public works projects: For the construction (including surveys and operation and maintenance and protection during construction) of the following projects under the supervision of the International Boundary Commission, United States and Mexico, United States section, including salaries and wages of employees, laborers, and mechanics; fees for professional or expert services at rates and in amounts to be determined by the Secretary of State; traveling expenses; rents; construction and operation of gaging stations; purchase (not exceeding eight), maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, machinery and equipment and parts thereof, and map-reproduction machines; drilling and testing of foundations and dam sites, by contract if deemed necessary, and purchase in the field of planographs and lithographs and leasing of private property to remove therefrom sand, gravel, stone, and other materials, without regard to the provisions of section 3709 of the Revised Statutes (41 U. S. C. 5); hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, purchase, or condemnation, of real and personal property, including expenses of abstracts and certificates of title; inspection of equipment, supplies, and materials by contract; advertising in newspapers and technical publications without regard to section 3828 of the Revised Statutes; printing and binding; communication services; equipment; purchase of ice, drinking water where suitable drinking water is otherwise unobtainable, rubber boots, waders, asbestos gloves and welders' goggles, for official use of employees, and such other miscellaneous expenses as the Secretary of State may deem necessary:

Public works projects, U. S. section.

Advertising.
44 U. S. C. § 324.

Lower Rio Grande flood-control project: For the United States portion of the project for flood control on the Lower Rio Grande, as authorized by the Act approved August 19, 1935, as amended (49 Stat. 660, 1370), \$750,000, to be immediately available and to be merged with the appropriations for this purpose made available for the fiscal year 1945, to remain available until expended: *Provided*, That no part of this appropriation shall be expended for construction on any land, site, or easement except such as has been acquired by donation and the title thereto has been approved by the Attorney General of the United States;

Lower Rio Grande flood-control project.

22 U. S. C. §§ 277-277d.

58 Stat. 404.

For supplemental construction on the Rio Grande in the El Paso-Juarez Valley under the convention concluded February 1, 1933, between the United States and Mexico, to be immediately available, and to remain available until expended, \$140,000.

El Paso-Juarez Valley.
48 Stat. 1621.

International Boundary Commission, U. S. and Canada and Alaska and Canada.
44 Stat. 2102.

Demarcation of boundary line.

International Joint Commission, U. S. and Great Britain.

Joint expenses.

36 Stat. 2448.

International Joint Commission, U. S. and Great Britain.

Transfer of funds.

International Fisheries Commission.

50 Stat. 1351.

International Boundary Commission, United States and Canada and Alaska and Canada: To enable the President to perform the obligations of the United States under the treaty between the United States and Great Britain in respect to Canada, signed February 24, 1925; for salaries and expenses, including the salary of the Commissioner and salaries of the necessary engineers, clerks, and other employees for duty at the seat of government and in the field; necessary traveling expenses; commutation of subsistence to employees while on field duty, not to exceed \$4 per day each, but not to exceed \$2 per day each when a member of a field party and subsisting in camp; for payment for timber necessarily cut in keeping the boundary line clear, not to exceed \$500; for purchase of books of reference; and for all other necessary and reasonable expenses incurred by the United States in maintaining an effective demarcation of the international boundary line between the United States and Canada, and Alaska and Canada under the terms of the treaty aforesaid, including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain and including the hire of freight- and passenger-carrying vehicles from temporary field employees, to be disbursed under the direction of the Secretary of State, \$45,000.

Salaries and expenses, International Joint Commission, United States and Great Britain: For salaries and expenses, including not to exceed \$7,500 for the salary of one Commissioner on the part of the United States, who shall serve at the pleasure of the President (the other Commissioners to serve in that capacity without compensation therefor), and salaries of clerks and other employees appointed by the Commissioners on the part of the United States, with the approval solely of the Secretary of State; for necessary traveling expenses, and for expenses incident to holding hearings and conferences at such places in Canada and the United States as shall be determined by the Commission or by the American Commissioners to be necessary, including traveling expense and compensation of necessary witnesses, making necessary transcript of testimony and proceedings; for cost of lawbooks, books of reference, and periodicals; and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909, \$30,000, to be disbursed under the direction of the Secretary of State.

Special and technical investigations, International Joint Commission, United States and Great Britain: For an additional amount for necessary special or technical investigations in connection with matters which fall within the scope of the jurisdiction of the International Joint Commission, including personal services in the District of Columbia or elsewhere, traveling expenses, procurement of technical and scientific equipment, and the purchase (not to exceed two passenger automobiles), hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, \$79,000, to be disbursed under the direction of the Secretary of State, who is authorized to transfer to any department or independent establishment of the Government, with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation.

International Fisheries Commission: For the share of the United States of the expenses of the International Fisheries Commission, under the convention between the United States and Canada, concluded January 29, 1937, including personal services, traveling expenses,

charter of vessels, purchase of books, periodicals, furniture, and scientific instruments, contingent expenses, rent, and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, to be disbursed under the direction of the Secretary of State, \$25,000, to be available immediately: *Provided*, That not to exceed \$750 may be expended by the Commissioners in attending meetings of the Commission.

International Pacific Salmon Fisheries Commission: For the share of the United States of the expenses of the International Pacific Salmon Fisheries Commission, under the convention between the United States and Canada, concluded May 26, 1930, including personal services; traveling expenses; purchase, maintenance, repair, and operation of not to exceed four motor-propelled passenger-carrying vehicles; charter of vessels; purchase of books, periodicals, furniture, and scientific instruments; contingent expenses; rent; and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, \$40,000, to be available immediately.

Cultural relations with China and the neighboring countries and countries of the Near East and Africa: For all expenses, without regard to section 3709 of the Revised Statutes, necessary to enable the Secretary of State independently or in cooperation with other agencies of the Government to carry out a program of cultural relations with China and the neighboring countries and with countries of the Near East and Africa, \$1,390,000 (payable from the appropriation "Emergency fund for the President", contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemental and amended), including the purchase of books, publications, scientific and other equipment, and educational and cultural materials; contributions of money and materials to, and contracts with, educational, cultural, and nonprofit institutions and organizations in the United States and the above countries, directly or through independent agencies; compensation, allowances, and grants to citizens of the United States and the above countries who are students, professors, or technical specialists, at such rates and under such regulations as may be determined by the Secretary of State, including expenses incurred by such persons in traveling between places of residence, Washington, District of Columbia, and posts of duty abroad, and including travel expenses of citizens of the above countries without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; advance of moneys without regard to section 3648 of the Revised Statutes; printing and binding; and not to exceed \$20,000 shall be available for temporary employment of persons or organizations, by contract or otherwise, without regard to the civil-service and classification laws; and, subject to the approval of the President, the Secretary of State is authorized to transfer from this appropriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the above countries any part of this amount for direct expenditure by such department, agency, or independent establishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred.

Conference of Allied Ministers of Education in London: For all necessary expenses of the participation by the United States in the

International Pacific Salmon Fisheries Commission.

50 Stat. 1355.

Reimbursement of other appropriations.

Cultural relations with China, etc.

41 U. S. C. § 5.

56 Stat. 704, 995; 57 Stat. 432; 58 Stat. 599. *Post*, p. 414.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.
31 U. S. C. § 529.

Transfer of funds.

Conference of Allied Ministers of Education in London.

Conference of Allied Ministers of Education in London, or its successor, and in addition for surveys and studies related to the work thereof, including personal services in the District of Columbia and elsewhere without regard to civil-service and classification laws; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; entertainment, stenographic reporting and other services by contract, books of reference and periodicals, and rent of office space, without regard to section 3709 of the Revised Statutes; printing and binding; and the share of the United States in the expenses of the secretariat of the conference; \$172,000, payable from the appropriation "Emergency fund for the President", contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemented and amended.

United Nations Commission for the Investigation of War Crimes: For all necessary expenses of the participation by the United States in the United Nations Commission for the Investigation of War Crimes, including personal services without regard to civil-service and classification laws; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; representation allowances in accordance with the Act of May 24, 1924 (22 U. S. C. 12); stenographic reporting and other services by contract, books of reference and periodicals, and the rent of office space, without regard to section 3709 of the Revised Statutes; printing and binding; and the share of the United States in the expenses of the secretariat of the Commission, \$60,000.

Cooperation with the American Republics: For all expenses necessary to enable the Secretary of State to meet the obligations of the United States under the Convention for the Promotion of Inter-American Cultural Relations between the United States and the other American Republics, signed at Buenos Aires, December 23, 1936, and to carry out the purposes of the Act entitled "An Act to authorize the President to render closer and more effective the relationship between the American Republics", approved August 9, 1939, and to supplement appropriations available for carrying out other provisions of law authorizing related activities, including the establishment and operation of agricultural and other experiment and demonstration stations in other American countries, on land acquired by gift or lease for the duration of the experiments and demonstrations, and construction of necessary buildings thereon; such expenses to include personal services in the District of Columbia; not to exceed \$125,000 for printing and binding; stenographic reporting, translating and other services by contract, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); not to exceed \$5,000 for expenses of attendance at meetings or conventions of societies and associations concerned with the furtherance of the purposes hereof; and, under such regulations as the Secretary of State may prescribe, tuition, compensation, allowances and enrollment, laboratory, insurance, and other fees incident to training, including traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics: *Provided*, That the Secretary of State is authorized under such regulations as he may adopt, to pay the actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses, of citizens of the other American republics while traveling in the

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.

41 U. S. C. § 5.

56 Stat. 704, 995; 57
Stat. 432; 58 Stat. 599.
Post, p. 414.

United Nations
Commission for In-
vestigation of War
Crimes.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.

43 Stat. 142.
Ante, p. 104.

41 U. S. C. § 5.

Cooperation with
American Republics.
Post, p. 428.

51 Stat. 178.

53 Stat. 1290.
22 U. S. C. §§ 501,
502.

Experiment and
demonstration sta-
tions.

Printing and bind-
ing.

Traveling expenses.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.

Actual transporta-
tion expenses in lieu of
subsistence, etc.

Western Hemisphere, without regard to the Standardized Government Travel Regulations, and to make advances of funds notwithstanding section 3648 of the Revised Statutes; traveling expenses of members of advisory committees in accordance with section 2 of said Act of August 9, 1939 (22 U. S. C. 249a); purchase (not to exceed five passenger automobiles), hire, maintenance, operation, and repair of motor-propelled and animal-drawn passenger-carrying vehicles; purchase of books and periodicals; rental of halls and boats; and purchase, rental, and repair of microfilming equipment and supplies, and colored photographic enlargements, \$4,000,000; and the Secretary of State, or such official as he may designate is hereby authorized, in his discretion, and, subject to the approval of the President, to transfer from this appropriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the other American republics any part of this amount for direct expenditure by such department or independent establishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred: *Provided further*, That not to exceed \$100,000 of this appropriation shall be available until June 30, 1947.

Upon request of the Secretary of State and with the approval of the heads of the departments concerned, personnel of the Army, Navy, Treasury Department, or Federal Works Agency may be assigned for duty as inspectors of buildings owned or occupied by the United States in foreign countries, or as inspectors or supervisors of buildings under construction or repair by or for the United States in foreign countries, under the jurisdiction of the Department of State, or for duty as couriers of the Department of State, and when so assigned they may receive the same traveling expenses as are authorized for officers of the Foreign Service, payable from the applicable appropriations of the Department of State.

This title may be cited as the "Department of State Appropriation Act, 1946".

TITLE II—DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

For personal services in the District of Columbia and for special attorneys and special assistants to the Attorney General in the District of Columbia or elsewhere as follows:

For the Office of the Attorney General, \$82,000.

For the Office of the Solicitor General, \$95,000.

For the Office of Assistant to the Attorney General, \$125,000.

For the Administrative Division, \$1,020,000.

For the Tax Division, \$590,000.

For the Criminal Division, \$900,000.

For the Claims Division, \$935,000.

For the Office of the Assistant Solicitor General, \$110,000.

For the Office of Pardon Attorney, \$28,900.

For the Board of Immigration Appeals, \$135,000.

Not to exceed \$250,000 of the foregoing appropriations for personal services shall be available for the employment, on duties properly chargeable to each of said appropriations, of special assistants to the Attorney General without regard to the Classification Act of 1923, as amended.

Contingent expenses: For stationery, furniture and repairs, floor

31 U. S. C. § 529.

53 Stat. 1290.
22 U. S. C. § 502.

Transfer of funds.

Availability.

Inspectors or supervisors of buildings abroad.

Couriers.

Citation of title.

Department of Justice Appropriation Act, 1946.
Post, p. 650.

Post, p. 650.

Post, p. 650.

Special assistants to Attorney General.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 et seq.
Post, p. 268 et seq.

coverings, file holders and cases; miscellaneous expenditures, including telegraphing and telephones, and teletype, rentals and tolls, postage, labor, newspapers not exceeding \$350, stenographic reporting services by contract, purchase of three and repair, maintenance, and operation of five motor-driven passenger cars; purchase of lawbooks, books of reference, and periodicals, including the exchange thereof; examination of estimates of appropriation in the field; and miscellaneous and emergency expenses authorized or approved by the Attorney General or his Administrative Assistant, \$210,000.

Traveling expenses: For all necessary traveling expenses, Department of Justice, not otherwise provided for, \$160,000.

Printing and binding: For printing and binding for the Department of Justice, \$400,000.

Cost of handling penalty mail, Department of Justice: For deposit in the general fund of the Treasury for cost of penalty mail for the Department of Justice as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$350,000.

Salaries and expenses, Customs Division: For necessary expenses, including travel expenses, purchase and exchange of lawbooks and books of reference, and employment of special attorneys and expert witnesses at such rates of compensation as may be authorized or approved by the Attorney General or his Administrative Assistant, \$146,000.

Salaries and expenses, Antitrust Division: For expenses necessary for the enforcement of antitrust and kindred laws, including traveling expenses, and experts at such rates of compensation as may be authorized or approved by the Attorney General, except that the compensation paid to any person employed hereunder shall not exceed the rate of \$10,000 per annum, including personal services in the District of Columbia, \$1,700,000: *Provided*, That none of this appropriation shall be expended for the establishment and maintenance of permanent regional offices of the Antitrust Division: *Provided further*, That no part of this appropriation shall be used for the payment of any person hereafter appointed at a salary of \$7,500 or more unless such person is appointed by the President, by and with the advice and consent of the Senate.

Examination of judicial offices: For the investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; and also the official acts, records, and accounts of referees and trustees of such courts; travel expenses; in all, \$78,000, to be expended under the direction of the Attorney General.

Salaries and expenses, Lands Division: For personal services in the District of Columbia and for other necessary expenses, including travel expenses, employment of experts, stenographic reporting services by contract, and notarial fees or like services, \$3,400,000.

Salaries and expenses, War Division: For all salaries and expenses in the District of Columbia and elsewhere necessary for the enforcement of Acts relating to the national security and war effort and in connection with the registration and control of alien enemies, including the employment of experts; supplies and equipment; printing and binding; travel expenses; stenographic reporting services by contract; books of reference, periodicals, and newspapers (not exceeding \$4,000), \$390,000.

Miscellaneous salaries and expenses, field: For salaries not otherwise specifically provided for (not to exceed \$160,000), and for such other

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Salary limitation.

Permanent regional offices.

Senate approval of appointments at \$7,500 or more.

Alien enemy control.

expenses for the field service, Department of Justice, including travel expenses, experts, and notarial fees or like services and stenographic work in taking depositions; patent applications and contested proceedings involving inventions; firearms and ammunition therefor; purchase of lawbooks, including exchange thereof, and the Federal Reporter and continuations thereto as issued, \$400,000.

Salaries and expenses of district attorneys, and so forth: For salaries, travel, and other expenses of United States district attorneys and their regular assistants, clerks, and other employees, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, \$3,870,000.

Compensation of special attorneys, and so forth: For compensation of special attorneys and assistants to the Attorney General and to United States district attorneys not otherwise provided for employed by the Attorney General to aid in special matters and cases, and for payment of foreign counsel employed by the Attorney General in special cases, \$100,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed \$10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each, together with a description of their duties: *Provided further*, That no part of this appropriation shall be used for the payment of any person hereafter appointed at a salary of \$7,500 or more and paid from this appropriation unless such person is appointed by the President, by and with the advice and consent of the Senate.

Foreign counsel.

Salary limitation.

Reports to Congress.

Senate approval of appointments at \$7,500 or more.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals, deputy marshals, and clerical assistants, including services rendered in behalf of the United States or otherwise; services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General; traveling expenses, including the actual and necessary expenses incident to the transfer of prisoners in the custody of United States marshals to narcotic farms; purchase, when authorized by the Attorney General, of two motor-propelled passenger-carrying vans at not to exceed \$2,000 each; and maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; \$3,980,000: *Provided*, That United States marshals and their deputies may be allowed, in lieu of actual expenses of transportation, not to exceed 4 cents per mile for the use of privately owned automobiles when traveling on official business within the limits of their official station.

Services in Alaska.

Transfer of prisoners to narcotic farms.

Transportation allowances.

Fees of witnesses: For expenses, mileage, and per diems of witnesses and for per diems in lieu of subsistence, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (28 U. S. C. 577), \$700,000: *Provided*, That not to exceed \$25,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day, which fee shall not exceed \$1.50 except in the District of Alaska: *Provided further*, That whenever an employee of the United States performs travel in order to appear as a witness on behalf of the

28 U. S. C., Supp. IV, § 577. Authorization by Attorney General.

Limitation on attendance fees.

Travel expenses of Federal employees.

United States in any case involving the activity in connection with which such person is employed, his travel expenses in connection therewith shall be payable from the appropriation otherwise available for the travel expenses of such employee.

Pay and expenses of bailiffs: For pay of bailiffs, not exceeding three bailiffs in each court, except in the southern district of New York and the northern district of Illinois; and meals and lodging for bailiffs or deputy marshals in attendance upon juries when ordered by the court, \$185,000: *Provided*, That, except in the case of bailiffs in charge of juries over Sundays and holidays, no per diem shall be paid to any bailiff unless the judge is present and presiding in court or present in chambers: *Provided further*, That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals are available for the duties ordinarily executed by bailiffs, the fact of unavailability to be determined by the certificate of the marshal.

FEDERAL BUREAU OF INVESTIGATION

Salaries and expenses, detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; personal services in the District of Columbia; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; purchase at not to exceed \$7,000 of one, and maintenance and operation of not more than four armored automobiles; firearms and ammunition; stationery, supplies, floor coverings, equipment, and telegraph, teletype, and telephone service; not to exceed \$10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; traveling expenses, including the cost of a compartment or such other accommodations as may be authorized by the Director for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment, and including expenses, in an amount not to exceed \$4,500, of attendance at meetings concerned with the work of such Bureau when authorized in writing by the Attorney General; not to exceed \$1,500 for membership in the International Criminal Police Commission; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice; and not to exceed \$20,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended; \$7,900,000.

Salaries and expenses for certain emergencies: For an additional amount for salaries and expenses, including the purposes and under the conditions specified in the preceding paragraph, \$100,000, to be held as a reserve for emergencies arising in connection with kidnaping, extortion, bank robbery, and to be released for expenditure in such amounts and at such times as the Attorney General may determine.

Salaries and expenses, detection and prosecution of crimes (emergency): For salaries and expenses, during the national emergency,

Per diem restriction.

Restriction on use of funds.

Protection of the President.

Traveling expenses.

Rewards for information.

Emergencies of confidential character.

Reserve for certain emergencies.

Detection and prosecution of crimes (emergency).

in the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; personal services in the District of Columbia; purchase of not to exceed two hundred (for replacement only), and hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; firearms and ammunition; stationery, supplies, floor coverings, equipment, and telegraph, teletype, and telephone service; not to exceed \$3,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph; traveling expenses, including the cost of a compartment or such other accommodations as may be authorized by the Director for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice; and including not to exceed \$150,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended, \$27,829,000.

None of the funds appropriated for the Federal Bureau of Investigation shall be used to pay the compensation of any civil-service employee.

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses, Immigration and Naturalization Service: For all expenses, not otherwise provided for, necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration; including personal services in the District of Columbia; care, detention, maintenance, transportation, and other expenses incident to the deportation, removal, and exclusion of aliens in the United States and to, through, or in foreign countries; payment of rewards; stationery, supplies, floor coverings, equipment, and telegraph, teletype, and telephone services; traveling expenses, including not to exceed \$5,000 for attendance at meetings concerned with the purposes of this appropriation; purchase (not to exceed one hundred and fifty), hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; purchase (not to exceed one), maintenance and operation of aircraft; firearms and ammunition; lawbooks, citizenship textbooks, for free distribution, books of reference, and periodicals, including the exchange thereof; refunds of head tax, maintenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; mileage and fees of witnesses subpoenaed on behalf of the United States; stenographic reporting services by contract; and operation, maintenance, remodeling, and repair of buildings and the purchase of equipment incident thereto; \$21,300,000: *Provided*, That the Attorney General may transfer to, or reimburse, any other department, agency, or office of Federal, State, or local governments, funds in such amounts as may be necessary for salaries and expenses incurred by them in rendering authorized assistance to the Department of Justice in connection with the administration and enforcement of said laws: *Provided further*, That this appropriation shall be available without regard to section

Protection of the President.

Traveling expenses.

Emergencies of confidential character.

Civil-service employees.

Post, p. 650.

Mileage and fees of witnesses.

Reimbursement of cooperating agencies.

41 U. S. C. § 5.
47 Stat. 412.

Detention of alien
enemies.

Use of privately
owned horses.

Interpreters.

3709 of the Revised Statutes or section 322 of the Act of June 30, 1932 (40 U. S. C. 278a), when authorized or approved by the Attorney General, for the acquisition of or alterations, improvements, and repairs to premises; for detention of alien enemies, including the construction of temporary buildings, and for all necessary expenses, including household equipment, incident to the maintenance, care, detention, surveillance, parole, and transportation of alien enemies and their wives and dependent children, including transportation and other expenses in the return of such persons to place of bona fide residence or to such other place as may be authorized by the Attorney General, advance of cash to aliens for meals and lodging while en route, and for the payment of wages to alien enemy detainees for work performed under conditions prescribed by the Geneva Convention: *Provided further*, That the Commissioner of Immigration and Naturalization may contract with officers and employees for the use, on official business, of privately owned horses: *Provided further*, That provisions of law prohibiting or restricting the employment of aliens in the Government service shall not apply to the employment of interpreters in the Immigration and Naturalization Service (not to exceed ten permanent and such temporary employees as are required from time to time) where competent citizen interpreters are not available.

FEDERAL PRISON SYSTEM

Salaries and expenses, Bureau of Prisons: For salaries and travel expenses in the District of Columbia and elsewhere in connection with the supervision of the maintenance and care of United States prisoners, \$365,000: *Provided*, That not to exceed \$3,500 of this amount shall be available for expenses of attendance at meetings concerned with the work of the Bureau of Prisons when incurred on the written authorization of the Attorney General.

Salaries and expenses, penal and correctional institutions: For salaries and expenses for the support of prisoners, and the maintenance and operation of Federal penal and correctional institutions and the construction of buildings at prison camps; expenses of interment or transporting remains of deceased inmates to their relatives or friends in the United States; expenses of transporting persons released from custody of the United States to place of conviction or arrest or place of bona fide residence within the United States or to such place within the United States as may be authorized by the Attorney General, and the furnishing of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed \$30, regardless of length of sentence; purchase of not to exceed fourteen passenger-carrying automobiles; purchase of one bus at not to exceed \$20,000; maintenance and repair of passenger-carrying automobiles; not to exceed \$10,000 for expenses of attendance at meetings concerned with the work of the Federal Prison System when authorized in writing by the Attorney General; traveling expenses, including traveling expenses of members of advisory boards authorized by law incurred in the discharge of their official duties; furnishing of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; newspapers, books, and periodicals; firearms and ammunition; purchase and exchange of farm products and livestock, \$13,300,000: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed \$500.

41 U. S. C. § 5.

Medical and hospital service: For medical relief for inmates of penal and correctional institutions and appliances necessary for patients including personal services in the District of Columbia; and furnishing

and laundering of uniforms and other distinctive wearing apparel necessary for the employees in the performance of their official duties, \$1,085,000: *Provided*, That there may be transferred without limitation accounts to the appropriation "Pay, and so forth, commissioned officers, Public Health Service", such amount as may be necessary for the pay of not to exceed thirty officers assigned to the Federal Prison System, and to other appropriations of the Public Health Service such amounts as may be necessary, in the discretion of the Attorney General, for direct expenditure by that Service for the other objects mentioned above.

Transfer of funds.
Post, p. 370.

Support of United States prisoners: For support of United States prisoners in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid; expenses of transporting persons released from custody of the United States to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General, and the furnishing to them of suitable clothing and, in the discretion of the Attorney General, an amount of money not to exceed \$30, regardless of length of sentence; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (18 U. S. C. 753c, 753d); support of prisoners becoming insane during imprisonment and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks, \$1,800,000.

U. S. prisoners in non-Federal institutions and in Alaska.

46 Stat. 326.

None of the money appropriated by this title shall be used to pay any witness or bailiff more than one per diem for any one day's service, even though he serves in more than one of such capacities on the same day.

Per diem restriction.

None of the funds appropriated by this title may be used to pay the compensation of any person hereafter employed as an attorney unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, Territory, or the District of Columbia.

License requirement for attorneys.

Sixty per centum of the expenditures for the offices of the United States District Attorney and the United States Marshal for the District of Columbia from all appropriations in this title shall be reimbursed to the United States from any funds in the Treasury of the United States to the credit of the District of Columbia.

Reimbursement to credit of D. C.

This title may be cited as the "Department of Justice Appropriation Act, 1946".

Citation of title.

TITLE III—DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Salaries and expenses: For all necessary expenses of the Office of the Secretary of Commerce (hereafter in this title referred to as the Secretary) including personal services in the District of Columbia; newspapers (not exceeding \$500); contract stenographic reporting services; lawbooks, books of reference, and periodicals; purchase of one passenger automobile at not exceeding \$1,800, and maintenance, operation, and repair of motor vehicles; not exceeding \$2,000 for expenses of attendance at meetings of organizations concerned with

Department of Commerce Appropriation Act, 1946.
Post, pp. 423, 424, 645, 646.

Post, pp. 423, 645.

Designation of signing officer.

the work of the Office of the Secretary; \$570,000: *Provided*, That hereafter the Secretary may designate an officer of the Department to sign minor routine official papers and documents during the temporary absence of the Secretary, the Under Secretary, and the Assistant Secretary of the Department.

Post, p. 423.

Printing and binding: For all printing and binding for the Department of Commerce, except the Patent Office, the Civil Aeronautics Board, and work done at the field printing plants of the Weather Bureau authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220), \$750,000.

40 Stat. 1270.
44 U. S. C. § 4.

National Inventors Council Service Staff.

Salaries and expenses, National Inventors Council Service Staff: For all necessary expenses of the servicing staff of the National Inventors Council, including personal services in the District of Columbia, printing and binding and traveling expenses, \$75,000.

Penalty mail, Department of Commerce: For deposit in the general fund of the Treasury for cost of penalty mail of the Department of Commerce, except the Civil Aeronautics Board, as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$485,000.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

BUREAU OF THE CENSUS

Age and citizenship certification.

Salaries and expenses, age, and citizenship certification: For salaries and expenses necessary for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, and other statutory requirements with respect to age and citizenship certification, including personal services at the seat of government, travel, microfilm, and binding records, books of reference, periodicals, and photographic supplies, \$145,000: *Provided*, That the procedure hereunder for the furnishing from census records of evidence for the establishment of age of individuals shall be pursuant to regulations approved jointly by the Secretary and the Social Security Board.

49 Stat. 620.
42 U. S. C. §§ 301-1307; Supp. IV, § 401 *et seq.*
Post, pp. 548, 671.

Procedure for furnishing evidence of age.

Post, pp. 423, 646.

Compiling census reports and so forth: For salaries and expenses necessary for securing information for and compiling and publishing the census reports provided for by law, the collection, compilation and periodic publication of statistics showing United States exports and imports; temporary employees at rates to be fixed by the Director of the Census without regard to the Classification Act; the cost of transcribing State, municipal, and other records; preparation of monographs on census subjects and other work of specialized character by contract or otherwise; travel expenses, including not to exceed \$4,000 for attendance at meetings of organizations concerned with the collection of statistics, when incurred on the written authority of the Secretary; reimbursement for actual cost of ferry fares and bridge, road and tunnel tolls, and not to exceed 3 cents per mile for travel performed in privately owned automobiles within the limits of their official posts of duty, of employees engaged in census enumeration or surveys; maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles; construction and repair of tabulating machines and other mechanical appliances, and the rental or purchase and exchange of necessary machinery, appliances, and supplies, including tabulating cards and continuous form tabulating paper; books of reference, periodicals, maps, newspapers (not exceeding \$200), \$5,318,000.

Temporary employees.
42 Stat. 1488.
5 U. S. C. § 661; Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*

Travel in privately owned automobiles.

OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

Post, p. 423.

General administration, Office of the Administrator: For necessary expenses of the Office of Administrator of Civil Aeronautics in car-

rying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), including personal services in the District of Columbia and elsewhere; contract stenographic reporting services; not to exceed \$14,000 for expenses of attendance at meetings of organizations concerned with aeronautics, when specifically authorized by the Administrator; newspapers (not exceeding \$200); not to exceed \$5,000 in fiscal year 1946 for entertainment of officials in the field of aviation of other countries when specifically authorized and approved by the Administrator; fees and mileage of expert and other witnesses; expenses of examination of estimates of appropriations in the field; hire, maintenance, repair and operation of passenger-carrying automobiles; \$2,878,000.

Establishment of air-navigation facilities: For the acquisition and establishment by contract or purchase and hire of air-navigation facilities, including the equipment of additional civil airways for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing air-navigation facilities; the acquisition of the necessary sites by lease or grant; personal services in the District of Columbia and elsewhere; and hire, maintenance, repair, and operation of passenger-carrying automobiles, \$12,577,000: *Provided*, That the consolidated appropriation under this head for the fiscal year 1945 is hereby continued available without warrant action until June 30, 1946, and is hereby merged with this appropriation, the total amount to be disbursed and accounted for as one fund: *Provided further*, That not to exceed \$2,750,000 of this amount shall be available for the establishment of landing areas.

Maintenance and operation of air-navigation facilities: For necessary expenses of operation and maintenance of air-navigation facilities and air-traffic control, including personal services in the District of Columbia and elsewhere; purchase (not to exceed fifteen), hire, maintenance, repair, and operation of passenger-carrying automobiles; and not to exceed 3 cents per mile for travel, in privately owned automobiles within the limits of their official posts of duty, of employees engaged in the maintenance and operation of remotely controlled air-navigation facilities; \$24,000,000. There may be credited to the appropriation "Maintenance and operation of air-navigation facilities" sums received from States, counties, municipalities, and other public authorities for expenses incurred during the existence of the present war and for six months thereafter in the maintenance and operation of airport traffic control towers.

Technical development: For expenses necessary in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), relative to such developmental work and service testing as tends to the creation of improved air-navigation facilities, including landing areas, aircraft, aircraft engines, propellers, appliances, personnel, and operation methods, including personal services in the District of Columbia and elsewhere; acquisition of necessary sites by lease or grant; cleaning and repair of uniforms for guards; operation, maintenance, and repair of passenger-carrying automobiles; and purchase of reports, documents, plans, and specifications, \$850,000.

Enforcement of safety regulations: For expenses necessary in carrying out the provisions of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 401), relating to safety regulations, except air-traffic control, including personal services in the District of Columbia and elsewhere; hire, maintenance, repair and operation of passenger-carrying automobiles; \$3,100,000.

Airport Advisory Service: For necessary expenses in furnishing

52 Stat. 973.
49 U. S. C. § 401 et
seq.; Supp. IV, §§ 481,
492, 643.

Entertainment of
foreign officials.

Post, pp. 424, 646.

Availability of
funds.
58 Stat. 417.

Landing areas.

Post, p. 424.

Credits.

52 Stat. 973.
49 U. S. C. § 401 et
seq.; Supp. IV, §§ 481,
492, 643.

Post, p. 424.

52 Stat. 973.
49 U. S. C. § 401 et
seq.; Supp. IV, §§ 481,
492, 643.

Airport Advisory
Service.

advisory services to State and other public and private agencies in connection with the construction and operation of airports and landing areas, including personal services in the District of Columbia and elsewhere, and the operation, repair, and maintenance of passenger automobiles, \$300,000.

Maintenance and operation of aircraft: For all expenses necessary for the maintenance, operation, and overhaul of aircraft for the use of all the activities under the Office of the Administrator, including the repair of aircraft engines and other aircraft parts, \$850,000, and the Secretary of War and the Secretary of the Navy are authorized to transfer to the Administrator without payment therefor aircraft, surplus to the needs of the War Department or the Navy Department, such aircraft to be acquired by the Administrator for replacement purposes only.

Maintenance and operation, Washington National Airport: For salaries and expenses incident to the care, operation, maintenance, and protection of the Washington National Airport, including the operation, repair, and maintenance of passenger-carrying automobiles, and not to exceed \$2,500 for the purchase, cleaning, and repair of uniforms, \$582,000.

Development of landing areas: For completion of the program for the construction, improvement, and repair of public airports for national defense the consolidated appropriation under this head in the Department of Commerce Appropriation Act, 1943, shall remain available until June 30, 1946, without warrant action, and the portion thereof available for administrative expenses shall be available also for the operation, maintenance, and repair of passenger-carrying automobiles, and not to exceed \$3,000 for printing and binding: *Provided*, That the total number of sites shall not exceed five hundred and thirty-five: *Provided further*, That not to exceed \$83,000 may be transferred to the appropriation "General administration, Office of Administrator of Civil Aeronautics", for necessary expenses in connection with the general administration of the development of landing areas program.

The foregoing appropriations under the Office of Administrator of Civil Aeronautics shall be available for the purchase and exchange of lawbooks, books of reference, atlases, maps, and periodicals; traveling expenses; salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or other agencies serving aviation; and the purchase, cleaning, and repair of special wearing apparel (including skis and snowshoes).

CIVIL AERONAUTICS BOARD

Civil Aeronautics Board, salaries and expenses: For necessary expenses of the Civil Aeronautics Board, including personal services in the District of Columbia; traveling expenses; contract stenographic reporting services; fees and mileage of expert and other witnesses; temporary employment of attorneys, examiners, consultants, and experts, and in the case of airplane accidents the employment of temporary guards on a contract or fee basis without regard to section 3709 of the Revised Statutes; salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or industries serving aviation; expenses of examination of estimates of appropriations in the field; purchase and exchange of lawbooks, books of reference, periodicals, and newspapers; not to exceed \$4,466 for deposit in the general fund of the Treasury; for cost of penalty mail, as required by section 2 of the Act of June 28, 1944 (Public Law 364); purchase of aircraft (not to exceed twelve) and

Aircraft maintenance and operation. Post, p. 646.

Transfer of surplus aircraft.

Washington National Airport.

Landing areas.

56 Stat. 492.

Limitation. Transfer of funds.

Ante, p. 188.

41 U. S. C. § 5.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

motor-propelled passenger-carrying vehicles (not to exceed six) and hire, operation, maintenance, and repair of same; purchase and hire of special wearing apparel and equipment for aviation purposes (including rubber boots, snowshoes, and skis); \$1,675,000: *Provided*, That this appropriation shall be available when specifically authorized by the Chairman of the Board, for expenses of attendance at meetings of organizations concerned with aeronautics (not to exceed \$4,000).

Attendance at meetings.

Printing and binding: For printing and binding, \$25,000.

COAST AND GEODETIC SURVEY

Salaries and expenses, departmental: For all expenses necessary for the work of the Survey in the District of Columbia, including the compilation of field surveys and other data; the production, purchase, or printing of maps and nautical and aeronautical charts; maintenance of and equipment for an instrument shop and procurement or exchange of woodworking supplies and equipment; motion-picture equipment; chart paper, drafting, photographic, photolithographic, and printing supplies and equipment; newspapers not to exceed \$25; instruments (except surveying instruments); stationery for field stations and parties; travel; and purchase of lawbooks, books of reference, and periodicals; \$2,400,000, of which not to exceed \$1,806,000 shall be available for personal services.

Salaries and expenses, departmental.

Salaries and expenses, field: For all expenses necessary to man, equip, repair, and supply vessels and other field units of the Survey engaged in surveys and other operations required for the production of maps, nautical charts, Coast Pilots, tide and current tables, and related publications of all coasts and islands under the jurisdiction of the United States; research in physical hydrography; geodetic surveying operations to provide control for national mapping and for other purposes, magnetic and seismological observations, and the establishment of meridian lines, in the United States and in other regions under the jurisdiction of the United States; gravity surveys in United States territory and adjacent areas; operation of two latitude observatories; field surveys required for the production of aeronautical charts; purchase of plans and specifications of vessels; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; purchase of two motor-propelled station wagons and hire, maintenance, operation, and repair of motor vehicles; operation, maintenance, and repair of an airplane for photographic surveys; special aviation clothing; packing, crating, and transporting personal household effects of commissioned officers when transferred from one official station to another, and of commissioned officers who die on active duty, and funeral expenses of commissioned officers, as authorized by law; extra compensation at not to exceed \$15 per month to each member of the crew of a vessel when assigned duties as bomber or fathometer reader, and at not to exceed \$1 per day for each station to employees of other Federal agencies while observing tides or currents or tending seismographs; and reimbursement, under rules prescribed by the Secretary, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them (not to exceed a total of \$500); \$3,180,000, of which \$10,000 shall be immediately available.

Field units.

Coast Pilots, etc.

Aeronautical charts.

Extra compensation for duties as bomber or fathometer reader.

Pay, commissioned officers: For pay and allowances prescribed by law for not to exceed one hundred and seventy-one commissioned officers on the active list and of officers retired in accordance with

Death gratuity.

existing law, including payment of six months' death gratuity as authorized by law, \$870,000.

Attendance at meetings.

Not to exceed \$650 of the appropriations herein made for the Coast and Geodetic Survey shall be available for expenses of attendance at meetings concerned with the work of the Coast and Geodetic Survey when incurred on the written authority of the Secretary.

56 Stat. 143.
50 U. S. C., Supp.
IV, app. §§ 1001-1017.

The foregoing appropriations for the Coast and Geodetic Survey shall be available for the pay of missing or captured civilian or commissioned personnel of the Coast and Geodetic Survey under the Act of March 7, 1942, as amended (50 U. S. C. App. 1001), and for the six months' death gratuity, regardless of the fiscal year during which such obligations accrued; the purchase of special clothing for protection of employees while engaged in their official duties; not to exceed \$2,500 for the payment of part-time or intermittent employment in the District of Columbia, or elsewhere, of such architects, engineers, scientists, and technicians as may be contracted for by the Secretary, at a rate of pay not exceeding \$25 per diem for any person so employed; and not to exceed \$10,000 for special geodetic surveys in regions subject to earthquakes.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Post, p. 424.

Departmental salaries and expenses: For personal services (not to exceed \$1,860,000) and other necessary expenses of the Bureau of Foreign and Domestic Commerce at the seat of government in performing the duties imposed by law or in pursuance of law; travel; newspapers (not exceeding \$1,500), periodicals, and books of reference; fees and mileage of witnesses, and other contingent expenses in the District of Columbia; \$1,980,000: *Provided*, That expenses, except printing and binding, of field studies or surveys conducted by departmental personnel of the Bureau shall be payable from the amount herein appropriated.

Field studies or surveys.

Field office service: For salaries (not to exceed \$395,000), travel and all other expenses necessary to operate and maintain regional, district, and cooperative branch offices for the collection and dissemination of information useful in the development and improvement of commerce throughout the United States and its possessions, including foreign and domestic newspapers (not exceeding \$300), periodicals and books of reference, \$445,000.

Attendance at meetings.

The appropriations for the Bureau of Foreign and Domestic Commerce shall be available in an amount not to exceed \$6,500 for expenses of attendance at meetings concerned with the promotion of foreign and domestic commerce, or either, and also expenses of illustrating the work of the Bureau of Foreign and Domestic Commerce by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary.

PATENT OFFICE

Salaries: For personal services in the District of Columbia and elsewhere, \$4,100,000.

Multigraphing of headings.

Photolithographing: For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade-marks, and other papers, such other papers when reproduced for sale to be sold at not less than cost plus 10 per centum; reproduction of foreign patent drawings; photo prints of pending application drawings; and photostat and photographic supplies and dry mounts, \$275,000: *Provided*, That the headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography.

Miscellaneous expenses: For purchase and exchange of law, professional, and other reference books and publications and scientific books; expenses of transporting publications of patents issued by the Patent Office to foreign governments; directories, furniture, filing cases; maintenance, operation, and repair of passenger-carrying automobiles; for investigating the question of public use or sale of inventions for one year or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of suits instituted against the Commissioner of Patents; for travel, including not to exceed \$500 for attendance at meetings concerned with the work of the Patent Office, when incurred on the written authority of the Secretary; and for other contingent and miscellaneous expenses of the Patent Office; \$125,000.

Printing and binding: For printing the weekly issue of patents, designs, trade-marks, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, \$740,000; for miscellaneous printing and binding, \$60,000; in all, \$800,000.

NATIONAL BUREAU OF STANDARDS

Salaries and expenses: For all salaries and expenses necessary in carrying out the provisions of the Act establishing the National Bureau of Standards, approved March 3, 1901 (5 U. S. C. 591, 597; 15 U. S. C. 271-278), and of Acts supplementary thereto affecting the functions of the Bureau and specifically including the functions as set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", including personal services in the District of Columbia; rental of laboratories in the field, building of temporary experimental structures, communication service, transportation service; travel, including not to exceed \$4,500 for expenses of attendance at meetings of organizations concerned with standardization or research in science, when incurred on the written authority of the Secretary; streetcar fares not exceeding \$100, expenses of the visiting committee, compensation and expenses of medical officers of the Public Health Service detailed to the National Bureau of Standards for the purpose of maintaining a first-aid station and making clinical observations; compiling and disseminating scientific and technical data; demonstrating the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchases of supplies, materials, stationery, electric power, fuel for heat, light, and power, and accessories of all kinds needed in the work of the Bureau, including supplies for office, laboratory, shop, and plant, and cleaning and toilet supplies, gloves, goggles, rubber boots and aprons; purchase, repair, and cleaning of uniforms for guards; operation, maintenance, and repair of a passenger automobile; purchases of equipment of all kinds, including its repair and exchange; periodicals and reference books, including their exchange; purchase of newspapers (not to exceed \$25); and translation of technical articles:

Operation and administration: For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; necessary repairs and alterations to buildings; \$465,000.

Testing, inspection, and information service: For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the broadcasting of radio signals of standard frequency; the testing of equipment, materials, and supplies in connection

31 Stat. 1449.

48 Stat. 552.

Medical officers of
Public Health Service.

Supplies, etc.

with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and technical matters; and supplying available information to the public, upon request, in the field of physics, chemistry, and engineering; \$1,125,000.

Research and development: For the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the study of conditions affecting radio transmission; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; and the solutions of problems arising in connection with standards, \$1,325,000.

Standards for commerce: For cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; for encouraging the application of the latest developments in the utilization and standardization of building materials; for the development of engineering and safety codes, simplified-practice recommendations, and commercial standards of quality and performance, \$198,000.

During the fiscal year 1946 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the National Bureau of Standards on scientific investigations within the scope of the functions of that Bureau, and which the National Bureau of Standards is unable to perform within the limits of its appropriations, may, with the approval of the Secretary, transfer to the National Bureau of Standards such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the National Bureau of Standards for performance of work for the department or establishment from which the transfer is made, including, where necessary, travel expenses and compensation for personal services in the District of Columbia and in the field.

Not to exceed \$100,000 of funds available to the Bureau by appropriation and transfer shall be available for payment of part-time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicians as may be contracted for by the Secretary, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed.

Of the foregoing amounts for the National Bureau of Standards not to exceed \$2,750,000 may be expended for personal services in the District of Columbia.

WEATHER BUREAU

Salaries and expenses: For expenses necessary for carrying into effect in the United States and possessions, on ships at sea, and elsewhere when directed by the Secretary, the provisions of sections 1 and 3 of an Act approved October 1, 1890 (15 U. S. C. 311-313), the Act approved October 29, 1942 (15 U. S. C. 323), and section 803 of the Civil Aeronautics Act of 1938 (49 U. S. C. 603), including investigations of atmospheric phenomena; cooperation with other public agencies and societies and institutions of learning; purchase of books of reference; purchase of newspapers (not to exceed \$50);

Scientific investigations for Government agencies.

Transfer of funds.

Intermittent employment of scientists, etc.

Personal services.

Post, p. 424.

26 Stat. 653.
56 Stat. 1012.
15 U. S. C., Supp.
IV, § 323.
52 Stat. 1014.

traveling expenses, including not to exceed \$1,500 for attendance at meetings concerned with the work of the Bureau when authorized by the Secretary; purchase (not to exceed five), maintenance, operation, and repair of passenger automobiles; repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; the erection of temporary buildings for living and working quarters of observers; telephone rentals, and telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary by agreement with the companies performing the service; and establishment, equipment, and maintenance of meteorological offices and stations; \$12,140,000, of which not to exceed \$1,142,000 may be expended for departmental personal services in the District of Columbia; not to exceed \$1,500 for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee; and not to exceed \$10,000 for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau.

International Meteorological Committee.

Printing office.

Extra compensation at not to exceed \$5 per day may be paid to employees of other Government agencies in Alaska, and in other Territorial possessions for taking and transmitting meteorological observations for the Weather Bureau.

Extra compensation, Alaska, etc.

The appropriations "Maintenance and operation of air-navigation facilities", Office of Administrator of Civil Aeronautics; "Salaries and expenses", Civil Aeronautics Board; and "Salaries and expenses", Weather Bureau, shall be available, under regulations to be prescribed by the Secretary, for furnishing to employees of the Civil Aeronautics Administration, the Civil Aeronautics Board, and the Weather Bureau in Alaska free emergency medical services by contract or otherwise and medical supplies, and for the purchase, transportation, and storage of food and other subsistence supplies for resale to such employees, the proceeds from such resales to be credited to the appropriation from which the expenditure for such supplies was made and a report shall be made to Congress annually showing the expenditures made for such supplies and the proceeds from such resales; and appropriations of the Civil Aeronautics Administration and the Weather Bureau, available for travel, shall be available for the travel expenses of appointees of said agencies from the point of engagement in the United States to their posts of duty at any point outside the continental limits of the United States or in Alaska.

Free emergency medical services, Alaska. *Anite*, pp. 189, 190, 194.

Credit of proceeds from resales.

During the fiscal year 1946 the Secretary of Commerce may delegate his authority to subordinate officials of the Coast and Geodetic Survey, the Weather Bureau, and the Civil Aeronautics Administration, to authorize payment of expenses of travel and transportation of household goods of officers and employees on change of official station: *Provided*, That in no case shall such authority be delegated to any official below the level of the heads of regional or field offices.

Delegation of authority.

Not to exceed \$1,000 of the appropriations in the Department of Commerce Appropriation Act, 1945, available for travel shall be available under regulations to be prescribed by the Secretary of Commerce for obligations incurred by officers and employees of the Department of Commerce for traveling expenses of returning members of their immediate families from outlying Territories and possessions of the United States to their former homes in the United States or points of not further distance, since the outbreak of hostilities in December

Travel expenses of families returning to U. S.

1941, regardless of the fiscal year during which such obligations were incurred.

Citation of title.

This title may be cited as the "Department of Commerce Appropriation Act, 1946".

The Judiciary Appropriation Act, 1946.
Post, p. 634.

TITLE IV—THE JUDICIARY

UNITED STATES SUPREME COURT

Salaries: For the Chief Justice and eight Associate Justices; Reporter of the Court; and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, \$499,100.

Rules for criminal proceedings.
58 Stat. 151.

The unexpended balance of the appropriation "Preparation of rules for criminal proceedings, Supreme Court", fiscal year 1944, continued in the First Deficiency Appropriation Act, 1944, is hereby made available for the fiscal year 1946.

Printing and binding: For printing and binding for the Supreme Court of the United States, \$37,000, to be expended as required without allotment by quarters, and to be executed by such printer as the Court may designate.

Miscellaneous expenses: For miscellaneous expenses of the Supreme Court of the United States, to be expended as the Chief Justice may approve, \$34,900, of which amount not to exceed \$1,600 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Structural and mechanical care of the building and grounds: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U. S. C. 13a-13d), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances, special clothing for workmen; purchase of waterproof wearing apparel; and personal and other services (including temporary labor without reference to the Classification and Retirement Acts, as amended), and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 and 3744 of the Revised Statutes (41 U. S. C. 5, 16), \$74,800.

48 Stat. 668.

41 U. S. C., Supp.
IV, § 16.

UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Reimbursements to credit of D. C.

Sixty per centum of the expenditures for the District Court of the United States for the District of Columbia from all appropriations under this title and 30 per centum of the expenditures for the United States Court of Appeals for the District of Columbia from all appropriations under this title shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia.

Repairs and improvements, District Court of the United States for the District of Columbia: For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$10,300, to be expended under the direction of the Architect of the Capitol.

Repairs and improvements, United States Court of Appeals for the District of Columbia: For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$2,500, to be expended under the direction of the Architect of the Capitol.

COURT OF CUSTOMS AND PATENT APPEALS

Salaries: Presiding judge and four associate judges and all other officers and employees of the court, \$111,600.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; drugs, chemicals, cleansers, furniture; and for such other miscellaneous expenses as may be approved by the presiding judge, \$3,300: *Provided*, That not to exceed \$180 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

Printing and binding: For printing and binding, \$6,700.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

UNITED STATES CUSTOMS COURT

Salaries: Presiding judge and eight judges; and all other officers and employees of the court, \$233,200.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, \$13,000: *Provided*, That traveling expenses of judges of the Customs Court shall be paid upon the written certificate of the judge: *Provided further*, That not to exceed \$500 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

Traveling expenses.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Printing and binding: For printing and binding, \$1,000.

COURT OF CLAIMS

Salaries: Chief justice and four judges, seven regular and five additional commissioners, and all other officers and employees of the court, \$300,000, including the compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (28 U. S. C. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930, and as also amended by an Act approved July 1, 1944.

Additional commis-
sioners.

46 Stat. 799.
28 U. S. C., Supp.
IV, §§ 270, 275a.

58 Stat. 663.
41 U. S. C., Supp.
IV, § 114.

Contingent expenses: For stationery, court library, repairs, fuel, electric light, traveling expenses, and other miscellaneous expenses, \$45,000: *Provided*, That not to exceed \$500 of this appropriation shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Printing and binding: For printing and binding, \$33,000.

Repairs and improvements: For necessary repairs and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, \$6,500.

TERRITORIAL COURTS

Hawaii: For salaries of the chief justice and two associate justices of the Supreme Court of the Territory of Hawaii, of judges of the circuit courts in Hawaii, and of judges retired under the Act of May 31, 1938, \$96,500.

52 Stat. 691.
48 U. S. C. §§ 634b,
634c.

MISCELLANEOUS ITEMS OF EXPENSE

Salaries of judges: For salaries of circuit judges; district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, one in the Virgin Islands, and one in the Panama Canal Zone); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, \$3,200,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto whether active or retired.

Salaries of clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, \$2,635,000.

No part of any appropriation in this Act shall be used to pay the cost of maintaining an office of the clerk of the United States District Court at Anniston, Alabama; Florence, Alabama; Jasper, Alabama; Gadsden, Alabama; Grand Junction, Colorado; Montrose, Colorado; Durango, Colorado; Sterling, Colorado; Newnan, Georgia; Benton, Illinois; Salina, Kansas; Chillicothe, Missouri; Roswell, New Mexico; Bryson City, North Carolina; Shelby, North Carolina; Ardmore, Oklahoma; Guthrie, Oklahoma; Aberdeen, South Dakota; Pierre, South Dakota; Deadwood, South Dakota; Ogden, Utah; Casper, Wyoming; Evanston, Wyoming; or Lander, Wyoming; but this paragraph shall not be so construed as to prevent the detail during sessions of court of such employees as may be necessary from other offices to the offices named herein.

Probation system, United States courts: For salaries of probation officers and their clerical assistants, as authorized by the Act entitled "An Act to amend the Act of March 4, 1925, chapter 521, and for other purposes", approved June 6, 1930 (18 U. S. C. 726), \$1,173,000: *Provided*, That nothing herein contained shall be construed to abridge the right of the district judges to appoint probation officers, or to make such orders as may be necessary to govern probation officers in their own courts: *Provided further*, That no part of this appropriation shall be used to pay the salary or expenses of any probation officer who, in the judgment of the senior or presiding judge certified to the Attorney General, fails to carry out the official orders of the Attorney General with respect to supervising or furnishing information concerning any prisoner released conditionally or on parole from any Federal penal or correctional institution.

Salaries of criers: For salaries of criers as authorized by the Act of December 7, 1944 (Public Law 468), and Acts of March 3, 1911, and March 3, 1891, as amended (28 U. S. C. 224 and 547), \$200,000.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (18 U. S. C. 591), including fees and expenses of conciliation commissioners, United States courts, including the objects and subject to the conditions specified for such fees and expenses of conciliation commissioners in the Department of Justice Appropriation Act, 1937, \$450,000.

Fees of jurors: For mileage and per diems of jurors; meals and lodging for jurors when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (31 Stat. 362), and compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court, \$1,600,000: *Provided*, That the compensation of jury commissioners for the District of Columbia shall conform to the provisions of title 18, chapter 10, section 341, of the Code of the District of Columbia, but such compensation shall not exceed \$250 each per annum.

Retired judges.
36 Stat. 1161.
28 U. S. C., Supp.
IV, § 375.
46 Stat. 737.
28 U. S. C. § 296
note.

Clerks' offices.
Restriction on use
of funds.

Detail of employees.

46 Stat. 503.

Appointment, etc.,
of probation officers.

Failure to carry out
Attorney General's
orders.

Post, p. 634.

58 Stat. 796.
28 U. S. C., Supp.
IV, § 9.
35 Stat. 1133, 1167;
26 Stat. 829.

49 Stat. 1327.

Jury commissioners.

41 Stat. 558.
D. C. Code § 11-
1401.

Miscellaneous salaries: For salaries of all officials and employees of the Federal judiciary, not otherwise specifically provided for, \$1,400,000: *Provided*, That the compensation of secretaries and law clerks of circuit and district judges (exclusive of any temporary additional compensation) shall be fixed by the Director of the Administrative Office without regard to the Classification Act of 1923, as amended, except that the salary of a secretary shall conform with that of the main (CAF-4), senior (CAF-5), or principal (CAF-6) clerical grade, or assistant (CAF-7), or associate (CAF-8) administrative grade, as the appointing judge shall determine, and the salary of a law clerk shall conform with that of the junior (P-1), assistant (P-2), associate (P-3), full (P-4), or senior (P-5) professional grade, as the appointing judge shall determine, subject to review by the judicial council of the circuit if requested by the Director, such determination by the judge otherwise to be final: *Provided further*, That (exclusive of any temporary additional compensation) the aggregate salaries paid to secretaries and law clerks appointed by one judge shall not exceed \$6,500 per annum, except in the case of the senior circuit judge of each circuit and senior district judge of each district having five or more district judges, in which case the aggregate salaries shall not exceed \$7,500.

Miscellaneous expenses (other than salaries): For miscellaneous expenses of the United States courts and their officers; purchase of lawbooks, books of reference, and periodicals; purchase of firearms and ammunition; purchase of envelopes without regard to the Act of June 26, 1906 (34 Stat. 476); and not to exceed \$84,000 for deposit in the general fund of the Treasury for cost of penalty mail for the United States courts and the Administrative Office of the United States Courts as required by section 2 of the Act of June 28, 1944 (Public Law 364); \$540,000.

Traveling expenses: For all necessary traveling expenses, not otherwise provided for, incurred by the Judiciary, including traveling expenses of probation officers and their clerks, and transfer of household goods and effects as provided by the Act of October 10, 1940, \$620,000: *Provided*, That this sum shall be available, in an amount not to exceed \$4,000, for expenses of attendance at meetings concerned with the work of Federal probation when incurred on the written authorization of the Director of the Administrative Office of the United States Courts: *Provided further*, That United States probation officers may be allowed, in lieu of actual expenses of transportation, not to exceed 4 cents per mile for the use of their own automobiles for transportation when traveling on official business within the city limits of their official station.

Printing and binding: For printing and binding for the Administrative Office and Courts of the United States, \$89,000.

Salaries, court reporters: For salaries of court reporters for the district courts of the United States, as authorized by the Act of January 20, 1944 (Public Law 222), \$700,000.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Salaries: For the Director of the Administrative Office of the United States Courts, the Assistant Director, and for other personal services in the District of Columbia and elsewhere, as may be necessary to enable the Director to carry into effect the provisions of the Act entitled "An Act to provide for the administration of the United States courts, and for other purposes", approved August 7, 1939 (53 Stat. 1223), \$249,000: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia, the Director shall

Secretaries and law clerks.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post., p. 298 *et seq.*

39 U. S. C. § 355.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

54 Stat. 1105.
5 U. S. C. § 73c-1.
Attendance at meetings.

Probation officers.
Allowance for use of
own automobiles.

58 Stat. 6.
28 U. S. C., Supp.
IV, § 9a (c).

28 U. S. C. §§ 444-
450.
Personal services.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*

fix compensation according to the Classification Act of 1923, as amended.

Miscellaneous expenses: For stationery, supplies, materials and equipment, freight, express, and drayage charges, washing towels, advertising, purchase of lawbooks and books of reference, periodicals and newspapers, communication service and postage; for the maintenance, repair, and operation of one motor-propelled delivery truck; for rent in the District of Columbia, and elsewhere; for official traveling expenses, including examination of estimates for appropriations in the field, and other miscellaneous expenses, not otherwise provided for, necessary to effectively carry out the provisions of the Act providing for the administration of the United States courts, and for other purposes, \$26,000.

"Circuit court of appeals."

"Senior circuit judge."

"Circuit judge."
"Judge."

As used in this title, the term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "senior circuit judge" includes the Chief Justice of the United States Court of Appeals for the District of Columbia; the term "circuit judge" includes associate justice of the United States Court of Appeals for the District of Columbia; and the term "judge" includes justice.

U. S. Court of Appeals, D. C., reports.

Marking of books.

The reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume: *Provided*, That all books purchased hereunder for United States judges and other judicial officers shall be marked plainly "The Property of the United States", and such books shall in all cases be transmitted to their successors in office.

Citation of title.

This title may be cited as "The Judiciary Appropriation Act, 1946".

Federal Loan Agency Appropriation Act, 1946.
Post, p. 635.

TITLE V—FEDERAL LOAN AGENCY

OFFICE OF THE ADMINISTRATOR

Ante, p. 5.

Administrative expenses: Of the funds available for administrative expenses to the agencies placed under the direction and supervision of the Federal Loan Administrator by Public Law 4, Seventy-ninth Congress, approved February 24, 1945, \$91,000 is hereby made available to the Administrator for administrative expenses of supervising such agencies, including personal services in the District of Columbia and elsewhere; printing and binding (\$2,500); lawbooks, books of reference, and periodicals; not to exceed \$10,000 for the temporary employment of persons or organizations for special services by contract or otherwise without regard to section 3709 of the Revised Statutes and the civil-service and classification laws: *Provided*, That none of the funds made available by this Act for administrative expenses of said agencies shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant, and all such expenditures shall be accounted for and audited in accordance with the Budget and Accounting Act, as amended.

41 U. S. C. § 5.

Establishment of appropriation account.

42 Stat. 20.
31 U. S. C. § 1;
Supp. IV, § 16 *et seq.*

RECONSTRUCTION FINANCE CORPORATION

Administrative expenses.
Post, p. 635.
15 U. S. C. § 601;
Supp. IV, § 601 *et seq.*

Not to exceed \$33,000,000 of the funds of the Reconstruction Finance Corporation, established by the Act of January 22, 1932 (47 Stat. 5), shall be available during the fiscal year 1946 for its administrative expenses and the administrative expenses of Defense Plant Corporation, Defense Supplies Corporation, Disaster Loan Corporation, Federal National Mortgage Association, Metals Reserve Company, The RFC Mortgage Company, Rubber Reserve Company, and War Dam-

age Corporation, including personal services in the District of Columbia and elsewhere; maintenance and operation of aircraft; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; lawbooks, books of reference, and not to exceed \$1,700 for periodicals and newspapers; rent in the District of Columbia; use of the services and facilities of the Federal Reserve banks; and not to exceed \$131,250 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364): *Provided*, That all necessary expenses (including services performed on a force account, contract, or fee basis, but not including other personal services except those which the corporations' prescribed accounting system requires to be capitalized) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said corporations, or in which they have an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That notwithstanding any other provisions of this Act, except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the corporations shall be incurred, allowed, and paid in accordance with the provisions of said Act of January 22, 1932, as amended.

This title may be cited as the "Federal Loan Agency Appropriation Act, 1946".

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment, the salary or wages for which are paid from any appropriation contained in this Act, shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 602. This Act may be cited as the "Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency Appropriation Act, 1946".

Approved May 21, 1945.

[CHAPTER 130]

AN ACT

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, 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 following sums are appropriated, out of any money in the Treasury not other-

44 Stat. 688.
5 U. S. C., Supp.
IV, § 823.

58 Stat. 394.
5 U. S. C., Supp.
IV, § 321d.
Nonadministrative
expenses.

Payment of obliga-
tions.

47 Stat. 5.
15 U. S. C. § 601;
Supp. IV, § 601 et seq.
Citation of title.

Persons advocating
overthrow of U. S.
Government.

Affidavit.

Penalty.

Short title.

May 29, 1945
[H. R. 2907]
[Public Law 62]

Naval Appropriation
Act, 1946.
Post, p. 428.

wise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1946, namely:

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

For traveling expenses of civilian employees, including travel of dependents of employees to and from navy yards or stations outside the continental limits of the United States; expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy (hereafter in this Act referred to as the Secretary), such attendance would be of benefit in the conduct of the work of the Navy Department; physical examinations by civilian physicians and in other than naval hospitals of civilian employees engaged in hazardous occupations; expenses of courts and boards; purchase of law and reference books; expenses of prisoners and prisons; clerical assistance; witnesses' fees and traveling expenses; promoting accident prevention and safety in shore establishments of the Navy, to be expended in the discretion of the Secretary; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Naval Personnel); costs of suits; maintenance of attachés and others abroad, including office rental and pay of employees, and not to exceed \$900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a); contingencies for the Director of Naval Intelligence, to be expended in his discretion, not to exceed \$2,000; collection and classification of information pertaining to Naval Intelligence; telephone, telegraph, and teletype rentals and tolls (including not to exceed \$300 for extension telephones between the telephone switchboards at the official stations of naval officials and the living quarters of such officials), telegrams, radiograms, and cablegrams for the Navy Department and the naval service; postage, foreign and domestic and post-office box rentals; microphotographic services; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; payment of claims for damages as provided in the Act approved July 11, 1919 (34 U. S. C. 600), and for the payment of claims of civilian employees of the Naval Establishment as provided in the Act approved October 27, 1943 (34 U. S. C. 984), which have not been or may be eligible for payment under the provisions of the Act approved March 27, 1942 (15 U. S. C. 606b-2); and other necessary and incidental expenses; in all, \$40,500,000.

Physical examination of civilian employees.

Living quarters.

46 Stat. 818.

Interned persons and prisoners of war.

Damage claims.

41 Stat. 132.
34 U. S. C., Supp.
IV, § 600 note.

57 Stat. 582.
34 U. S. C., Supp.
IV, §§ 984-989.
Post, pp. 578, 662.
56 Stat. 175.
15 U. S. C., Supp.
IV, § 606b-2.

CONTINGENT, NAVY

For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at the seat of government, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary, and his determination shall be final and conclusive upon the accounting officers of the Government, and for examination of estimates for appropriations and of

naval activities in the field for any branch of the naval service, \$145,000.

NAVAL EMERGENCY FUND

For any naval object and purpose, whether or not provided for under other naval appropriations, which the Secretary may deem essential to the war effort, \$4,000,000.

NAVAL RESEARCH LABORATORY

For research and other necessary work of the Naval Research Laboratory for the benefit of the naval service, operation and maintenance of a laboratory, additions to equipment, maintenance of buildings and grounds, temporary employment of such scientific and technical civilian assistants as may become necessary at rates of pay not exceeding \$25 per diem for any person so employed; reference books and subscriptions to technical periodicals, to be expended under the direction of the Secretary, \$4,390,000.

OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

To enable the Secretary to carry out the provisions contained in the Act approved June 4, 1920, as amended (34 U. S. C. 524), requiring him to explore, prospect, conserve, develop, use, and operate the naval petroleum reserves, and to drill and equip exploratory wells in Naval Petroleum Reserve Numbered 4, \$1,185,000: *Provided*, That out of any sums appropriated for naval purposes by this Act, any portion thereof, not to exceed \$10,000,000, shall be available to enable the Secretary to protect Naval Petroleum Reserve Numbered 1, by drilling wells and performing any work incident thereto: *Provided further*, That no part of the sum made available in the foregoing provision for the protection of Naval Petroleum Reserve Numbered 1 shall be expended if satisfactory agreement or agreements can be made with owners of land within or adjoining said Reserve Numbered 1 not to drill wells for the purpose of producing oil or gas.

41 Stat. 813.
34 U. S. C., Supp.
IV, § 524.
Post, pp. 465, 466.
Post, pp. 426, 465,
466.

Agreements with
landowners.

OCEAN AND LAKE SURVEYS, NAVY

For hydrographic surveys, including pay of hydrographic surveyors, cartographic draftsmen, and recorders, and for purchase of nautical books, charts, and sailing directions, \$125,000.

BUREAU OF NAVAL PERSONNEL

TRAINING, EDUCATION, AND WELFARE, NAVY

Naval War College: For maintenance, operation, and other necessary expenses of the Naval War College; services of a professor of international law, \$2,000; services of lecturers, \$2,000; library expenses, including purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; and not exceeding \$1,000 for contingencies of the president of the Naval War College to be expended in his discretion, \$175,000;

Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow:

Naval training
stations.

San Diego, California, \$2,170,000;
Newport, Rhode Island, \$1,152,000;
Great Lakes, Illinois, \$5,700,000;
Norfolk, Virginia, \$630,000;
Lake Seneca, New York, \$1,000,000;
Port Deposit, Maryland, \$4,038,000;

Fleet training.

Fleet training: For trophies and badges for excellence in gunnery, target practice, communication, engineering exercises, and economy in fuel consumption, to be awarded under such rules as the Secretary may formulate; recording, classifying, compiling, and publishing the rules and results; establishment and maintenance of shooting galleries, target houses, targets, and ranges; hiring established ranges; entrance fees in matches for the rifle team, and special equipment therefor; \$320,000;

Instruction.

Instruction: For postgraduate instruction of officers in other than civil government and literature, including such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (34 U. S. C. 1073), and special instruction and education, including rental, maintenance, and operation of property for instruction purposes, and individual training of officers and enlisted personnel at home and abroad, including maintenance of students abroad, except aviation and submarine training otherwise appropriated for, \$23,000,000: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of any expense incident to giving special educational courses or postgraduate instruction to officers with view to qualifying them or better qualifying them for the performance of duties required to be performed by or in pursuance of law by officers of the Supply Corps, the Corps of Civil Engineers, and officers assigned to engineering duty only, except present students and except such officers who are commissioned in such corps or have been assigned to engineering duty only or who have not been commissioned in the line of the Navy more than three years and four months prior to the commencement of such educational courses or postgraduate instruction;

49 Stat. 1092.
34 U. S. C. §§ 1073-1073e; Supp. IV, §§ 1073c-1, 1073d.

Special educational courses.

Libraries.

Libraries: For libraries, including professional books, textbooks, and religious books for ships and shore stations not otherwise appropriated for, \$2,877,196;

Welfare and recreation.

Welfare and recreation: For welfare and recreation of the Navy, including periodicals and newspaper subscriptions, to be expended in the discretion of the Secretary, \$15,124,000;

Naval Reserve Officers' Training Corps.

Naval Reserve Officers' Training Corps: For all expenses incident to the conduct of the Naval Reserve Officers' Training Corps under such regulations as the President has prescribed or hereafter may prescribe under the provisions of section 22 of the Act approved March 4, 1925, as amended by the Act of August 6, 1937 (34 U. S. C. 821), \$658,000: *Provided*, That uniforms and other equipment or material issued to the Naval Reserve Officers' Training Corps in accordance with law may be furnished from surplus or reserve stocks of the Navy without payment under this appropriation, except for actual expenses incurred in the manufacture or issue;

43 Stat. 1276; 50 Stat. 563.
34 U. S. C., Supp. IV, § 821.
Ante, p. 3.
Furnishing of uniforms, etc.

In all, training, education, and welfare, Navy, \$56,844,196.

MISCELLANEOUS EXPENSES, BUREAU OF NAVAL PERSONNEL

For all miscellaneous expenses, including supplies for seamen's quarters; commissions, warrants, diplomas, discharges, good-conduct badges, medals, and identification tags, \$90,000.

NAVAL RESERVE

For all expenses not otherwise provided for, authorized by the "Naval Reserve Act of 1938", as amended, and the "Naval Aviation Cadet Act of 1942" (56 Stat. 737), in connection with organizing, administering, recruiting, instructing, training, and drilling the Naval Reserve, including designing, purchasing, and engraving of medals and trophies; medical supplies and equipment; purchase,

52 Stat. 1175.
34 U. S. C. § 853j;
Supp. IV, §§ 853 et seq.,
850a note.

maintenance, and operation of ambulances; aviation matériel, equipment, and fuel in connection with aviation activities of the Naval and Marine Corps Reserve; maintenance and operation of floating equipment; rental, maintenance, and operation of such shore stations as may be required in connection with Naval Reserve activities; \$138,000,000: *Provided*, That no appropriation in this Act shall be available for pay, allowances, travel, or other expenses of any officer or enlisted person of the Naval or Marine Corps Reserve who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States, and "retired pay" as here used shall not include the pay of members of the Fleet Reserve, Fleet Marine Corps Reserve, or members on the honorary retired list of such Reserve forces.

Pay, allowances,
etc., restrictions.

NAVAL ACADEMY

Pay, Naval Academy: For pay of employees, professors, and instructors, including one professor as librarian, and such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (34 U. S. C. 1073), \$1,549,000: *Provided*, That this appropriation shall not be available for the employment of more than fourteen masters and instructors in swordsmanship and physical training.

49 Stat. 1092.
34 U. S. C. §§ 1073-
1073e; Supp. IV,
§§ 1073c-1, 1073d.

Maintenance, Naval Academy: For all expenses necessary for maintenance and operation of the Naval Academy; expenses of lecturers and entertainment (not exceeding \$3,000); expenses of the Board of Visitors to the Naval Academy; contingencies for the Superintendent of the Naval Academy (not exceeding \$5,200) and for the Commandant of Midshipmen (not exceeding \$1,200), to be expended in their respective discretions; reference books, newspapers, periodicals, apparatus, equipment, and necessary supplies; purchase without regard to section 3709, Revised Statutes, binding, and repairs of books for the library; \$1,858,611, of which amount \$2,000 shall be available exclusively for the care of a collection of ship models.

41 U. S. C. § 5.

NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

For all salaries and expenses necessary for the maintenance and operation of the Naval Home and plot in cemetery, including burial expenses and headstones; music in chapel and entertainment for beneficiaries; transportation of indigent, destitute, sick, and insane beneficiaries and their attendants and necessary subsistence for both; employment and support of such beneficiaries; and maintenance, repair, and operation of one motor-propelled passenger-carrying vehicle; \$263,250.

NAVAL PRISON FARMS AND PRISON PERSONNEL

For operation, maintenance, and improvement of naval prison farms and welfare, recreation, and education of prison personnel, to be expended under such regulations as the Secretary may prescribe, \$36,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725e.

BUREAU OF SHIPS

MAINTENANCE, BUREAU OF SHIPS

For designing hulls, machinery, and equipment of naval vessels, except armament; experimental, developmental, and research work; payment on a strictly part-time or intermittent employment basis in

Post, p. 426.

the District of Columbia, or elsewhere, solely under the Bureau of Ships, of such scientists and technicians as may be contracted for by the Secretary, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed; maintenance, repairs, renewal, and alterations of hulls, machinery, and equipment of naval vessels, nonnaval vessels operated for naval requirements, and yard and district craft except machinery and equipment under the cognizance of other bureaus; docking of vessels; maritime salvage services and other purposes in connection therewith authorized by law; relief of vessels in distress; hire of lighters, tugs, and small craft; pay, subsistence, and incidental expenses of civilian crews temporarily employed on naval vessels; equipage, appliances, supplies, materials, and services, at home and abroad, under the cognizance of the Bureau of Ships; searchlights and fire-control equipment for anti-aircraft defense at shore stations; maintenance and operation of the Naval Communication Service (including teletype), the experimental model basin, Carderock, Maryland, and the engineering experiment station, Annapolis, Maryland, including maintenance and equipment of buildings and grounds and appurtenances; purchase, installation, repair, and preservation of machine tools, plant appliances, and equipment (including furniture in industrial activities) in naval establishments or private plants; accident prevention; incidental expenses for naval vessels, navy yards and stations, and other activities under the cognizance of the Bureau of Ships, such as photographing, plans, stationery, drafting instruments and other materials; and technical books and publications for said Bureau; \$2,790,000,000: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore, except for messes temporarily set up on shore for bachelor officers and officers attached to seagoing or district defense vessels, to aviation units based on seagoing vessels, to the fleet air bases, to the submarine bases, or to landing forces and expeditions.

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, NAVY

Expediting production.

For developing, procuring, producing, preserving, and handling ordnance supplies, material, and equipment for naval purposes; for essential equipment, facilities, machine tools, including replacements, and services at naval or private establishments to expedite the production of ordnance material; minor improvements (not to exceed \$20,000 upon any building project of a permanent character), maintenance, operation, and other necessary expenses of naval ordnance shore activities; technical books and periodicals; maintenance, repair, and operation of motor-propelled and other freight and passenger-carrying vehicles at such activities; target practice; payment on a strictly part-time or intermittent employment basis in the District of Columbia, or elsewhere, solely under the Bureau of Ordnance, of such scientists and technicians as may be contracted for by the Secretary in his discretion at a rate of pay not exceeding \$25 per diem for any person so employed, and for care and operation of schools at four ordnance stations; \$3,000,000,000.

Care and operation of schools.

Ante, p. 87.

For an additional amount for "Ordnance and ordnance stores, Navy", fiscal year 1945, including the objects and subject to the conditions applicable to the appropriations under this head in the Naval Appropriation Act, 1945, \$180,000,000.

58 Stat. 306.

Anti-aircraft defense at shore stations.

Machine tools, plant appliances, etc.

Tableware, etc., in officers' quarters.

BUREAU OF SUPPLIES AND ACCOUNTS

PAY AND SUBSISTENCE OF NAVAL PERSONNEL

For pay and allowances and subsistence prescribed by law for naval personnel, including reserves on active duty—

Pay and allowances: Officers, active duty, no part of which shall be available for increased pay for making aerial flights, by more than ninety-one officers above the rank of captain nor by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers; midshipmen; officers, retired, inactive; enlisted personnel, active, including cash prizes for men for excellence in gunnery, target practice, communication, engineering competition and additional pay for duty as messmen; enlisted men, retired, inactive; men of the Fleet Reserve, inactive; nurses, female, active; nurses, female, retired, inactive; six months' death gratuity, officers, nurses, and enlisted personnel; cash allowances for uniforms for officers; clothing furnished annually to enlisted personnel and issued in kind to members of the Navy Nurse Corps, or cash in lieu thereof; civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement in kind or in cash as authorized by law to persons in the naval service, for personal property lost, destroyed, or damaged; including reimbursement, under rules prescribed by the Secretary, of naval personnel who furnish from their personal stock subsistence and clothing to shipwrecked and destitute persons; purchase of medals, crosses, bars, emblems, and other insignia; miscellaneous items, including hire of quarters for officers serving with troops where sufficient quarters are not possessed by the United States to accommodate them; rent of quarters for members of the Nurse Corps; and hire of quarters for naval personnel, comparable to quarters assignable on a capital ship, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel; interest on deposits by enlisted personnel; losses in the accounts of Navy, Marine Corps, and Coast Guard officers certified under the Act of July 11, 1919 (31 U. S. C. 105), and the Act of June 10, 1921 (31 U. S. C. 104), and payments in settlement of claims under the Act of January 2, 1942 (31 U. S. C. 224d); total pay and allowances, \$6,061,770,000: *Provided*, That, except for the public quarters occupied by the Chief of Naval Operations, the Superintendent of the Naval Academy, and the Commandant of the Marine Corps, and messes temporarily set up on shore for officers attached to seagoing vessels, aviation units based on seagoing vessels (including officers' messes at naval air stations), submarine bases, overseas bases (including Alaska), mobile hospitals, landing forces and expeditions, and such bachelor officers' quarters and messes as may be specifically designated by the Secretary and, in addition, not to exceed three hundred in number at such other places as shall be designated by the Secretary, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil

Pay and allowances.

Personal property losses, reimbursement.

Quarters for personnel.

Quarters for dependents, restriction.

41 Stat. 132; 42 Stat. 24.

55 Stat. 880.
31 U. S. C., Supp. IV, § 224d.
Post, p. 511.
Enlisted men or civil employees as household servants.

employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department;

Subsistence.

Subsistence: For provisions for messes, subsistence in messes, commuted rations, including commuted rations for enlisted personnel on leave at 65 cents per diem, and other subsistence in kind; midshipmen's rations at 85 cents per diem; subsistence in kind in hospital messes of female nurses, hospital corpsmen, and other enlisted personnel on duty in hospitals, active duty enlisted personnel, active and inactive retired enlisted personnel and members of the Fleet Reserve when sick and in hospitals, credited, when applicable, to the appropriation "Medical Department, Navy", at the rate of 80 cents per ration; subsistence of supernumeraries on naval vessels because of war conditions, including expenses heretofore incurred for such purpose; subsistence of Navy and Marine Corps general courts-martial prisoners undergoing imprisonment; money allowances for subsistence and quarters of enlisted personnel when not furnished quarters or subsistence in kind, and for enlisted personnel absent from messes on temporary duty not involving travel (during which time all other subsistence shall be stopped); total subsistence, \$674,457,000;

Total.

In all, for pay and subsistence of naval personnel, \$6,736,227,000, and the money herein specifically appropriated for "Pay and subsistence, Navy", shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That hereafter additional commissioned, warranted, appointed, enlisted, and civilian personnel of the Medical Department of the Navy, required for the care of patients of the United States Veterans Administration in naval hospitals, may be employed in addition to the numbers annually appropriated for: *Provided further*, That during the present emergency qualified enlisted men of the Navy, Naval Reserve, and Marine Corps may be appointed to the Naval Academy after nine months of service.

Care of Veterans Administration patients.

Appointment of enlisted men to Naval Academy.

TRANSPORTATION AND RECRUITING NAVAL PERSONNEL

Transportation and recruiting: For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers and nurses while traveling under orders, including expenses when on duty with traveling recruiting parties, and the cost of a compartment or such other accommodations as may be authorized by the Secretary for security when secret documents are transported by officer messenger or when valuable naval property is transported as hand baggage by personnel of the Naval Establishment, and expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary, such attendance would be of benefit in the conduct of the work of the Navy Department; for mileage at 5 cents per mile to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment, and for transportation of midshipmen, including reimbursement of traveling expenses, while traveling under orders after appointment, and transportation in kind and subsistence to discharged midshipmen; travel allowance or transportation and subsistence of enlisted personnel upon discharge, including,

Secret documents.

Midshipmen.

enlisted personnel discharged on medical survey to their homes if residents of the United States; transportation of enlisted personnel and applicants for enlistment at home and abroad and insane supernumerary patients to hospitals, all with subsistence and transfers en route or cash in lieu thereof; expenses of funeral escorts of naval personnel and apprehension and delivery of deserters and stragglers, and for railway, steamship, and airway guides and expenses incident to transportation; transportation of dependents of officers and enlisted personnel, including those of retired and Reserve officers, and of retired and Reserve enlisted personnel of grades entitled to transportation of dependents in the Regular Navy when ordered to active duty (other than training) and upon release therefrom; for actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of the shore-patrol detachment; for all necessary expenses for recruiting for the naval service, including lodging and subsistence of applicants, rent of rendezvous and expenses of maintaining the same, and advertising for and obtaining men; total transportation, \$262,885,000: *Provided*, That the Secretary, in prescribing per diem rates of allowance in accordance with law, is hereby authorized to prescribe such per diem, whether or not orders are given to officers for travel to be performed repeatedly between two or more places in the same vicinity and without regard to the length of time away from their designated posts of duty under such orders, and also the actual and necessary expenses or per diem in lieu thereof as he may determine and approve for naval personnel on special duty in foreign countries, including per diem allowances, not exceeding \$7, to naval personnel of, or under training for, the Naval Air Transport Service while on such duty or training away from their permanent stations.

Transportation of dependents.

Per diem rates of allowance.

MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including scientific investigations, commissions, interest, and exchange; ferriage and bridge tolls, including streetcar fares; rent of buildings and offices not in navy yards for naval purposes, not otherwise provided for, and for other Government agencies as necessitated by their vacation of Government-owned property for naval use; accident prevention; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; payment on a strictly part-time or intermittent employment basis in the District of Columbia or elsewhere, solely under the Bureau of Supplies and Accounts, of such specialists as may be contracted for by the Secretary, at a rate of pay not exceeding \$25 per diem for any person so employed; packing, unpacking, and local handling, as authorized by law, of household goods and effects of civilian and naval personnel of the Naval Establishment; ice and mechanical devices for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards); \$503,347,800: *Provided*, That without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Navy and Marine Corps on disbursing duty and charged in their official accounts may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts: *Provided further*, That during the fiscal year 1946 the dependents and household effects of such personnel of the Naval Establishment on duty at

Specialists.

Use of receipts for expenditures.

Transportation of dependents, etc.

stations outside the continental limits of the United States, and in Alaska, as may be determined upon by the Secretary, may, prior to the issuance of orders for the relief of such personnel from their stations, be moved (including packing and unpacking of household effects) to such locations in continental United States as may be selected by the Secretary, by the use of either Government or commercial means of transportation, and later from such locations to the duty stations to which such personnel may be ordered, and current appropriations of the Naval Establishment available for travel and transportation may be used for this purpose.

TRANSPORTATION OF THINGS

For transportation of things (as defined by Budget-Treasury Regulation Numbered 1) pertaining to the Navy (excluding Marine Corps and Coast Guard), \$550,000,000.

FUEL, NAVY

For coal and other fuel for submarine bases and steamers' and ships' use, including expenses of storage and handling the same and the removal of fuel refuse from ships; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels, and ice for the cooling of water, including expense of transportation and storage of both; \$250,000,000.

NAVAL PROCUREMENT FUND

During the fiscal year ending June 30, 1946, advances by check or warrant and reimbursements to the Naval Procurement Fund from naval appropriations may be made on the basis of the estimated cost of a project without further accounting distribution of expenditures to the individual appropriations involved.

BUREAU OF MEDICINE AND SURGERY

MEDICAL DEPARTMENT

For equipment, supplies, maintenance, and operation of Medical Department activities ashore and afloat, including repairs, minor extensions, and improvements of buildings and grounds thereof (not to exceed \$20,000 upon any building project of a permanent character), and compensation of employees; tolls and ferriage; necessary instruction of personnel, including equipment; issuance of medical bulletins and information; laundry supplies and services; maintenance, operation, and repair of motor-propelled busses; care of the dead as authorized by law, including transportation; purchase of technical books and stationery; optical supplies for naval personnel under regulations prescribed by the Secretary; and other necessary expenses, including care, maintenance, and treatment of patients in naval and other hospitals, as provided by regulation; \$120,000,000.

The appropriation "Medical Department", for the fiscal year 1946 shall be available for the manufacture or production of products by patients in naval hospitals and other naval medical facilities incident to their convalescence and rehabilitation, and ownership thereof shall be vested in the patients manufacturing or producing such products, except that the ownership of such items manufactured or produced specifically for the use of a naval hospital or other naval medical facility shall be vested in the Government and such items shall be accounted for and disposed of accordingly.

Ownership of items produced by hospital patients.

BUREAU OF YARDS AND DOCKS

MAINTENANCE, BUREAU OF YARDS AND DOCKS

For the labor, materials, supplies, and facilities necessary for the general maintenance of activities and properties under the cognizance of the Bureau of Yards and Docks, including accident prevention; contingent expenses and minor extensions and improvements of public works at navy yards and stations; purchase of five hundred passenger automobiles, and purchase of motortruck chassis with station-wagon type bodies and motorbusses, maintenance, repair, rental outside continental United States (not exceeding \$5,000), and operation of passenger-carrying vehicles for the Navy Department and the Naval Establishment not otherwise provided for; payment on a strictly part-time or intermittent employment basis in the District of Columbia, or elsewhere, solely under the Bureau of Yards and Docks, of such engineers, architects, and technicians as may be contracted for by the Secretary, in his discretion, at a rate of pay not to exceed \$25 per diem for any person so employed, \$144,000,000; for expenses of operation and maintenance of housing projects maintained and operated as such by the Navy Department and developed under the provisions of the Acts of June 28, 1940 (54 Stat. 676); September 9, 1940 (54 Stat. 872); October 14, 1940 (54 Stat. 1125); March 1, 1941 (55 Stat. 14); May 24, 1941 (55 Stat. 197); and December 17, 1941 (55 Stat. 810), including utilities, roads, walks, and accessories, and expenses found necessary in the disposition of any such property or the removal of temporary housing, \$6,000,000; in all, \$150,000,000.

Housing projects.

42 U. S. C. §§ 1501-1505; Supp. IV, §§ 1501-1505, 1521-1524.

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

For public works and public utilities, Bureau of Yards and Docks, including the acquisition of necessary land, \$1,589,231,400, which, together with the unexpended balances of appropriations heretofore made under this head, shall be finally accounted for as one fund, which fund shall be available for continuing or completing the construction of any project heretofore authorized or undertaken thereunder, for acquisition or construction of temporary or emergency buildings and facilities at localities within or without the United States, needed by the Navy and specifically approved by the Secretary, including collateral public works items, projects for personal services (including group IV (b) personnel), and other expenses, and payment on a strictly part-time or intermittent employment basis in the District of Columbia or elsewhere, solely under the Bureau of Yards and Docks, of scientists, technicians, and other personnel, at not to exceed \$25 per diem.

Temporary buildings and facilities.

The Secretary of the Navy is authorized, in accordance with the provisions of the Act approved March 1, 1945 (Public Law 13), to enter into contracts for public-works equipment, materials, and construction, including collateral public-works items and the acquisition of land, in the amount of not to exceed \$974,008,413 and without regard to the provisions of section 3709, Revised Statutes: *Provided*, That \$986,000,000 of the foregoing appropriation and contractual authorization shall apply exclusively to advance base construction, material, and equipment authorized in such Act approved March 1, 1945 (Public Law 13), and \$1,500,000 for field house at United States Naval Academy, Annapolis, Maryland, including acquisition of land and accessories, as authorized by law.

Contract authorizations.
Ante, p. 9.41 U. S. C. § 5.
Advance base construction, etc.

Field house, Naval Academy.

No part of the appropriations or contract authorization in this Act under the Navy Department shall be used for a permanent type of

Permanent type of construction, restriction.

construction at any shore establishment of any character acquired subsequent to the calendar year 1938, unless such establishment shall be designated by the Secretary as a permanent establishment, and, in that event, a permanent type of construction shall be used only to meet such permanent requirements as the Secretary may approve: *Provided*, That nothing herein shall prevent construction of a type sufficiently substantial for the use intended nor apply to construction projects now under contract or in progress: *Provided further*, That no part of such appropriations or contract authorization may be used for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, for greater amounts per unit than follow:

Permanent construction:

For commissioned officer, \$10,000.

For commissioned warrant or warrant officer, \$7,500.

For enlisted man, \$6,000.

Temporary construction:

For commissioned officer, \$7,500.

For commissioned warrant or warrant officer, \$5,000.

For enlisted man, \$3,500.

The fixed fee to be paid the contractor as a result of any contract hereafter entered into under this appropriation or contract authorization shall not exceed 4 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary.

BUREAU OF AERONAUTICS

AVIATION, NAVY

For aviation, as follows: For new construction and procurement of aircraft and equipment, spare parts and accessories, including expansions of and facilities in public or private plants, \$799,128,500; for replacement of navigational and radio equipment for aircraft in service, aerological, photographic, and miscellaneous equipment, including repairs thereto, \$168,808,200; for maintenance, repair, and operation of aircraft factory, air stations, fleet and all other aviation activities, accident prevention, testing laboratories, overhauling of planes, technical books and periodicals for use in the Bureau of Aeronautics and field, outfits for aviation messes, the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, and for care and operation of a school at one air station for the children of commissioned, enlisted, and civilian personnel of the Navy, \$1,431,840,800; for continuing experiments and development work on all types of aircraft, including the payment on a strictly part-time or intermittent employment basis in the District of Columbia or elsewhere, solely under the Bureau of Aeronautics, of such scientists and technicians as may be contracted for by the Secretary, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed, \$81,272,500; in all, \$2,481,050,000: *Provided*, That the unobligated portion of the contract authorization under "Aviation, Navy, 1945" shall remain available until June 30, 1946, and in addition to the amounts herein provided, the Secretary may, prior to July 1, 1946, enter into contracts for new construction and procurement of aircraft and equipment, spare parts and accessories, to an amount not in excess of \$425,000,000: *Provided further*, That the appropriation "Aviation, Navy, 1943", shall remain available until June 30, 1946, for the payment of obligations incurred under contracts executed on or before June 30, 1943: *Provided further*, That the Secretary is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the

Exceptions.

Maximum obligations, designated units.

Contractor's fee, restriction.

Scientists and technicians.

58 Stat. 312.

New construction, etc.

56 Stat. 67.

Damage claims.

amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of \$1,000.

MARINE CORPS

PAY, MARINE CORPS

Pay of officers: For pay and allowances prescribed by law for all officers on active duty—pay and allowances, \$113,377,100, including \$12,008,800 for increased pay for making aerial flights, none of which shall be available for increased pay for making aerial flights by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers; subsistence allowance, \$17,348,200; rental allowance, \$24,555,700; in all, \$155,281,000;

Officers on active duty.

For pay of officers prescribed by law on the retired list, not on active duty, \$1,650,000;

Retired officers.

Pay of enlisted personnel: For pay and allowances of all enlisted personnel and musicians on active duty as prescribed by law; expenses of clerks of the Marine Corps traveling under orders, including not to exceed \$250 for expenses of attendance upon meetings of technical, professional, scientific, and other organizations, when, in the judgment of the Secretary, such attendance would be of benefit in the conduct of the work of the Marine Corps; additional compensation for enlisted personnel of the Marine Corps qualified as expert riflemen, sharpshooters, marksmen, aircraft machine gunners, or regularly detailed as gun captains, gun pointers, messmen; interest on deposits by enlisted personnel, post-exchange debts of deserters, and of personnel discharged or sentenced to terms of imprisonment while in debt to the United States, under such rules as the Secretary may prescribe; authorized travel allowance of discharged enlisted personnel; prizes for excellence in gunnery exercises, target practices, and communication competitions; pay of enlisted personnel designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore; and for gratuities to enlisted personnel discharged not under honorable conditions—pay and allowances, \$574,935,000; allowance for lodging and subsistence, \$11,069,000; in all, \$586,004,000;

Enlisted personnel on active duty.

For pay and allowances prescribed by law of enlisted personnel on the retired list, not on active duty, \$1,657,000;

Enlisted personnel on retired list.

For pay and allowances of personnel of the Marine Corps Reserve not on active duty, \$38,000;

Marine Corps Reserve.

For mileage, actual and necessary expenses, and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$7,000,000;

Mileage, etc.

In all, \$751,630,000, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

PAY OF CIVIL FORCE, MARINE CORPS

Pay of civil force: For personal services at the seat of government, as follows:

Offices of the Commandant of the Marine Corps and the Director of Personnel, Marine Corps, \$281,600;

Office of the Paymaster General of the Marine Corps, \$79,800;

Office of the Quartermaster General of the Marine Corps, \$334,000; in all, \$695,400.

Post, p. 426.

GENERAL EXPENSES, MARINE CORPS

For all necessary expenses for the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

- Provisions, etc. For provisions, subsistence, board, and lodging of enlisted personnel, recruits and recruiting parties, and applicants for enlistment; cash allowance for lodging and subsistence to enlisted personnel traveling on duty; ice, ice machines and their maintenance; \$108,422,000;
- Clothing. For clothing for enlisted personnel and for civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude, \$132,469,000;
- Fuel, etc. For fuel, heat, light, and power, including sales to officers, \$5,640,000;
- Military supplies, etc. For military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted personnel by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions; \$244,544,000;
- Transportation, etc. For transportation of troops and applicants for enlistment, including cash in lieu of ferrriage and transfers en route, toilet kits for issue to recruits upon their first enlistment and other incidental expenses of the recruiting service; and transportation for dependents of officers and enlisted personnel; \$26,424,000;
- Barracks, quarters, etc. For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; leasing and improvement of buildings at such places as the public exigencies require; and erection of temporary buildings upon approval of the Secretary at a total cost of not to exceed \$70,000 during the year; \$4,000,000;
- Forage and stabling. For forage and stabling of public animals and the authorized number of officers' horses, \$75,000;
- Miscellaneous supplies. For miscellaneous supplies, material, equipment, personal and other services, and other incidental expenses for the Marine Corps not otherwise provided for; purchase and repair of furniture and fixtures; and purchase (not to exceed thirty in addition to motortruck chassis with station-wagon type bodies, motorbusses, and motorcycles) and repair of passenger-carrying and other vehicles, including parts; veterinary services, shoeing, and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers, enlisted personnel, accepted applicants for enlistment, and retired officers on active duty, including transportation of their bodies, arms, and wearing apparel from the place of demise to their homes in the United States; construction, operation, and maintenance of laundries; and care and operation of schools at Marine Corps posts; \$77,193,000;
- Vehicles.
- Schools.

In all, \$598,767,000, to be accounted for as one fund, and of such sum \$50,000,000 shall be immediately available.

INCREASE AND REPLACEMENT OF NAVAL VESSELS

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part); on account of the acquisition, conversion, alteration, and repair of vessels heretofore authorized (and appropriated for in part); and for the replacement of combatant vessels as authorized by the Act of July 9, 1942; for necessary tools, equipment, and facilities in public or private plants for shipbuilding; \$2,270,000,000, and, in addition, \$80,000,000 by transfer from the appropriation "Increase and replacement of naval vessels, emergency construction", to be immediately available and to remain available until expended: *Provided*, That, of the appropriations made available by this Act under the head of "Increase and replacement of naval vessels", there shall be available such sums as the Secretary may from time to time determine to be necessary for the engagement of technical services, and the employment of personnel in the Navy Department and in the field, the purchase of plans, drafting and other supplies, subject to the limitations hereinafter established, owing to the construction of vessels which have been or hereafter may be authorized.

Construction and machinery.

Replacement of combatant vessels.
56 Stat. 656.
34 U. S. C., Supp. IV, § 498a-5.

Technical services, etc.

Armor, armament, and ammunition: Toward the armor, armament, and ammunition for vessels hereinbefore described under the head of "Construction and machinery", including the necessary machine tools, equipment, land, and facilities for existing or additional public or private plants for the production of armor, armament, and ammunition, \$600,000,000, to remain available until expended.

Emergency construction: The unexpended balance on June 30, 1945, of appropriations under this heading shall be available until December 31, 1946, for expenditure only in liquidation of obligations incurred prior to July 1, 1945.

REPAIR FACILITIES, NAVY

Repair facilities, Navy, \$40,000,000, toward contract authorizations heretofore granted, to remain available until used.

COAST GUARD

Office of Commandant: For personal services at the seat of government, \$1,680,000;

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted personnel, active and retired, temporary cooks, surfmen, substitute surfmen, and three civilian instructors; retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (14 U. S. C. 178a); not exceeding \$10,000 for cash prizes for men for excellence in boatmanship, gunnery, target practice, and engineering competitions; transportation of dependents of Coast Guard personnel on active duty and retired and Reserve officers and of retired and Reserve enlisted personnel, of grades entitled to transportation of dependents in the Regular Coast Guard, when ordered to active duty (other than training) and upon relief therefrom; carrying out the provisions of the Act of June 4, 1920 (34 U. S. C. 943); not to exceed \$15,000 for cost of special instruction, including books, laboratory equipment and fees, school supplies, and maintenance of students; motion-picture and other equipment for instructional purposes; rations or commutation thereof for cadets, petty officers, and other enlisted personnel, mileage and expenses allowed by law for officers, including per diem rates of allowance, and the Secretary is

46 Stat. 164.

Transportation of dependents.

41 Stat. 824.
34 U. S. C., Supp. IV, § 943.

Public Health Service officers, per diem rates.

43 Stat. 1261.

40 Stat. 1054.

Reimbursement for personal property.

Quarters for officers.

Quarters for dependents, restriction.

Recruiting.

In-service training.
Transfer of household goods.

Provisions for sale at isolated stations.

Apprehension of deserters, etc.
Aerial flights.

Commutation of rations, payments.

Detail of personnel to officers' quarters, etc.

hereby authorized to prescribe per diem rates of allowance for Public Health Service officers detailed to the Coast Guard as authorized for Coast Guard officers; traveling expenses of other persons traveling on duty under orders from the Navy Department, including transportation of cadets, enlisted personnel, and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof, and traveling expenses for the examinations authorized by the Act entitled "An Act to provide for retirement for disability in the Lighthouse Service", approved March 4, 1925 (33 U. S. C. 765); transportation in kind and subsistence to discharged cadets; uniforms, accouterments and equipment for officers and cadets, and the appropriation reimbursed, as provided by law (14 U. S. C. 30); clothing for enlisted personnel authorized by law; civilian clothing, including an overcoat when necessary, the cost of all not to exceed \$30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement in kind or in cash as authorized by law to persons in the naval service for personal property lost, destroyed, or damaged; actual expenses of officers and cadets and quarters and subsistence of enlisted personnel on shore patrol, emergency shore detail and other detached duty, or cash in lieu thereof; hire of quarters for officers serving with troops where sufficient quarters are not possessed by the United States to accommodate them; hire of quarters for Coast Guard personnel comparable to quarters assignable on a capital ship of the Navy, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel; expenses of recruiting for the Coast Guard, rent of rendezvous, and expenses of maintaining the same; advertising for and obtaining enlisted personnel and applicants for appointment as cadets; in-service training of enlisted personnel, including textbooks, school supplies, and correspondence courses; transfer of household goods and effects of Coast Guard and Coast Guard Reserve personnel on active duty and when ordered to active duty and upon relief therefrom, and the transfer of household goods and effects of deceased Coast Guard and Coast Guard Reserve personnel who die while on active duty, as prescribed by law and regulations; transportation on Government-owned vessels of privately owned automobiles of Coast Guard personnel upon change of station; purchase of provisions for sale to Coast Guard personnel at isolated stations, and the appropriation reimbursed; and including not to exceed \$470,400 for recreation, amusement, comfort, contentment, and health of the enlisted personnel of the Coast Guard, to be expended in the discretion of the Secretary; apprehension and delivery of deserters and stragglers; \$393,737,800: *Provided*, That no part of this appropriation shall be used for increased pay for making aerial flights by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers: *Provided further*, That money accruing from commutation of rations of enlisted personnel commuted for the benefit of any mess may be paid on proper voucher to the officer in charge of such mess: *Provided further*, That existing limitations with respect to the detail of personnel to officers' quarters and messes ashore shall not apply to the Coast Guard Academy, the Coast Guard yard, Coast Guard bases, Coast Guard air stations, Coast Guard training stations, and, in addition, not to exceed one hundred in number at such stations as shall be designated by the Commandant of the Coast Guard with the approval of the Secretary;

General expenses, Coast Guard: For all expenses necessary for the operation and maintenance of the Coast Guard ashore and afloat, except as specifically provided for in other appropriations, including personal services at the seat of government and elsewhere; newspapers, reference books and periodicals, and library books for field units and headquarters; printing and binding; purchase (not exceeding twenty-seven for replacement only), and maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; improvement of property for Coast Guard purposes, including rental, purchase, or use of additional land where necessary and the purchase of land for beacons, day-marks, and fog signals; rations and provisions, or commutation thereof, for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Coast Guard on duty on board such tenders or vessels, but money accruing from commutation of rations and provisions for the above-named persons on board tenders and light vessels or in working parties in the field may be paid on proper voucher to the person having charge of the mess of such vessel or party; subsistence and clothing for shipwrecked and destitute persons, including reimbursement, under rules prescribed by the Secretary, of Coast Guard personnel who furnish from their personal stock subsistence and clothing to such persons; not to exceed \$2,500 for contingencies for the Superintendent, United States Coast Guard Academy, to be expended in his discretion; payment of rewards for the apprehension and conviction, or for information helpful therein, of persons found interfering in violation of law with aids to navigation maintained by the Coast Guard; \$62,285,000: *Provided*, That existing limitations with respect to the furnishing of equipment for officers' messes ashore shall not apply to the Coast Guard Academy, the Coast Guard yard, Coast Guard bases, Coast Guard air stations, Coast Guard training stations, Coast Guard depots, messes temporarily set up on shore for officers attached to seagoing vessels, and such bachelor officers' quarters and messes as may be specifically designated by the Secretary;

Civilian employees, Coast Guard: For compensation of civilian employees in the field, including per diem labor, but excluding personnel provided for in the appropriation "General expenses, Coast Guard", \$2,414,000;

Establishing and improving aids to navigation: For establishing and improving aids to navigation and other works, and for all expenditures directly relating thereto, \$790,000;

Acquisition of vessels and shore facilities: For the purchase or construction of a replacement lightship and its equipment; the construction and repair of shore facilities, not to exceed \$46,000; and for restoring leased property and reserve boats; in all, \$3,833,907;

Retired pay, former Lighthouse Service, Coast Guard: For retired pay of certain officers and employees entitled thereto by virtue of former employment in the Lighthouse Service engaged in the field service or on vessels of the Coast Guard, except persons continuously employed in district offices and shops, \$980,000;

Salaries, Merchant Marine Inspection, Coast Guard: For personal services at the seat of government, \$369,000;

Salaries and expenses, Merchant Marine Inspection, Coast Guard: For all expenses necessary to provide and operate such motorboats and employ such persons as may be necessary for the enforcement of laws relating to navigation and inspection of vessels, boarding of vessels, and counting of passengers on excursion boats to prevent overcrowding, including fees to witnesses; materials, supplies, equipment, and services, including rent and janitor service; purchase and repair of

General expenses.

Rations and provisions.

Coast Guard Academy, contingencies.

Equipment for officers' messes ashore.

Supra.

instruments; plans and specifications; insignia, braid, and chin straps; coats, caps, and aprons for stewards' departments on vessels; and other incidental expenses of field offices, including contract stenographic reporting services at the seat of government and elsewhere; \$1,918,000;

Total, Coast Guard, \$468,007,707.

NAVY DEPARTMENT

SALARIES

For compensation for personal services at the seat of government, as follows:

Office of the Secretary of the Navy: Secretary of the Navy, Under Secretary of the Navy, Assistant Secretaries of the Navy, and other personal services, including Executive Officer, not to exceed \$7,000, \$393,500;

General Board, \$13,000;

Naval examining and retiring boards, \$16,000;

Office of Naval Records and Library, \$39,700;

Office of Judge Advocate General, \$125,900;

Office of Chief of Naval Operations, \$206,000;

Board of Inspection and Survey, \$23,600;

Office of Director of Naval Communications, \$144,400;

Office of Naval Intelligence, \$158,500;

Bureau of Naval Personnel, \$678,500;

Hydrographic Office, \$570,000;

Naval Observatory, including \$2,500 for pay of computers on piece work, \$210,000;

Bureau of Ships, \$650,400;

Bureau of Ordnance, \$152,900;

Bureau of Supplies and Accounts, \$1,015,000;

Bureau of Medicine and Surgery, \$183,300;

Bureau of Yards and Docks, \$281,200;

Bureau of Aeronautics, \$425,300: *Provided*, That the services of technical and clerical personnel may be employed only in the Bureau of Aeronautics in connection with the design and construction of aircraft, to be paid from the appropriation "Aviation, Navy, 1946";

In all, salaries, Navy Department, \$5,287,200.

CONTINGENT EXPENSES

For technical reference and lawbooks, periodicals, and photostating for Department library; purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase, maintenance, repair, and operation of motortrucks; and other necessary expenses of the Navy Department and its various bureaus and offices, \$320,000, and, in addition, not to exceed \$5,500,000 of appropriations contained in this Act for the Naval Establishment: *Provided*, That it shall not be lawful to expend, unless otherwise specifically provided by law, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

PRINTING AND BINDING

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, \$863,000,

Aircraft design and construction.

Ante, p. 212.

Use of naval service appropriations.

and, in addition, not to exceed \$18,500,000 of appropriations contained in this Act for the Naval Establishment.

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

For all necessary expenses (except salaries) for the maintenance and operation of the Hydrographic Office at the seat of government and for all necessary salaries and expenses for the branch offices, including purchase and printing of nautical books, charts, and sailing directions; modernization, care, and repair of lithographic presses and machinery; pilot and aeronautical charts, reference books and periodicals, \$3,790,000.

CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

For professional and scientific books, books of reference, periodicals, engravings, photographs, and fixtures for the library; apparatus and instruments, and repairs of the same; repairs to buildings (including quarters), fixtures, and fences; cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; maintenance, repair, and operation of passenger automobiles; rental of tabulating and other mechanical equipment; and other necessary expenses, \$48,500.

GENERAL PROVISIONS

SEC. 102. The appropriations made in this Act for the purchase or manufacture of equipment or material or of a particular class of equipment or material shall be available for the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

SEC. 103. No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department at the seat of government, including personal services of civilians, except as expressly authorized by law.

SEC. 104. Such number of enlisted personnel as may be approved by the Secretary may be detailed to duty in the Navy Department at the seat of government and Marine Corps and Coast Guard headquarters, excepting from such number, as far as practicable, enlisted personnel qualified for combat service.

SEC. 105. No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no moneys herein appropriated for the Naval Establishment or made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time

Post, p. 426.

Letters patent.

Navy funds.
Restriction on use.

Detail of enlisted
personnel.

Time-measuring de-
vices, restriction.

Cash rewards, etc.

Work by private
contractors, restric-
tion.

of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government, except when the repair, purchase, or acquirement, by or from any private contractor, would, in the opinion of the Secretary, be advantageous to the national defense.

Estimates to accompany bids.

SEC. 106. No funds herein appropriated shall be available to pay a contractor upon any contract for a naval vessel entered into under authority of this Act unless, at the time of filing his bid, he shall also file the estimates upon which such bid was based.

Inductees, pay and expenses.

SEC. 107. The appropriations available to the Navy Department and the naval service shall be available for the pay and other expenses of men inducted into the Navy, Marine Corps, and Coast Guard in accordance with law.

Canal Zone. Citizenship requirement for civilian personnel.

SEC. 108. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend, from time to time in whole or in part, compliance with this section in time of war or national emergency if he should deem such course to be in the public interest.

Employment of Panamanian citizens. 48 U. S. C. § 1307 note.

Employees with 15 or more years of service.

Selection of personnel.

Hours of employment; pay rates.

Applicability of section.

Suspension of compliance in emergency.

Statutory limit on repairs, etc.

Pay of retired personnel on active duty.

SEC. 109. The Secretary is authorized where necessary to exceed the statutory limit on repairs and alterations to vessels during the fiscal year 1946.

SEC. 110. During the fiscal year 1946 all retired officers and enlisted men of the Navy and Marine Corps shall, when on active duty, receive full pay and allowances.

SEC. 111. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 112. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

SEC. 113. The Secretary is authorized to employ additional civil personnel in the Navy Department at the seat of government, and to provide out of any appropriations available for the Naval Establishment for their salaries: *Provided*, That the average number of all civil personnel in the Navy Department at the seat of government, excluding the Marine Corps and the Coast Guard, shall not exceed seventeen thousand.

SEC. 114. The appropriations for the Naval Establishment for the fiscal year 1946 shall be available for providing transportation of naval and civilian personnel between their domiciles and places of employment as authorized by law; carrying out the provisions of Executive Order Numbered 9112 of March 26, 1942, Public Law 395, approved July 1, 1944, and Public Law 457, approved October 3, 1944; services of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the field service of the Navy Department; payment of employment at the seat of government or elsewhere for a period not to exceed the duration of the war of such specialists as may be contracted for by the Secretary, at a rate of pay not exceeding \$25 per diem for any person so employed (no appropriation for the Navy Department or the Naval Establishment shall be available during the fiscal year 1946, except funds transferred or made available to other executive agencies for use for naval purposes, for the employment of persons for the performance of service in other than the Navy Department or elsewhere than under the Navy Department, except (1) employees who had been employed by and performing service under the Navy Department for three months or more immediately prior to their detail for service elsewhere and (2) employees now or hereafter detailed and assigned pursuant to the lawful authority of the Secretary of the Navy to any committee of the Congress operating under resolution duly authorizing such assignment); payment, upon approval of the Secretary, of claims, not in excess of \$1,000 in any one case, for causes other than personal injury or death, resulting from the administration or operation of the naval service during the existing national emergency and not cognizable under other law; pay of commissioned medical officers who are graduates of reputable schools of osteopathy; actual and necessary expenses or per diem in lieu thereof, as may be determined and approved by the

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

Commissions on land purchase contracts.

Additional civil personnel.

Limitation.

Transportation of personnel.

Financing war contracts.
3 C.F.R., Cum. Supp., p. 1129.
50 U. S. C., Supp. IV, app. § 611 note.
58 Stat. 649, 765.
41 U. S. C., Supp. IV, §§ 101-125; 50 U. S. C., Supp. IV, app. §§ 1611-1646.
Post, p. 546.
Specialists.

Employment outside Navy Department.
Restriction on use of funds.

Payment of claims.

Civilians on special duty abroad.

American Red Cross.
57 Stat. 247.
36 U. S. C., Supp. IV, §§ 10, 11.
Navy operation of private plants.

Rewards.

40 Stat. 718.

Payments due to appreciation of foreign currencies.
Ante, p. 118.

48 Stat. 466.

Travel expenses of civilian inspectors.

Water; mechanical refrigerators.

Missing or captured personnel.

56 Stat. 143.
50 U. S. C., Supp. IV, app. §§ 1001-1017.

Disposition of defense articles.
56 Stat. 994.
22 U. S. C., Supp. IV, § 412 note.

55 Stat. 31.
22 U. S. C., Supp. IV, §§ 411-419.
Ante, p. 52.
Emergency housing.

56 Stat. 359.
37 U. S. C., Supp. IV, §§ 101-120.
Fost, pp. 541, 542, 587.
Short title.

Secretary, of civilian personnel in and under the Naval Establishment on special duty in foreign countries; expenses authorized in Public Law 99, approved June 29, 1943; expenses including those heretofore incurred in connection with the administration by the Navy of occupied areas; expenses including those heretofore incurred incident to the operation by the Navy of private plants taken over at the direction of the President, and the Secretary may designate any naval appropriation to be charged with such expenses, proper adjustments to be made on the basis of final costs between applicable appropriations; and payment of rewards to civilian officers or employees and other persons in civil life for suggestions resulting in improvement or economy in manufacturing process or plant or naval material as authorized by the Act of July 1, 1918 (5 U. S. C. 416), and for suggestions resulting in efficiency or economy in the operation or administration of the Navy Department and the Naval Establishment.

SEC. 115. Appropriations in this Act for pay of personnel shall be available, in lieu of the appropriation "Foreign Service Pay Adjustment" contained in the Independent Offices Appropriation Act, for payments to authorized naval and civilian personnel in and under the Naval Establishment due to the appreciation of foreign currencies, as provided by the Act of March 26, 1934, as amended (5 U. S. C. 118c), and for every object and purpose specified therein.

SEC. 116. Appropriations available for the fiscal year 1946 for travel expenses of civilian inspectors of the Navy Department shall be available for reimbursement, at not to exceed 3 cents per mile, for travel performed by such employees in privately owned automobiles within the limits of their official stations.

SEC. 117. Funds available for heat and light for public quarters occupied by personnel of the Navy, Marine Corps, and Coast Guard for the fiscal year 1946 shall be available for furnishing water and for operating mechanical refrigerators in such quarters.

SEC. 118. Appropriations in this Act shall be available for the pay of missing or captured civilian or naval personnel under the provisions of Public Law 490, approved March 7, 1942, as amended, and for that which accrued during fiscal year 1945 or prior years and was not paid, including accruals of pay authorized by law for retired and Reserve officers, nurses, enlisted personnel, and family allowances.

SEC. 119. The authority contained in section 103 of the Second Supplemental National Defense Appropriation Act, 1943, is hereby extended to and made applicable to the appropriations for the naval service made subsequent to such Act and contained in this Act without any increase in the amount limitation fixed in such section: *Provided*, That "information and services" authorized to be rendered by the Act of March 11, 1941 (Public 11), need not be connected with the procurement or disposition of any defense article.

SEC. 120. For the fiscal year 1946 occupancy of emergency housing facilities under the jurisdiction of the Navy Department or the National Housing Agency, on a rental basis, by personnel of the services mentioned in the title of the Pay Readjustment Act of 1942, or by their dependents, shall not deprive such personnel of money allowances for rental of quarters.

SEC. 121. This Act may be cited as the "Naval Appropriation Act, 1946".

Approved May 29, 1945.

[CHAPTER 131]

AN ACT

Authorizing the State of Minnesota Department of Highways to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Hastings, Minnesota.

May 29, 1945
[H. R. 533]
[Public Law 63]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State of Minnesota Department of Highways be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Hastings, Minnesota, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Mississippi River.
Bridge at Hastings,
Minn.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Acquisition of lands,
etc.

SEC. 2. There is hereby conferred upon the State of Minnesota Department of Highways all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The authority granted by this Act shall terminate if the actual construction of the bridge herein authorized is not commenced within two years and completed within four years from the date of the enactment of this Act.

Time limitation.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved May 29, 1945.

[CHAPTER 132]

AN ACT

To authorize Slater Branch Bridge and Road Club to construct, maintain, and operate a free suspension bridge across the Tug Fork of the Big Sandy River at or near Williamson, West Virginia.

May 29, 1945
[H. R. 1184]
[Public Law 64]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Slater Branch Bridge and Road Club, Incorporated, its successors or assigns, is hereby authorized to construct, maintain, and operate a free suspension bridge and approaches thereto across the Tug Fork of the Big Sandy River between Pike County, Kentucky, and Mingo County, West Virginia, at mile 52.5 at or near Williamson, West Virginia, at a point suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Tug Fork of Big
Sandy River.
Bridge, Williamson,
W. Va.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Time limitation.

SEC. 2. The authority granted by this Act shall terminate if the actual construction of the bridge herein authorized is not commenced within two years and completed within four years from the date of the enactment of this Act.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved May 29, 1945.

[CHAPTER 133]

AN ACT

May 29, 1945

[H. R. 1652]

[Public Law 65]

Granting the consent of Congress to the State of Louisiana to construct, maintain, and operate a free highway bridge across the Mississippi River at or near New Orleans, Louisiana.

Mississippi River.
Bridge at New Or-
leans, La.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Time limitation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Louisiana to construct, maintain, and operate a free highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near New Orleans, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The authority granted by this Act shall terminate if the actual construction of the bridge herein authorized is not commenced within two years and completed within four years from the date of the enactment of this Act.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved May 29, 1945.

[CHAPTER 134]

AN ACT

May 29, 1945

[H. R. 1659]

[Public Law 66]

Authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River.

Pigeon River.
Bridge below High
Falls.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Cooperation with
Canada.

Time limitation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, the Department of Highways of the State of Minnesota is hereby authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Pigeon River, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation below High Falls on said Pigeon River, on Trunk Highway Numbered 61, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act, and subject to the approval of the proper authorities in the Dominion of Canada.

SEC. 2. The rights, privileges, and powers conferred upon the Department of Highways of the State of Minnesota by this Act may be exercised by such department in cooperation with the Dominion of Canada or any political subdivision or agency thereof, which may agree with such department in the construction, maintenance, and operation of such bridge.

SEC. 3. The authority granted by this Act shall terminate if the actual construction of the bridge herein authorized is not commenced within two years and completed within four years from the date of the enactment of this Act.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved May 29, 1945.

[CHAPTER 135]

AN ACT

To provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, and such other officer or officers as he may designate for such purposes and under such regulations as he may prescribe, are hereby authorized to consider, ascertain, adjust, determine, settle, and pay any claim against the United States, including claims not heretofore satisfied arising on or after December 7, 1939, of military personnel and civilian employees of the War Department or of the Army, when such claim is substantiated, and the property determined to be reasonable, useful, necessary, or proper under the attendant circumstances, in such manner as the Secretary of War may by regulation prescribe, for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service, or to replace such personal property in kind: *Provided*, That the damage to or loss, destruction, capture, or abandonment of property shall not have been caused in whole or in part by any negligence or wrongful act on the part of the claimant, his agent, or employee, and shall not have occurred at quarters occupied by the claimant within continental United States (excluding Alaska) which are not assigned to him or otherwise provided in kind by the Government. No claim shall be settled under this Act unless presented in writing within one year after the accident or incident out of which such claim arises shall have occurred: *Provided*, That if such accident or incident occurs in time of war, or if war intervenes within two years after its occurrence, any claim may, on good cause shown, be presented within one year after peace is established. Any such settlement made by the Secretary of War, or his designee, under the authority of this Act and such regulations as he may prescribe hereunder, shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

SEC. 2. Such appropriations as may be required for the settlement of claims under the provisions of this Act are hereby authorized. Appropriations available to the War Department for the settlement of claims under the provisions of the Act of March 3, 1885 (23 Stat. 350), as amended, shall be available for the settlement of claims under the provisions of this Act.

SEC. 3. Sections 3483-3488 of the Revised Statutes (31 U. S. C. 209-214), and the Act of March 3, 1885 (23 Stat. 350), as amended by the Act of July 9, 1918 (40 Stat. 880), and by the Act of March 4, 1921 (41 Stat. 1436; 31 U. S. C. 218-222), and by section 6 of the Act of July 3, 1943 (57 Stat. 374; 31 U. S. C. 222a, 222b), are hereby repealed.

SEC. 4. That portion of section 1 of the Act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), reading as follows: "The provisions of this Act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the Act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for damage to or loss or destruction of property of military personnel or civilian employees of the War Department or of the Army, or for personal injury or death of such persons, if such damage, loss, destruction, injury, or death occurs

May 29, 1945
[H. R. 2066]
[Public Law 67]

Military Personnel
Claims Act of 1945.

Claims arising on or
after Dec. 7, 1939.

Negligence or wrong-
ful act of claimant, etc.

Time limitation.

Settlement to be
final and conclusive.

Appropriations au-
thorized.
Post, p. 389.

31 U. S. C. §§ 218-
222; Supp. IV, §§ 222a,
222b.
Infra.

31 U. S. C. §§ 218-222.

31 U. S. C., Supp.
IV, §§ 222a, 222b.

31 U. S. C., Supp.
IV, § 223b.

31 U. S. C., Supp.
IV, § 224d.
Post, p. 511.

Claims arising in foreign countries, etc.

incident to their service." is hereby amended, effective as of the date of approval of said Act, to read as follows: "The provisions of this Act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the Act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for personal injury or death of military personnel or civilian employees of the War Department or of the Army if such injury or death occurs incident to their service."

Short title.

SEC. 5. This Act may be cited as the "Military Personnel Claims Act of 1945".

Approved May 29, 1945.

[CHAPTER 136]

JOINT RESOLUTION

Repealing a portion of the appropriation and contract authorization available to the Maritime Commission.

May 29, 1945
[H. J. Res. 177]
[Public Law 68]

Maritime Commission, construction fund.

49 Stat. 1987.
46 U. S. C. § 1116.

Contract authorization, reduction.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That out of the current unexpended balance of appropriations heretofore made to the Maritime Commission under the head "Construction fund, United States Maritime Commission Act, June 24, 1936, revolving fund", the sum of \$3,100,000,000 shall be carried to the surplus fund and be covered into the Treasury immediately upon the approval of this joint resolution: *Provided,* That the present contract authorization for ship construction and facilities incident thereto is hereby reduced by \$4,265,000,000.

Approved May 29, 1945.

[CHAPTER 137]

AN ACT

To suspend until six months after the termination of the present wars section 2 of the Act of March 3, 1883 (22 Stat. 481), as amended.

May 29, 1945
[S. 645]
[Public Law 69]

Naval officers, shore duty.
34 U. S. C. § 222.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of March 3, 1883 (22 Stat. 481), as amended, is hereby suspended until six months after the termination of the present wars as determined by the proclamation of the President or concurrent resolution of the Congress, whichever is earlier.

Approved May 29, 1945.

[CHAPTER 138]

AN ACT

To authorize the Secretary of the Navy to convey to the State of Rhode Island, for highway purposes only, a strip of land within the naval advance base depot at North Kingstown, Rhode Island.

May 29, 1945
[S. 647]
[Public Law 70]

Rhode Island. Conveyance of land to State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to convey (subject to section 2 of this Act) to the State of Rhode Island, for highway purposes only, upon such terms and conditions as he may prescribe, all right, title, and interest of the United States in and to a strip or parcel of land, the metes and bounds description of which is on file in the Navy Department, consisting of two and five hundred eighty-three one-thousandths acres, more or less, situated within the boundaries of the United States Naval Advance Base Depot, North Kingstown, Washington County, Rhode Island.

SEC. 2. If any part of the land conveyed pursuant to this Act is used for other than highway purposes, or ceases to be used for highway purposes, such part shall revert to the United States.

Approved May 29, 1945.

[CHAPTER 167]

JOINT RESOLUTION

Granting the consent of Congress to an agreement amending the original agreement entered into by the States of New York and Vermont relating to the creation of the Lake Champlain Bridge Commission.

May 31, 1945
[H. J. Res. 113]
[Public Law 71]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an amendatory agreement executed on April 21, 1945, by the commissioners duly appointed on the part of the States of New York and Vermont, amending an agreement entered into by such States on May 11, 1927, and consented to by the Congress by the joint resolution approved February 16, 1928, which amendatory agreement reads as follows:

Lake Champlain
Bridge Commission.
Consent given to
amendatory agree-
ment by New York
and Vermont.

45 Stat. 120.

WHEREAS, the states of New York and Vermont heretofore and on the eleventh day of May, nineteen hundred twenty-seven, entered into an agreement, or compact, duly authorized by law, creating the Lake Champlain bridge commission; and

WHEREAS, the legislatures of said states have authorized their respective commissioners to enter into an agreement, or compact, amending said existing agreement, or compact;

NOW, THEREFORE, the said states of New York and Vermont do hereby enter into the following agreement, or compact, to wit:

The agreement, or compact, heretofore made and entered into on the eleventh day of May, nineteen hundred twenty-seven, between the state of New York and the state of Vermont, pursuant to chapter three hundred and twenty-one of the laws of New York, nineteen hundred twenty-seven, entitled "an act authorizing designated authorities in behalf of the state of New York to enter into an agreement or compact with designated authorities of the state of Vermont for the creation of the Lake Champlain bridge commission, the establishment of the Lake Champlain bridge commission and the defining of the powers and duties of such commission, and making an appropriation for such purposes", and act number one hundred and thirty-nine of the public acts of Vermont, nineteen hundred twenty-seven, entitled "an act ratifying a proposed agreement or compact between the state of Vermont and the state of New York relating to the creation of the Lake Champlain bridge commission and providing for carrying out the provisions of said agreement or compact", as the same was amended by the agreement or compact entered into the thirtieth day of March, nineteen hundred thirty-five, by and under the authority of chapter two hundred and one of the laws of New York, nineteen hundred thirty-three, as amended by chapter three hundred and fifty-five of the laws of New York, nineteen hundred thirty-five, and by and under the authority of act number two hundred and nine of the public acts of Vermont, nineteen hundred thirty-five, as amended by act number two hundred and ten of the public acts of Vermont, nineteen hundred thirty-five, and as the same was further amended by the agreement or compact entered into the first day of April, nineteen hundred thirty-six, by and under the authority of chapter seventy-three of the laws of New York, nineteen hundred thirty-six, as amended by chapter two hundred and nineteen of the laws of New York, nineteen hundred thirty-six, and by and under the authority of act number nineteen

of the public acts of Vermont, special session, nineteen hundred thirty-five to nineteen hundred thirty-six, is hereby amended by adding thereto the following articles:

ARTICLE XL

The Lake Champlain bridge commission shall have power and is hereby authorized to issue its negotiable bonds, for the purpose of refunding any of its bonds, now outstanding or hereafter issued, provided, however, that the aggregate principal amount of such bonds so issued to pay off and refund said bonds, shall not exceed the aggregate amount of the principal of the bonds so retired plus any premium required to be paid at the time of refunding the outstanding bonds in connection with the redemption of such outstanding bonds. In the exercise of the power to issue refunding bonds the commission may provide for the issuance of such bonds for the following purposes:

(a) to refund bonds issued in connection with the bridge known as the Lake Champlain bridge, such refunding bonds to be payable from revenues applicable to the payment of the bonds refunded, or

(b) to refund bonds issued in connection with the bridge known as the Rouses Point bridge, such refunding bonds to be payable from revenues applicable to the payment of the bonds refunded, or

(c) to refund all bonds then outstanding issued in connection with both of the aforesaid bridges, such refunding bonds to be payable from the combined revenues of such bridges or any other revenues of the commission applicable to the payment of its indebtedness.

ARTICLE XLI

Such commission shall have power and is hereby authorized to call for payment and to pay any of its bonds, in accordance with the terms under which said bonds were or are issued and for such purposes it may use any funds which it has or shall have in reserves and sinking fund and in investments at the time said bonds are called for payment notwithstanding any provision heretofore set forth in this or any previous agreement, or compact.

ARTICLE XLII

1. The bonds issued under authority of article forty shall be authorized by resolution, or resolutions, of such commission and shall bear such date or dates, mature at such time or times on or before January first, nineteen hundred sixty-nine, bear interest at such rate or rates not exceeding five per centum per annum, payable semi-annually, be in such denominations, be in such form, either coupon or registered, carry such registration or conversion privileges, be executed in such manner, be payable in such medium of payment at such place or places and be subject to such terms of redemption, as such resolution, or resolutions, may provide. Said bonds shall be sold at public sale for such price or prices as such commission shall determine, provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed five per centum per annum.

2. Neither the members of such commission, nor any person executing said bonds, shall be liable personally on said bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

3. The bonds issued under the authority of article forty shall constitute a first lien upon the property, tolls and revenues pledged to

secure the bonds which are refunded, and the said commission is hereby authorized to continue to fix, charge and collect tolls for transit over the bridge or bridges in connection with which the bonds refunded were issued, until the bonds issued under the authority of article forty and interest thereon have been fully paid and discharged. Subject to the terms of any agreement made or to be made with holders of bonds issued by such commission under this agreement, or compact, the bonds issued under the authority of article forty shall be a lien upon the tolls and revenues of either of the bridges referred to as the Lake Champlain bridge or the Rouses Point bridge, or both, and in accordance with subdivision four of article twenty-six of the amendments to this agreement, or compact, any of such tolls and revenues which would otherwise have been payable into the state treasuries of the two states may be pledged to the payment of said bonds.

4. Said bonds shall not be a debt of the state of New York or of the state of Vermont and neither state shall be liable thereon, nor shall they be payable out of any funds other than those of such commission.

5. Said bonds are hereby made securities in which all state and municipal officers and bodies, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever, who are now or may hereafter be authorized to invest in bonds or other obligations of each of the said states, may properly and legally invest any funds, including capital, belonging to them or within their control and said bonds are hereby made securities which may properly and legally be deposited with and shall be received by any state or municipal officer or agency for any purpose for which the deposit of bonds or other obligations of each of the said states is now or may hereafter be authorized.

6. Such commission shall have power out of any funds available therefor to purchase any bonds issued by it at a price not more than the redemption price thereof at the time of such purchase with accrued interest.

ARTICLE XLIII

Such commission shall have the power to apply to the Congress of the United States, or any department of the United States, for consent or approval of this agreement, or compact, as amended, but in the absence of such consent by Congress and until the same shall have been secured, this agreement, or compact, as amended, shall be binding upon the state of New York when ratified by it and the state of Vermont when ratified by it without the consent of Congress to cooperate for the purposes enumerated in this agreement, or compact, and in the manner herein provided and for all purposes that it legally may be.

IN WITNESS THEREOF, by and under authority of Chapter 142 of the Laws of 1941 of the State of New York, as amended by Chapter 758 of the Laws of 1945 of the State of New York, and by and under the authority of Public Act No. 201 of the Acts and Resolves of 1941 of the General Assembly of the State of Vermont, as amended by Senate Bill 81 (Act 194) of the Acts and Resolves of 1945 of the General Assembly of the State of Vermont, we have signed this Compact or Agreement, in duplicate, this 21st day of April, 1945,

superseding the Third Amendment to the Compact between the States of New York and Vermont entered into the 4th day of April, 1941, which Third Amendment was not consented to or approved by the Congress of the United States.

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

Approved May 31, 1945.

[CHAPTER 168]

AN ACT

To provide for enlistments in the Regular Army during the period of the war, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the last paragraph of section 127a of the National Defense Act, as amended (54 Stat. 213), the Secretary of War is authorized, during the existence of any war in which the United States is presently engaged and under such regulations as he may prescribe, to accept original enlistments or reenlistments in the Regular Army of male persons who are honorably serving in the Army of the United States, or any component thereof, or who were honorably discharged therefrom not more than three months prior to the date of such original enlistment or reenlistment: *Provided*, That the number of original enlistments or reenlistments in force pursuant to this Act shall not exceed the total enlisted peacetime strength of the Regular Army now or hereafter authorized by law. The term of service of persons enlisted or reenlisted under authority of this Act shall be for the duration of any war in which the United States is presently engaged and for six months thereafter or for three years, whichever is the longer period.

Approved June 1, 1945.

[CHAPTER 172]

AN ACT

To authorize an increase in the pay of the chaplain at the United States Military Academy while serving under reappointment for an additional term or terms.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to amend section thirteen hundred and nine, Revised Statutes, providing a chaplain for the Military Academy", approved February 18, 1896 (29 Stat. 8), as amended by the Act entitled "An Act to fix the pay and allowances of chaplain at the United States Military Academy", approved May 16, 1928 (45 Stat. 573), is amended by deleting the period at the end thereof and substituting therefor a colon and adding the following: "*Provided*, That the said chaplain shall, while so serving under any reappointment for an additional term or terms, receive a salary of \$5,000 per annum and be entitled to the same allowances as herein provided."

Approved June 2, 1945.

June 1, 1945
[H. R. 2388]
[Public Law 72]

Regular Army, war-time enlistments.
Post, p. 538.
10 U. S. C. § 634;
Supp. IV, § 634 note.

Limitation.

Term of service.

June 2, 1945
[H. R. 1947]
[Public Law 73]

Chaplain, U. S. Military Academy.
Salary, etc.

10 U. S. C. § 1137.

[CHAPTER 173]

AN ACT

To amend the Act of Congress entitled "An Act for the relief of the Tlingit and Haida Indians of Alaska", approved June 5, 1942.

June 4, 1945
[H. R. 1804]
[Public Law 74]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act for the relief of the Tlingit and Haida Indians of Alaska", approved June 5, 1942 (56 Stat. 323), is amended to read as follows:

Tlingit and Haida
Indians of Alaska.

"That the time within which suit or suits may be filed by the Tlingit and Haida Indians of Alaska under the terms of the Act of Congress of June 19, 1935 (ch. 275, 49 Stat. L. 388), is hereby extended for a period of six years from and after the date of the approval of this Act."

Time for filing suit
extended.

Approved June 4, 1945.

[CHAPTER 174]

AN ACT

To provide for emergency flood-control work made necessary by recent floods, and for other purposes.

June 5, 1945
[S. 938]
[Public Law 75]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$12,000,000 is hereby authorized to be appropriated as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the repair, restoration, and strengthening of levees and other flood-control works which have been threatened or destroyed by the recent floods, or which may be threatened or destroyed by later floods, and for completion of work begun under the Acts entitled "An Act to provide for emergency flood-control work made necessary by recent floods, and for other purposes", approved respectively July 12, 1943, and May 29, 1944: Provided, That pending the appropriation of said sum the Secretary of War may allot from existing flood-control appropriations such sums as may be necessary for the immediate prosecution of the work herein authorized, such appropriations to be reimbursed from the appropriation herein authorized when made.

Emergency flood-control work.
Appropriation authorized.
Post, p. 235.

57 Stat. 521; 58 Stat. 257.
Allotments; reimbursement.

SEC. 2. The provisions of section 1 shall be deemed to be additional and supplemental to, and not in lieu of existing general legislation authorizing allocation of flood-control funds for restoration of flood-control works threatened or destroyed by flood.

Provisions deemed additional.

SEC. 3. The War Production Board, and every other governmental agency which has jurisdiction over allocations and priorities relating to farm machinery and equipment, are authorized and directed immediately to take such steps as may be necessary to provide for the necessary allocations and priorities to enable farmers in the areas affected by floods in 1944 and 1945 to replace and repair their farm machinery and equipment which was destroyed or damaged by such floods, or windstorms, or fire caused by lightning, and to continue farming operations.

Farm machinery and equipment.
Allocations and priorities.

Approved June 5, 1945.

[CHAPTER 175]

AN ACT

To provide for the further development of cooperative agricultural extension work.

June 6, 1945
[S. 393]
[Public Law 76]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Act entitled "An Act to provide for research into basic laws and

Cooperative agricultural extension work.

principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (the Bankhead-Jones Act), is amended by adding at the end thereof the following new section:

"SEC. 23. (a) In order to further develop the cooperative extension system as inaugurated under the Act entitled 'An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act of Congress, approved July 2, 1862, and all Acts supplementary thereto, and the United States Department of Agriculture', approved May 8, 1914 (U. S. C., title 7, secs. 341-343, 344-348), particularly for the further development of county extension work, there are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the expenses of cooperative extension work in agriculture and home economics, including technical and educational assistance to farm people in improving their standards of living, in developing individual farm and home plans, better marketing and distribution of farm products, work with rural youth in 4-H Clubs and older out-of-school youth, guidance of farm people in improving farm and home buildings, development of effective programs in canning, food preservation, and nutrition, and for the necessary printing and distribution of information in connection with the foregoing, the following sums:

"(1) \$4,500,000 for the fiscal year ending June 30, 1946, and each subsequent fiscal year;

"(2) An additional \$4,000,000 for the fiscal year ending June 30, 1947, and each subsequent fiscal year; and

"(3) An additional \$4,000,000 for the fiscal year ending June 30, 1948, and each subsequent fiscal year.

"(b) The sums appropriated pursuant to this section shall be paid to the several States and the Territory of Hawaii in the same manner and subject to the same conditions and limitations as the additional sums appropriated under such Act of May 8, 1914 (the Smith-Lever Act), except that—

"(1) not more than 2 per centum of the sum appropriated pursuant to this section for each fiscal year shall be available for paying expenses of the Extension Service in the United States Department of Agriculture;

"(2) \$500,000 of the sum so appropriated for each fiscal year shall be allotted among the States and the Territory of Hawaii by the Secretary of Agriculture on the basis of special needs due to population characteristics, area in relation to farm population, or other special problems, as determined by such Secretary: *Provided*, That not to exceed 10 per centum shall be allotted under this subparagraph to any one State or the Territory of Hawaii for any fiscal year: *Provided further*, That these funds shall be matched by the State or Territory receiving them, on the same basis as other funds under this Act; and

"(3) the remainder of the sum so appropriated for each fiscal year shall be paid to the several States and the Territory of Hawaii in the proportion that the farm population of each bears to the total farm population of the several States and Territory of Hawaii, as determined by the census of 1940.

"(c) The sums appropriated pursuant to this section shall be in addition to and not in substitution for sums appropriated under such Act of May 8, 1914, as amended and supplemented, or sums otherwise

49 Stat. 438.
7 U. S. C. §§ 343c,
343d.
Post, p. 233.

Additional funds au-
thorized for further
development.

38 Stat. 372.

Annual appropria-
tions.
Post, p. 422.

Apportionment.

Exceptions.

Extension Service,
expenses.

Allotment based on
special needs.

Limitation.

Matching of funds.

Remainder.

Sums appropriated
to be additional.

appropriated for agricultural extension work. Allotments to any State or the Territory of Hawaii for any fiscal year from the appropriations herein authorized shall be available for payment to such State or the Territory of Hawaii only if such State or the Territory of Hawaii complies, for such fiscal year, with the provisions with reference to offset of appropriations (other than appropriations under this section and section 21 of this title) for agricultural extension work."

SEC. 2. Section 21 of such Act of June 29, 1935, is amended by striking out "(other than appropriations under this section)" and inserting in lieu thereof "(other than appropriations under this section and section 23 of this title)".

Approved June 6, 1945.

[CHAPTER 176]

JOINT RESOLUTION

To extend the statute of limitations in certain cases.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That effective as of December 7, 1943, all statutes, resolutions, laws, articles, and regulations, affecting the possible prosecution of any person or persons, military or civil, connected with the Pearl Harbor catastrophe of December 7, 1941, or involved in any other possible or apparent dereliction of duty, or crime or offense against the United States, that operate to prevent the court martial, prosecution, trial, or punishment of any person or persons in military or civil capacity, involved in any matter in connection with the Pearl Harbor catastrophe of December 7, 1941, or involved in any other possible or apparent dereliction of duty, or crime or offense against the United States, in connection with the Pearl Harbor catastrophe of December 7, 1941, are hereby extended, in addition to the extensions provided for in Public Laws 208, 339, and 489, Seventy-eighth Congress, for a further period ending six months after the date of the termination of hostilities in the present war with Japan as proclaimed by the President or as specified in a concurrent resolution of the two Houses of Congress, whichever is the earlier.

Approved June 7, 1945.

[CHAPTER 177]

AN ACT

To amend section 9 of the Act entitled "An Act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce", approved July 30, 1941, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act entitled "An Act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce", approved July 30, 1941, as amended, is amended by striking out "June 30, 1945" and inserting in lieu thereof "June 30, 1946".

Approved June 8, 1945.

Allotments to States or Territory of Hawaii.

Condition.

Infra.

49 Stat. 438.
7 U. S. C. § 343c.

June 7, 1945
[S. J. Res. 66]
[Public Law 77]

Pearl Harbor catastrophe.
Extension of statutes of limitations.

57 Stat. 605; 58 Stat. 276, 808.

June 8, 1945
[H. R. 2600]
[Public Law 78]

Interstate petroleum pipe lines.

55 Stat 611.
15 U. S. C., Supp. IV, note prec. § 715.

[CHAPTER 178]

AN ACT

To amend the Criminal Code so as to punish anyone injuring a party, witness, or juror on account of his having acted as such.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 135 of the Criminal Code (35 Stat. 1113; 18 U. S. C. 241) be, and it hereby is, amended to read as follows:

Criminal Code, amendments.

U. S. courts, etc. Attempt to influence, etc., party, witness, juror, or officer.

Injury to party or witness.

Juror.

Commissioner or officer.

Penalty.

Departments or other U. S. agencies. Attempts to influence, etc., party or witness.

Injury to party or witness.

Penalty.

Conspiring to violate foregoing provisions.

“SEC. 135. Whoever corruptly, or by threats or force, or by any threatening letter or communication, shall endeavor to influence, intimidate, or impede any party or witness, in any court of the United States or before any United States commissioner or officer acting as such commissioner, or any grand or petit juror, or officer in or of any court of the United States, or officer who may be serving at any examination or other proceeding before any United States commissioner or officer acting as such commissioner, or who shall injure any party or witness in his person or property on account of his attending or having attended such court or examination before such commissioner or officer, or on account of his testifying or having testified to any matter pending therein, or who shall injure any such grand or petit juror in his person or property on account of any verdict, presentment, or indictment assented to by him, or on account of his being or having been such juror, or who shall injure any such commissioner or officer in his person or property on account of the performance of his official duties, or who corruptly or by threats or force, or by any threatening letter or communication, shall influence, obstruct, or impede, or endeavor to influence, obstruct, or impede, the due administration of justice therein, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.”

SEC. 2. Section 135a of the Criminal Code (54 Stat. 13; 18 U. S. C. 241a) is hereby amended to read as follows:

“SEC. 135a. Whoever corruptly, or by threats or force, or by any threatening letter or communication, shall endeavor to influence, intimidate, or impede any party or witness in any proceeding pending before any department, independent establishment, board, commission, or other agency of the United States, or in connection with any inquiry or investigation being had by either House, or any committee of either House, or any joint committee of the Congress of the United States, or who shall injure any party or witness in his person or property on account of his attending or having attended such proceeding, inquiry, or investigation, or on account of his testifying or having testified to any matter pending therein, or who corruptly or by threats or force, or by any threatening letter or communication shall influence, obstruct, or impede, or endeavor to influence, obstruct, or impede the due and proper administration of the law under which such proceeding is being had before such department, independent establishment, board, commission, or other agency of the United States, or the due and proper exercise of the power of inquiry under which such inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress of the United States shall be fined not more than \$5,000 or imprisoned not more than five years or both.”

SEC. 3. Section 136 of the Criminal Code (35 Stat. 1113; 18 U. S. C. 242) is amended to read as follows:

“SEC. 136. If two or more persons conspire to violate any provision of section 135 or 135a of the Criminal Code, as amended, and one or more of such persons does any act to effect the object of the con-

spiracy, each of the parties to such conspiracy shall be punished in like manner as provided by sections 135 and 135a of the Criminal Code, as amended."

Approved June 8, 1945.

Punishment.

[CHAPTER 180]

AN ACT

To exempt the members of the Advisory Board appointed under the War Mobilization and Reconversion Act of 1944 from certain provisions of the Criminal Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing contained in sections 109 and 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203) shall be deemed to apply to any person because he has heretofore been or may hereafter be appointed by the President, with the advice and consent of the Senate, to the Advisory Board provided for by section 102 of the War Mobilization and Reconversion Act of 1944 (Public Law 458, Seventy-eighth Congress).

Approved June 9, 1945.

June 9, 1945

[H. R. 1527]

[Public Law 80]

War Mobilization,
etc.
Advisory Board.
35 Stat. 1107, 1109.

58 Stat. 786.
50 U. S. C., Supp.
IV, app. § 1652.

[CHAPTER 181]

AN ACT

To amend section 47c of the National Defense Act of June 3, 1916, as amended, so as to authorize credit to students now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps for military training received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 47c of the National Defense Act of June 3, 1916, as amended, be, and the same is hereby, amended by adding thereto the following additional proviso: "Provided further, That under such regulations as the Secretary of War may prescribe any student now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps may receive credit toward completion of the two academic years of service in that division required for admission to the advanced course and for entitlement to commutation of subsistence, as provided above, for military training which he has received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps, when such military training is substantially equivalent to that prescribed by regulations for admission to the advanced course."

Approved June 9, 1945.

June 9, 1945

[S. 889]

[Public Law 81]

41 Stat. 778.
10 U. S. C. §§ 366a,
387, 387a; Supp. 1V,
§ 387a.

Senior division of
R. O. T. C.
Credit for designat-
ed military train-
ing.

[CHAPTER 184]

JOINT RESOLUTION

Making an appropriation for emergency flood-control work and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$12,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the repair, restoration, and strengthening of levees and other flood-control works which have been threatened or destroyed by the recent floods, or which may be threatened or

June 12, 1945

[H. J. Res. 208]

[Public Law 82]

Emergency flood-
control work, appro-
priations.
Amdt. p. 231

destroyed by later floods, and for completion of work begun under the Acts entitled "An Act to provide for emergency flood-control work made necessary by recent floods, and for other purposes", approved, respectively, July 12, 1943, and May 29, 1944.

57 Stat. 521; 58 Stat. 257.

Loans and grants to farmers.
57 Stat. 542.

Limitation.

SEC. 2. Two million dollars of the balance of the appropriation of \$15,000,000 made in the Second Deficiency Appropriation Act, 1943, for 1943 flood restoration loans, is hereby reappropriated and made available until June 30, 1946, to enable the Secretary of Agriculture, in such manner and upon such terms and conditions as he may prescribe, to make loans and grants to farmers whose property has been or may be destroyed or damaged by floods in 1945 and to service loans made under such appropriation in connection with the 1943 and 1944 floods: *Provided*, That of such amount not to exceed \$300,000 shall be used for grants and not to exceed 10 per centum of the aggregate amounts actually loaned or granted shall be available for administrative expenses.

Flood control, general.
Amte., p. 41; *post*, p. 654.

SEC. 3. For an additional amount, fiscal year 1946, for "Flood control, general", including the objects specified under this head in the War Department Civil Appropriation Act, 1946, to be immediately available and to remain available until expended, \$8,055,000 and such sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Approved June 12, 1945.

[CHAPTER 185]

JOINT RESOLUTION

June 12, 1945
[H. J. Res. 212]
[Public Law 63]

Making a supplemental appropriation for the fiscal year ending June 30, 1945, for the Children's Bureau, Department of Labor, and for other purposes.

Supplemental appropriations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, namely:

DEPARTMENT OF LABOR

CHILDREN'S BUREAU

Emergency maternity and infant care.

58 Stat. 550.

Grants to States for emergency maternity and infant care (national defense): An additional amount for fiscal year 1945 for "Grants to States for emergency maternity and infant care (national defense)", including the objects under this head in the Labor-Federal Security Appropriation Act, 1945, \$2,200,000.

FEDERAL SECURITY AGENCY

SOCIAL SECURITY BOARD

Grants to States for old-age assistance, etc.
Post, pp. 372, 373.

49 Stat. 620, 627, 645.
42 U. S. C. §§ 301-306, 601-606, 1201-1206.

Accounting.

Post, p. 361.

Grants to States for old-age assistance, aid to dependent children, and aid to the blind; and grants to States for unemployment compensation administration: Such sums as may be necessary for making for the first quarter of the fiscal year 1946 (1) grants to States for assistance to aged needy individuals, needy dependent children, and needy individuals who are blind, as authorized in titles I, IV, and X, respectively, of the Social Security Act approved August 14, 1935, as amended, and (2) grants to States for unemployment compensation administration: *Provided*, That the obligations incurred and expenditures made for each of such purposes under the authority of this joint resolution shall be charged to any appropriations therefor in the Labor-Federal Security Appropriation Act, 1946.

Approved June 12, 1945.

[CHAPTER 186]

AN ACT

To amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes.

June 12, 1945
[S. 510]

[Public Law 84]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the third paragraph of section 16 of the Federal Reserve Act, as amended, is amended by changing the first sentence of such paragraph to read as follows:

Federal Reserve Act, amendments.
38 Stat. 266.
12 U. S. C. § 413.

“Every Federal Reserve bank shall maintain reserves in gold certificates of not less than 25 per centum against its deposits and reserves in gold certificates of not less than 25 per centum against its Federal Reserve notes in actual circulation: *Provided, however,* That when the Federal Reserve agent holds gold certificates as collateral for Federal Reserve notes issued to the bank such gold certificates shall be counted as part of the reserve which such bank is required to maintain against its Federal Reserve notes in actual circulation.”

Gold certificates, reserve requirements.

(b) The first sentence of the fourth paragraph of section 16 of the Federal Reserve Act, as amended, is amended by striking therefrom “40 per centum reserve hereinbefore required” and by inserting in lieu thereof “25 per centum reserve hereinbefore required to be maintained against Federal Reserve notes in actual circulation”.

38 Stat. 266.
12 U. S. C. § 414.

(c) Subsection (c) of section 11 of the Federal Reserve Act, as amended, is amended to read as follows:

38 Stat. 262.
12 U. S. C. § 248 (c).

“(c) To suspend for a period not exceeding thirty days, and from time to time to renew such suspension for periods not exceeding fifteen days, any reserve requirements specified in this Act: *Provided,* That it shall establish a graduated tax upon the amounts by which the reserve requirements of this Act may be permitted to fall below the level hereinafter specified: *And provided further,* That when the reserve held against Federal Reserve notes falls below 25 per centum, the Board of Governors of the Federal Reserve System shall establish a graduated tax of not more than 1 per centum per annum upon such deficiency until the reserves fall to 20 per centum, and when said reserve falls below 20 per centum, a tax at the rate increasingly of not less than 1½ per centum per annum upon each 2½ per centum or fraction thereof that such reserve falls below 20 per centum. The tax shall be paid by the Reserve bank, but the Reserve bank shall add an amount equal to said tax to the rates of interest and discount fixed by the Board of Governors of the Federal Reserve System.”

Suspension of specified requirements.

Graduated tax.

Payment.

Sec. 2. The second paragraph of section 16 of the Federal Reserve Act, as amended, is amended to read as follows:

38 Stat. 266.
12 U. S. C., Supp. IV, § 412.

“Any Federal Reserve bank may make application to the local Federal Reserve agent for such amount of the Federal Reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal Reserve agent of collateral in amount equal to the sum of the Federal Reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of section 13 of this Act, or bills of exchange endorsed by a member bank of any Federal Reserve district and purchased under the provisions of section 14 of this Act, or bankers' acceptances purchased under the provisions of said section 14, or gold certificates, or direct obligations of the United States. In no event shall such collateral security be less than the amount of Federal Reserve notes applied for. The Federal Reserve agent shall each day notify the Board of Governors of the Federal Reserve System of all issues and withdrawals of Federal Reserve notes to and by the Federal Reserve bank to which he is accredited.

Application for Federal Reserve notes.

Collateral security.

38 Stat. 263.
12 U. S. C. §§ 82, 342 et seq., 372.
38 Stat. 264.
12 U. S. C. §§ 353-359, 348a.

Daily notices of issues and withdrawals of Federal Reserve notes.

Additional security.

The said Board of Governors of the Federal Reserve System may at any time call upon a Federal Reserve bank for additional security to protect the Federal Reserve notes issued to it."

Termination of authority.
Federal Reserve bank notes.
38 Stat. 269.
12 U. S. C. § 445.

SEC. 3. All power and authority with respect to the issuance of circulating notes, known as Federal Reserve bank notes, pursuant to the sixth paragraph of section 18 of the Federal Reserve Act, as amended by section 401 of the Act approved March 9, 1933 (48 Stat. 1, 6), shall cease and terminate on the date of enactment of this Act.

Issuance of U. S. notes.

31 U. S. C. § 462.

SEC. 4. All power and authority of the President and the Secretary of the Treasury under section 43 (b) (1) of the Act approved May 12, 1933 (48 Stat. 31, 52), with respect to the issuance of United States notes, shall cease and terminate on the date of enactment of this Act.

Approved June 12, 1945.

[CHAPTER 189]

AN ACT

Making appropriations for the Legislative Branch for the fiscal year ending June 30, 1946, and for other purposes.

June 13, 1945

[H. R. 3109]

[Public Law 85]

Legislative Branch
Appropriation Act,
1946.
Post, pp. 412, 413,
632, 633.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending June 30, 1946, namely:

SENATE

SALARIES AND MILEAGE OF SENATORS

For compensation of Senators, \$960,000.

For mileage of the President of the Senate and of Senators, \$51,000.

For compensation of officers, clerks, messengers, and others:

Post, p. 632.

OFFICE OF THE VICE PRESIDENT

For compensation of the Vice President of the United States, \$15,000.

Salaries: For clerical assistance to the Vice President, at rates of compensation to be fixed by him, \$15,420.

CHAPLAIN

Chaplain of the Senate, \$1,680.

OFFICE OF THE SECRETARY

Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, \$8,000; Chief Clerk, who shall perform the duties of reading clerk, \$5,500 and \$1,500 additional so long as the position is held by the present incumbent; financial clerk, \$5,000 and \$2,000 additional so long as the position is held by the present incumbent; assistant financial clerk, \$4,500; Parliamentarian, \$5,000 and \$1,500 additional so long as the position is held by the present incumbent; Journal clerk, \$4,000 and \$1,000 additional so long as the position is held by the present incumbent; principal clerk, \$4,000; legislative clerk, \$4,000 and \$1,500 additional so long as the position is held by the present incumbent; enrolling clerk, \$4,000; printing clerk, \$3,540 and \$460 additional so long as the position is held by the present incumbent; chief bookkeeper, \$3,600 and \$600 additional so long as the position is held by the present incumbent; librarian, \$3,600; executive clerk, \$3,180 and \$420 additional so long as the position is held by

the present incumbent; first assistant librarian, \$3,120; keeper of stationery, \$3,320; clerks—one at \$3,900, one at \$3,600 and \$500 additional so long as the position is held by the present incumbent, one at \$3,360, one at \$3,180, one at \$2,880 and \$540 additional so long as the position is held by the present incumbent, two at \$2,880 each, three at \$2,640 each, clerk in disbursing office, \$2,400, one at \$2,400 and \$300 additional so long as the position is held by the present incumbent, five at \$2,400 each, three at \$1,860 each, three at \$1,740 each; additional clerical assistance and readjustment of salaries in the disbursing office, \$4,020; two assistants in library at \$1,800 each; special officer, \$2,460; night watchman, \$1,920, in lieu of night watchman provided by S. Res. 471, agreed to February 28, 1931; assistants at the press door—one at \$2,200, one at \$1,900; messenger, \$1,320; laborers—one at \$2,040, one at \$1,680, five at \$1,500 each, one at \$1,440, one in Secretary's office, \$1,740, one \$1,620, one \$1,320; in all, \$167,640.

Post, p. 632.

DOCUMENT ROOM

Salaries: Superintendent, \$3,960 and \$1,040 additional so long as the position is held by the present incumbent; first assistant, \$2,640; second assistant, \$2,040; four assistants, at \$2,040 each; skilled laborer, \$1,440; in all; \$19,280.

COMMITTEE EMPLOYEES

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Appropriations—clerk, \$7,000, and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk, \$5,000 and \$1,500 additional so long as the position is held by the present incumbent; assistant clerk, \$4,800; assistant clerk, \$3,600 for the office of the ranking minority member of the Committee on Appropriations, to be appointed by him; three assistant clerks at \$3,000 each; two assistant clerks at \$2,220 each; messenger, \$1,800. To Audit and Control the Contingent Expenses of the Senate—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Banking and Currency—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerical assistance at rates of compensation to be fixed by the chairman of said committee, \$6,000. Civil Service—clerk, \$3,900; assistant clerk, \$3,180; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Claims—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Commerce—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Conference Majority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220; additional clerical assistance at rates of compensation to be fixed by the chairman of said committee, \$6,000. Conference Minority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220; additional clerical assistance at rates of compensation to be fixed by the chairman of said committee, \$6,000. District of Columbia—clerk, \$3,900; two assistant clerks at \$2,880 each; assistant clerk, \$2,220; two additional clerks at \$1,800 each; additional clerical assistance at rates of compensation to be fixed by the chairman of said committee, \$6,000. Education and Labor—clerk, \$3,900; assistant

clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Enrolled Bills—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; assistant clerk, \$1,800; additional clerk, \$1,800. Expenditures in the Executive Departments—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Finance—clerk, \$4,200 and \$500 additional so long as the position is held by the present incumbent; special assistant to the committee, \$3,600; assistant clerk, \$2,880; assistant clerk, \$2,700; assistant clerk, \$2,400; two assistant clerks at \$2,220 each; two experts (one for the majority and one for the minority) at \$3,600 each; messenger, \$1,800. Foreign Relations—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$3,000; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800; messenger, \$1,800. Immigration—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,400; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Indian Affairs—clerk, \$3,900; assistant clerk, \$3,600 and \$1,400 additional so long as the position is held by the present incumbent; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Interoceanic Canals—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; assistant clerk, \$2,040; additional clerk, \$1,800. Interstate Commerce—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Irrigation and Reclamation—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Judiciary—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Library—clerk, \$3,900; two assistant clerks at \$2,400 each; assistant clerk, \$2,220; additional clerk, \$1,800. Manufactures—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; assistant clerk, \$2,040; additional clerk, \$1,800. Military Affairs—clerk, \$3,900; special assistant, \$3,300; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; two assistant clerks at \$1,800 each; two additional clerks at \$1,800 each. Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Patents—clerk, \$3,900; two assistant clerks at \$2,400 each; assistant clerk, \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900; assistant clerk, \$2,580; four assistant clerks at \$2,220 each. Post Offices and Post Roads—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,520; three assistant clerks at \$2,220 each; additional clerk, \$1,800. Printing—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Privileges and Elections—clerk, \$3,900; assistant clerk, \$2,400; two assistant clerks at \$2,220 each; additional clerk, \$1,800. Public Buildings and Grounds—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; assistant clerk, \$2,000; assistant clerk, \$1,800; additional clerk, \$1,800. Public Lands and Surveys—clerk, \$3,900; assistant clerk, \$1,800 and \$1,500 additional so long as the position is held by the present incumbent; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Rules—clerk, \$3,900 and \$200 toward the preparation biennially of the Senate Manual under the direction of the Committee on Rules; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Special Committee on Conservation of Wildlife Resources—clerk, \$3,900; assistant clerk, \$1,800. Territories and Insular Affairs—clerk, \$3,900; assistant clerk, \$2,580; two assistant clerks at \$2,220 each; two assistant clerks at \$2,000 each; additional clerk, \$1,800; in all, \$587,800.

CLERICAL ASSISTANCE TO SENATORS

Clerical assistance to Senators who are not chairmen of the committees specially provided for herein, as follows: Seventy clerks at \$3,900 each; seventy assistant clerks at \$2,400 each; and seventy assistant clerks at \$2,220 each; seventy additional clerks at \$1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman; messenger, \$1,800; in all, \$724,200.

Ninety-six additional clerks at \$1,800 per annum each, one for each Senator, \$172,800.

Ninety-six additional clerks at \$1,800 per annum each, one for each Senator, \$172,800.

Thirty additional clerks at \$1,500 per annum each, one for each Senator from each State which has a population of three million or more inhabitants, \$45,000.

For three additional clerks at \$1,500 per annum each for each Senator from any State which has a population of ten million or more inhabitants, \$18,000; for two additional clerks at \$1,500 per annum each for each Senator from any State which has a population of five million or more inhabitants but less than ten million, \$30,000, in all, \$48,000: *Provided*, That such additional clerks shall be in addition to any other clerical assistance to which Senators are entitled, and shall be employed only during the period of the emergency.

For an additional amount for clerical assistance to Senators (including chairmen of standing committees) at the rate of \$5,040 per annum for each Senator, \$483,840.

Senators and chairmen of standing committees may change the number of employees in their respective offices or committees, and may rearrange the schedule of basic salaries of such employees in multiples of \$5 per month: *Provided*, That such changes and rearrangements shall not increase the aggregate of the salaries provided for such offices or committees by law or Senate resolution: *Provided further*, That no salary shall be fixed under this paragraph at a rate in excess of \$5,040 per annum, and no action shall be taken to reduce any salary which is specifically fixed by law at a rate higher than \$5,040 per annum: *Provided further*, That Senators and committee chairmen, before the day on which they are to become effective, shall certify in writing such changes or rearrangements to the disbursing office of the Senate which thereafter shall pay such employees in accordance with such certifications.

Notwithstanding the provisions of the third paragraph under the heading "Clerical assistance to Senators" of section 1 of the Legislative Appropriation Act for the fiscal year ending June 30, 1928 (2 U. S. C. 92a), in the case of the death of a Senator during his term of office, his clerical assistants on the pay roll of the Senate on the date of such death shall be continued on such pay roll at their respective salaries for a period of not to exceed sixty days: *Provided*, That any such clerical assistants continued on the pay roll shall, while so continued, perform their duties under the direction of the Secretary of the Senate, and he is hereby authorized and directed to remove from such pay roll any such clerks who are not attending to the duties for which their services are continued: *Provided further*, That this shall not apply to clerical assistants of standing committees of the Senate when their service otherwise would continue beyond such period.

In all, clerical assistance to Senators, \$1,646,640: *Provided*, That all clerks, assistants clerks, and additional clerks under this heading shall be ex officio clerks, assistant clerks, and additional clerks of any committee of which their Senator is chairman.

Rearrangement of salary schedules, etc.

Aggregate.

Salary limitation.

Certification to disbursing office.

Pay of clerical assistants as affected by death of Senator.

44 Stat. 1148.
2 U. S. C., Supp.
IV, § 92e.

Performance of duties.

Exception.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Post, p. 632.

Salaries: Sergeant at Arms and Doorkeeper, \$8,000; two secretaries (one for the majority and one for the minority), at \$5,400 each and \$1,500 additional each so long as the respective positions are held by the present respective incumbents; two assistant secretaries (one for the majority and one for the minority), at \$4,320 each and \$480 additional each so long as the respective positions are held by the present respective incumbents; Deputy Sergeant at Arms and storekeeper, \$4,800 and \$1,000 additional so long as the position is held by the present incumbent; clerks—one \$3,300, one \$3,120, one \$2,200, one \$2,120, one \$1,800, one to the secretary for the majority, \$2,640, one to the secretary for the minority, \$2,640; assistant doorkeeper, \$2,880; messengers—three (acting as assistant doorkeepers) at \$2,400 each; thirty (including four for minority) at \$1,740 each; four at \$1,620 each; one at card door, \$2,640, and \$240 additional so long as the position is held by the present incumbent; clerk on Journal work for Congressional Record to be selected by the Official Reporters, \$3,360; cabinetmakers—chief, \$2,780; one, \$2,300; one, \$2,220; finisher, \$2,300; upholsterer, \$2,220; janitor, \$2,400 and \$300 additional so long as the position is held by the present incumbent; five skilled laborers, \$1,680 each; laborer in charge of private passage, \$1,800 and \$120 additional so long as the position is held by the present incumbent; four female attendants in charge of ladies' retiring rooms, at \$1,560 each; three female attendants in charge of ladies' retiring rooms, Senate Office Building, at \$1,560 each; telephone operators—chief, \$3,000; assistant chief, \$2,400; thirteen at \$1,800 each; longevity pay of operators as authorized by Public Law Numbered 2, Seventy-ninth Congress, \$1,350; laborer in charge of Senate toilet rooms in old library space, \$1,260; press gallery—superintendent, \$3,660; assistant superintendent, \$3,000; assistant superintendent, \$1,920; messengers for service to press correspondents—two at \$1,620 each, two at \$1,500 each; radio press gallery—superintendent, \$3,000; assistant superintendent, \$1,960; laborers—two at \$1,500 each, one at \$1,380, twenty-six at \$1,320 each, three at \$540 each; special employees—seven at \$1,000 each; twenty-one pages for the Senate Chamber, at the rate of \$5 per day each, during the session, \$19,005; in all, \$283,295.

Ante, p. 4.*Post*, p. 412.

Capitol Police force under the Sergeant at Arms: Captain, \$3,000; two lieutenants at \$2,000 each; two special officers at \$2,000 each; four sergeants at \$1,920 each; fifty-five privates at \$1,800 each; in all, \$117,680.

POST OFFICE

Post, p. 412.

Salaries: Postmaster, \$3,600; assistant postmaster, \$2,880; chief clerk, \$2,460; wagon master, \$2,280; assistant, \$1,740; twenty-six mail carriers at \$1,740 each; in all, \$58,200.

FOLDING ROOM

Salaries: Foreman, \$2,460 and \$540 additional so long as the position is held by the present incumbent; clerks—one at \$2,400, two at \$1,740 each; folders—chief, \$2,040; thirteen at \$1,440 each; in all, \$29,640.

CONTINGENT EXPENSES OF THE SENATE

Vice President's automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, \$4,000.

Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, \$65,450.

Furniture: For services in cleaning, repairing, and varnishing furniture, \$2,000.

Furniture: For materials for furniture and repairs of same, exclusive of labor, and for the purchase of furniture, \$8,000.

Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, \$150,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Post, p. 605.

Per diem and subsistence.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.

Joint Committee on Internal Revenue Taxation: For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, \$35,500.

Folding documents: For folding speeches and pamphlets at a rate not exceeding \$1 per thousand, \$18,000.

For materials for folding, \$1,500.

Fuel, and so forth: For fuel, oil, cotton waste, and advertising, exclusive of labor, \$2,000.

Senate restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1942 (Public Law 709, Seventy-seventh Congress), \$35,000.

56 Stat. 750.
40 U. S. C., Supp.
IV, §§ 174f-174j.

Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, \$8,760.

Miscellaneous items: For miscellaneous items, exclusive of labor, \$401,762.

Post, p. 632.

Packing boxes: For packing boxes, \$970.

Postage stamps: For office of Secretary, \$350; office of Sergeant at Arms, \$150; in all, \$500.

Air-mail and special-delivery stamps: For air-mail and special-delivery stamps for Senators and the President of the Senate as authorized by law, \$10,249.66, and the maximum allowance per capita of \$96.66 is increased to \$105.66 for the fiscal year 1946 and thereafter.

The Committee on Appropriations, authorized by Senate Resolution Numbered 193, agreed to October 14, 1943, to employ expert and clerical assistance for the purpose of obtaining and laying factual data and information before the committee for its consideration in the discharge of its functions, hereby is authorized to expend from the contingent fund of the Senate, during the fiscal year 1946, \$50,000 in pursuance of the purposes set forth in said resolution: *Provided*, That whenever any person has left or leaves any civilian position in any department or agency in the executive branch of the Government in order to accept employment by the Senate Committee on Appropriations, he shall be carried on the rolls of such committee and shall be solely employed by such committee, and responsible only to it; but he shall be entitled upon making application to the Civil Service Commission within thirty days after the termination of his employment by such committee (unless such employment is terminated for cause) to be restored to a position in the same or any other department or agency where an opening exists, comparable to the position which, according to the records of the department or agency which he left to accept employment by the Senate Committee on Appropriations or in the judgment of the Civil Service Commission, such person would be occupying if he had remained in the employ of such department or agency during the time he was employed by such committee; and such person shall be restored to such position with the same seniority, status, and pay as if he had

Assistance in obtaining factual data.

Appropriations Committee, status of certain employees.

remained in the employ of the department or agency which he left, during such time. This section shall not be construed to require any person to be restored to a position in any department or agency after the expiration of the time for which he was appointed to the position which he left to accept employment by such committee.

Long-distance tele-
phone calls.

There shall be paid from the contingent fund of the Senate, in accordance with rules and regulations prescribed by the Committee to Audit and Control the Contingent Expenses of the Senate, toll charges on not to exceed twenty-six strictly official long-distance telephone calls, aggregating per month for each Senator not more than one hundred and thirty minutes, to and from Washington, District of Columbia.

There shall be paid from the contingent fund of the Senate, in accordance with rules and regulations prescribed by the Committee to Audit and Control the Contingent Expenses of the Senate, toll charges on strictly official long-distance telephone calls originating and determining outside of Washington, District of Columbia, not to exceed \$300 per year for each Senator.

Post, p. 633.

Stationery: For stationery for Senators and for the President of the Senate, including \$7,500 for stationery for committees and offices of the Senate, \$46,300: *Provided*, That commencing with the fiscal year 1946 the allowance for stationery for each Senator and for the President of the Senate shall be \$400 per annum.

Rent: For rent of warehouse for storage of public documents, \$2,000.

HOUSE OF REPRESENTATIVES

MEMBERS, DELEGATES, AND RESIDENT COMMISSIONER

For compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, \$4,385,000.

For mileage of Representatives, the Delegate from Hawaii and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska, \$171,000.

Expense allowance.

There shall be paid to each Representative and Delegate, and to the Resident Commissioner from Puerto Rico, after January 2, 1945, an expense allowance of \$2,500 per annum to assist in defraying expenses related to or resulting from the discharge of his official duties, to be paid in equal monthly installments. For making such payments through June 30, 1946, \$1,642,500, of which so much as is required to make such payments for the period from January 3, 1945, to June 30, 1945, both inclusive, shall be immediately available.

For compensation of officers, clerks, messengers, and others:

OFFICE OF THE SPEAKER

Salaries: Secretary to the Speaker, \$4,620; three clerks to the Speaker, at \$2,400 each; messenger to Speaker, \$1,680; in all, \$13,500.

THE SPEAKER'S TABLE

Salaries: Parliamentarian \$5,000, and \$2,500 additional so long as the position is held by the present incumbent, and for preparing Digest of the Rules, \$1,000 per annum; Assistant Parliamentarian, \$3,000 and \$1,500 additional so long as the position is held by the present incumbent; messenger to Speaker's table, \$1,740; in all, \$14,740.

CHAPLAIN

Chaplain of the House of Representatives, \$1,680, and \$820 additional so long as the position is held by the present incumbent.

OFFICE OF THE CLERK

Salaries: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, \$8,000; Journal clerk, two reading clerks, and tally clerk, at \$7,000 each; assistant reading clerk, \$5,000, to continue available, under the limitations of House Resolution 95, adopted January 18, 1945; enrolling clerk, \$4,000; disbursing clerk, \$3,960 and \$2,040 additional so long as the position is held by the present incumbent; file clerk, \$3,780; chief bill clerk, \$3,540; assistant enrolling clerk, \$3,900 and \$500 additional as assistant to the Clerk of the House of Representatives; assistant tally clerk, \$5,000; assistant to disbursing clerk, \$3,120; stationery clerk, \$2,880; librarian, \$2,760; assistant librarian and assistant file clerk, at \$2,520 each; assistant Journal clerk and assistant librarian, at \$2,460 each; clerks—one at \$2,460, four at \$2,340 each; bookkeeper and assistant in disbursing office at \$2,160 each; assistant in disbursing office, \$1,800; additional clerical assistance in disbursing office in accordance with the provisions of House Resolutions Numbered 585, 390, and 679, adopted December 16, 1942, December 20, 1943, and December 14, 1944, respectively, \$15,000; three assistants to chief bill clerk at \$2,100 each; stenographer to the Clerk, \$2,500; assistant in stationery room, \$1,740; three messengers at \$1,680 each; stenographer to Journal clerk, \$1,560; laborers—three at \$1,440 each, ten at \$1,260 each; telephone operators—assistant chief, \$2,400, twenty-three at \$1,800 each; longevity pay of operators as authorized by Public Law 2, Seventy-ninth Congress, \$2,010; operators and extra services of regular employees, when required, at the rate of not to exceed \$135 per month each, \$1,620; property custodian and superintendent of furniture and repair shop, who shall be a skilled cabinetmaker or upholsterer and experienced in the construction and purchase of furniture, \$3,960; two assistant custodians at \$3,360 each; locksmith and typewriter repairer, \$1,860; messenger and clock repairer, \$1,740; operation, maintenance, and repair of motor vehicles, \$1,200; in all, \$216,350.

Telephone operators.
Ante, p. 4.

COMMITTEE EMPLOYEES

Clerks, messengers, and janitors to the following committees: Accounts—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Agriculture—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Appropriations—clerk, \$8,000; assistant clerks and other personal services at rates to be fixed by resolution of the committee and certified to the Clerk of the House of Representatives, \$48,740, and in addition, the unexpended balance for such purpose for the fiscal year 1945 is continued available during fiscal year 1946; twelve clerk-stenographers at the annual rate of \$1,800 each, one for each subcommittee of the Committee on Appropriations having jurisdiction over a regular annual appropriation bill as shall be designated by the chairman of the Committee on Appropriations and to be appointed by the chairmen of the subcommittees so designated, subject to the approval of the chairman, and one for the office of the ranking minority member of the Committee on Appropriations, to be appointed by him, \$23,400, of which \$1,800 shall be immediately available. Banking and Currency—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Census—clerk, \$2,760; janitor, \$1,260. Civil Service—clerk, \$2,760; janitor, \$1,260. Claims—clerk, \$3,300; assistant clerk, \$2,460; assistant clerk, \$1,800; janitor, \$1,260. Coinage, Weights, and Measures—clerk, \$2,760; janitor, \$1,260. Disposition of Executive Papers—clerk, \$2,760. District of Columbia—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Education—clerk, \$2,760; janitor, \$1,260. Election of the President, Vice President,

Post, p. 413.

and Representatives in Congress—clerk, \$2,760. Elections Numbered 1—clerk, \$2,760; janitor, \$1,260. Elections Numbered 2—clerk, \$2,760; janitor, \$1,260. Elections Numbered 3—clerk, \$2,760; janitor, \$1,260. Enrolled Bills—clerk, \$2,760; janitor, \$1,260. Expenditures in the Executive Departments—clerk, \$3,300; janitor, \$1,260. Flood Control—clerk, \$2,760; janitor, \$1,260. Foreign Affairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Immigration and Naturalization—clerk, \$3,300; assistant clerk, \$2,400; janitor, \$1,260. Indian Affairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Insular Affairs—clerk, \$2,760; janitor, \$1,260. Interstate and Foreign Commerce—clerk, \$3,900 and \$600 additional so long as the position is held by the present incumbent; additional clerk, \$2,640; assistant clerk, \$2,100; janitor, \$1,560. Irrigation and Reclamation—clerk, \$2,760; janitor, \$1,260. Invalid Pensions—clerk, \$3,300; assistant clerk, \$2,880; expert examiner, \$2,700; stenographer, \$2,640; janitor, \$1,500. Judiciary—clerk, \$3,900; assistant clerk, \$2,460; assistant clerk, \$1,980; janitor, \$1,560. Labor—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Library—clerk, \$2,760; janitor, \$1,260. Merchant Marine and Fisheries—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Military Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Mines and Mining—clerk, \$2,760; janitor, \$1,260. Naval Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Patents—clerk, \$2,760; assistant clerk, \$2,100; janitor, \$1,260. Pensions—clerk, \$3,300; assistant clerk, \$2,160; janitor, \$1,260. Post Office and Post Roads—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Printing—clerk, \$2,760; janitor, \$1,560. Public Buildings and Grounds—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Public Lands—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Revision of the Laws—clerk, \$3,300; janitor, \$1,260. Rivers and Harbors—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Roads—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Rules—clerk, \$3,300; assistant clerk, \$2,100; clerk-stenographer, \$1,800; janitor, \$1,260. Territories—clerk, \$2,760; janitor, \$1,260. Un-American Activities—clerk, \$3,900; assistant clerk, \$2,640; assistant clerk, \$2,100; janitor, \$1,560. War Claims—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Ways and Means—clerk, \$4,620; assistant clerk, \$3,000; assistant clerk and stenographer, \$2,640; assistant clerk, \$2,580; clerk for minority, \$3,180; janitors—one, \$1,560; two at \$1,260 each. World War Veterans' Legislation—clerk, \$3,300; assistant clerk, \$2,460; for an additional amount for clerks of the committees pursuant to the Act of December 20, 1944 (Public, 512), \$22,880; in all, \$390,960.

56 Stat. 831.
2 U. S. C., Supp. IV,
§§ 60a note, 60f, 60g.

OFFICE OF SERGEANT AT ARMS

Salaries: Sergeant at Arms, \$8,000; Deputy Sergeant at Arms in charge of mace, \$3,180; cashier, \$6,000; assistant cashier, \$4,000; two bookkeepers at \$3,360 each; Deputy Sergeant at Arms in charge of pairs, \$3,600; special assistant to Sergeant at Arms, \$2,400; pair clerk and messenger, \$2,820; stenographer, \$2,500; skilled laborer, \$1,380; hire of automobile, \$600; in all, \$41,200.

Post, p. 413.

Capitol Police force under the Sergeant at Arms: Three lieutenants at \$1,740 each; five sergeants at \$1,680 each; sixty privates at \$1,620 each; in all, \$110,820.

OFFICE OF DOORKEEPER

Salaries: Doorkeeper, \$6,000; special employee, \$3,000; superintendent of House Press Gallery, \$3,660; assistants to the superintendent of the House Press Gallery—one at \$3,000, and one at \$2,220; House

Radio Press Gallery—superintendent of radio room at \$2,700; messenger at \$1,560; chief janitor, \$2,700 and \$300 additional so long as the position is held by the present incumbent; messengers—one chief messenger, \$2,240 and \$300 additional so long as the position is held by the present incumbent, sixteen messengers at \$1,740 each, fourteen on soldiers' roll at \$1,740 each; laborers—seventeen at \$1,260 each, two (cloakroom) at \$1,380 each, one (cloakroom), \$1,260, and seven (cloakroom) at \$1,140 each; three female attendants in ladies' retiring rooms at \$1,680 each, attendant for the ladies' reception room, \$1,440; superintendent of folding room, \$3,180 and \$820 additional so long as the position is held by the present incumbent; foreman of folding room, \$2,640; chief clerk to superintendent of folding room, \$2,460; three clerks at \$2,160 each; janitor, \$1,260; laborer, \$1,260; thirty-one folders at \$1,440 each; shipping clerk, \$1,740; two drivers at \$1,380 each; two chief pages at \$1,980 each; two telephone pages at \$1,680 each; two floor managers of telephones (one for the minority) at \$3,180 each and \$600 each additional so long as the respective positions are held by the respective present incumbents; two assistant floor managers in charge of telephones (one for the minority) at \$2,100 each; fifty pages during the session, including ten pages for duty at the entrances to the Hall of the House at \$5 per day each, \$45,250; superintendent of document room (Elmer A. Lewis), \$3,960 and \$1,040 additional so long as the position is held by the present incumbent; assistant superintendent of document room, \$2,760; clerk, \$2,320; assistant clerk, \$2,160; eight assistants at \$1,860 each; janitor, \$1,440; messenger to press room (House Press Gallery), \$1,560; maintenance and repair of folding-room motortruck, \$500; in all, \$281,970.

Post, p. 413.

SPECIAL AND MINORITY EMPLOYEES

For the minority employees authorized and named in the House Resolutions Numbered 51 and 53 of December 11, 1931, as amended: Two at \$5,000 each, one at \$3,000 and \$450 additional so long as the position is held by the present incumbent, two at \$3,000 each; one at \$3,600 and \$300 additional while the position is held by the present incumbent (minority pair clerk, House Resolution Numbered 313 of August 7, 1935); in all, \$23,350.

Special employees: Assistant foreman of the folding room, authorized in the resolution of September 30, 1913, \$1,980; laborer, authorized and named in the resolution of April 28, 1914, \$1,380; laborer, \$1,380; in all, \$4,740.

Successors to any of the employees provided for in the two preceding paragraphs may be named by the House of Representatives at any time.

Office of majority floor leader: Legislative clerk, \$3,110 and \$300 additional so long as the position is held by the present incumbent; clerk, \$2,530; additional clerk, \$2,000; two assistant clerks, at \$1,800 each; for official expenses of the majority leader, as authorized by House Resolution Numbered 101, Seventy-first Congress, adopted December 18, 1929, \$2,000; in all, \$13,540.

Conference minority: Clerk, \$3,180 and \$300 additional so long as the position is held by the present incumbent; legislative clerk, \$3,060; assistant clerk, \$2,100; janitor, \$1,560; in all, \$10,200. The foregoing employees to be appointed by the minority leader.

Two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, at \$1,740 each; in all, \$3,480.

Two printing clerks, one for the majority caucus room and one for the minority caucus room, to be appointed by the majority and minority leaders, respectively, at \$2,000 each; in all, \$4,000.

POST OFFICE

Salaries: Postmaster, \$5,000; assistant postmaster, \$2,880; two registry and money-order clerks, at \$2,100 each; forty messengers (including one to superintend transportation of mails), at \$1,740 each; substitute messengers and extra services of regular employees, when required, at the rate of not to exceed \$145 per month each, \$1,740; laborer, \$1,260; in all, \$84,680.

Motor vehicles: For the purchase, exchange, maintenance, and repair of motor vehicles for carrying the mails, \$2,200.

OFFICIAL REPORTERS OF DEBATES

Salaries: Seven official reporters of the proceedings and debates of the House, at \$7,500 each; clerk, \$4,000; assistant clerk, \$2,000; six expert transcribers, at \$2,000 each; in all, \$70,500.

COMMITTEE REPORTERS

Salaries: Four reporters to committees, at \$7,500 each, and two reporters to committees, at \$6,500 each; clerk, \$3,360; six expert transcribers, at \$2,000 each; in all, \$58,360: *Provided*, That any sums received from the sale of copies of transcripts of hearings of committees reported by such reporters shall be covered into the Treasury as "miscellaneous receipts".

Transcripts of hearings.

"During the session."

Whenever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the one hundred and eighty-one days from January 1 to June 30, 1946, inclusive.

CLERK HIRE, MEMBERS AND DELEGATES

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, as authorized by law, \$4,161,000.

CONTINGENT EXPENSES OF THE HOUSE

Furniture: For furniture and materials for repairs of the same, including labor, tools, and machinery for furniture repair shops, \$55,000, of which \$5,000 shall be immediately available.

Miscellaneous items: For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the sum of \$27,500 for payment to the Architect of the Capitol in accordance with section 208 of the Act approved October 9, 1940 (Public Act 812, Seventy-sixth Congress), the reimbursement to the official reporters to committees for the amounts actually paid out by them for transcribing hearings, and materials for folding, \$86,000: *Provided*, That no part of this appropriation shall be used to pay the salaries of three additional laborers authorized in section 2 of House Resolution Numbered 385 of the Seventy-eighth Congress, adopted December 17, 1943.

64 Stat. 1066.

Restriction.

Reporting hearings: For stenographic reports of hearings of committees other than special and select committees, \$27,500.

Special and select committees: For expenses of special and select committees authorized by the House, \$400,000.

Joint Committee on Internal Revenue Taxation: For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, \$35,500.

Funeral expenses: No part of the appropriations contained in this title for the contingent expenses of the House of Representatives

shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office, and except the widow or minor children or both of the deceased, to attend the funeral rites and burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico.

Telegraph and telephone: For telegraph and telephone service, exclusive of personal services, \$200,000.

Stationery: For stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, for the second session of the Seventy-ninth Congress, and for stationery for the use of the committees and officers of the House (not to exceed \$6,000), \$93,600.

Attending physician's office: For medical supplies, equipment, and contingent expenses of the emergency room and for the attending physician and his assistants, including an allowance of \$1,500 to be paid to the attending physician in equal monthly installments as authorized by the Act approved June 27, 1940 (54 Stat. 629), and including an allowance of not to exceed \$30 per month each to four assistants as provided by the House resolutions adopted July 1, 1930, January 20, 1932, and November 18, 1940, \$6,985.

Postage stamps: Postmaster, \$200; Clerk, \$400; Sergeant at Arms, \$250; Doorkeeper, \$100; in all, \$950.

To enable the Clerk of the House to procure and furnish each Representative, Delegate, and the Resident Commissioner from Puerto Rico, United States air mail and special delivery postage stamps as authorized by law, \$32,850; and the maximum allowance per capita is increased by \$25 for the fiscal year 1946 and thereafter.

Folding documents: For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand or for the employment of personnel at a rate not to exceed \$5.20 per day per person, \$30,000.

Revision of laws: For preparation and editing of the laws as authorized by the Act approved May 29, 1928 (1 U. S. C. 59), \$8,000, to be expended under the direction of the Committee on Revision of the Laws.

The unexpended balance of the appropriation "For preliminary work in connection with the preparation of a new edition of the United States Code, including the correction of errors as authorized by the Act approved March 2, 1929", contained in the Legislative Branch Appropriation Act, 1944, is hereby continued available until June 30, 1946.

For preparing and editing a new edition of the Code of Laws of the United States of America as authorized and directed by law (U. S. C., title 1, ch. III), to remain available until expended, \$150,000.

Clerk's office, special assistance: For assistants in compiling lists of reports to be made to Congress by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; preparing lists of congressional nominees and statistical summary of elections; preparing and indexing questions of order printed in the Appendix to the Journal pursuant to House rule III; for recording and filing statements of political committees and candidates for election to the House of Representatives pursuant to the Federal Corrupt Practices Act, 1925 (2 U. S. C. 241-256); and for such other assistance as the Clerk of

Post, p. 633.

Post, p. 633.

Air mail and special delivery stamps.

45 Stat. 1008.

New edition of U. S. Code.

45 Stat. 1540.
1 U. S. C. § 51a et
seq.
57 Stat. 230.

43 Stat. 1070.
2 U. S. C., Supp.
IV, § 251.

the House may deem necessary and proper in the conduct of the business of his office, \$4,500: *Provided*, That no part of this appropriation shall be used to augment the annual salary of any employee of the House of Representatives.

Speaker's automobile: For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, \$4,000.

CAPITOL POLICE

General expenses: For purchasing and supplying uniforms, purchase, exchange, maintenance, and repair of motor-propelled passenger-carrying vehicles, contingent expenses, including \$25 per month for extra services performed by a member of such force for the Capitol Police Board, \$9,400.

Capitol Police Board: To enable the Capitol Police Board to provide additional protection during the present emergency for the Capitol Buildings and Grounds, including the Senate and House Office Buildings and the Capitol Power Plant, \$55,000. Such sum shall only be expended for payment for salaries and other expenses of personnel detailed from the Federal Bureau of Investigation, the Secret Service of the Treasury Department, and the Metropolitan Police of the District of Columbia, and the heads of such agencies and the Commissioners of the District of Columbia are authorized and directed to make such details upon the request of the Board. Personnel so detailed shall, during the period of such detail, serve under the direction and instructions of the Board and is authorized to exercise the same authority as members of such Metropolitan Police and members of the Capitol Police and to perform such other duties as may be assigned by the Board. Reimbursement for salaries and other expenses of such detailed personnel shall be made to the Federal agency or the government of the District of Columbia, respectively, and any sums so reimbursed shall be credited to the appropriation or appropriations from which such salaries and expenses are payable and be available for all the purposes thereof: *Provided*, That any person detailed under the authority of this paragraph or under similar authority in the Legislative Branch, Appropriation Act, 1942, and the Second Deficiency Appropriation Act, 1940, from the Metropolitan Police of the District of Columbia shall be deemed a member of such Metropolitan Police during the period or periods of any such detail for all purposes of rank, pay, allowances, privileges, and benefits to the same extent as though such detail had not been made, and at the termination thereof any such person who was a member of such police on July 1, 1940, shall have a status with respect to rank, pay, allowances, privileges, and benefits which is not less than the status of such person in such police at the end of such detail.

One-half of the foregoing amounts under "Capitol Police" shall be disbursed by the Secretary of the Senate and one-half by the Clerk of the House.

JOINT COMMITTEE ON PRINTING

Salaries: Clerk, \$4,000 and \$800 additional so long as the position is held by the present incumbent; inspector under section 20 of the Act approved January 12, 1895 (44 U. S. C. 49), \$2,820; assistant clerk and stenographer, \$2,640; for expenses of compiling, preparing, and indexing the Congressional Directory, \$1,600; in all, \$11,860, one-half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

Restriction on use of funds.

Capitol Buildings and Grounds, etc. Additional protection.

Status of detailed personnel.

Reimbursement for salaries, etc.

Details from Metropolitan Police, D. C.

55 Stat. 456.
54 Stat. 629.

Disbursement.

28 Stat. 603.
Congressional Directory.

OFFICE OF LEGISLATIVE COUNSEL

Salaries and expenses: For salaries and expenses of maintenance of the Office of Legislative Counsel, as authorized by law, \$90,000, of which \$42,000 shall be disbursed by the Secretary of the Senate and \$48,000 by the Clerk of the House of Representatives.

STATEMENT OF APPROPRIATIONS

For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the first session of the Seventy-ninth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, \$4,000, to be paid to the persons designated by the chairmen of such committees to do the work.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect; \$65,470.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of \$750.

Cost of handling penalty mail, Architect of the Capitol: For deposit in the general fund of the Treasury for cost of penalty mail of the Architect of the Capitol as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$300.

Travel expenses.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special clothing for workmen; waterproof wearing apparel; personal and other services; cleaning and repairing works of art; maintenance and driving of motor-propelled passenger-carrying office vehicle; not exceeding \$300 for the purchase of technical and necessary reference books, periodicals, and city directory; not to exceed \$150 for expenses of attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol; and the compensation of the position of supervising engineer shall be at the rate of \$6,000 per annum so long as the position is held by the person who was the incumbent thereof on May 15, 1941; \$332,800.

Post, p. 633.

Supervising en-
gineer.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol Power Plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with section 3709 (41 U. S. C. 5) of the Revised Statutes, \$109,000.

Legislative garage: For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, \$13,200.

Subway transportation, Capitol and Senate Office Buildings: For repairs, rebuilding, and maintenance of the subway system connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the cars, track, and electrical equipment connected therewith, \$1,500.

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services, including four female attendants in charge of ladies' retiring rooms at \$1,500 each, for the care and operation of the Senate Office Building; to be expended under the control and supervision of the Architect of the Capitol; in all, \$339,500.

House Office Buildings: For maintenance, including equipment, waterproof wearing apparel, miscellaneous items, and for all necessary services, \$427,000.

Capitol power plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, and folding and storage rooms of the Senate, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office and Washington City Post Office and for light and power therefor whenever available; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the plant, \$882,700.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

The Government Printing Office and the Washington City Post Office shall reimburse the Capitol Power Plant for heat, light, and power whenever any such service is furnished during the fiscal year 1946, and the amounts so reimbursed shall be covered into the Treasury.

LIBRARY BUILDINGS AND GROUNDS

MECHANICAL AND STRUCTURAL MAINTENANCE

Salaries: For chief engineer and all personal services at rates of pay provided by law, \$97,800.

Salaries, Sunday opening: For extra services of employees and additional employees under the Architect of the Capitol to provide for the opening of the Library Buildings on Sundays and on holidays, at rates to be fixed by such Architect, \$7,000.

General repairs, and so forth: For necessary expenditures for the Library Buildings and Grounds under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, waterproof wearing apparel, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such buildings and grounds, \$84,000, of which \$40,000 shall be available for necessary expenses for remodeling of space in the annex for a cafeteria and for furniture, equipment, and other items required for operation of same.

36 Stat. 531.

Reimbursement for heat, etc.

Cafeteria.

For furniture, including the purchase of office and library equipment, apparatus, and labor-saving devices, \$38,600, to be expended under the direction of the Architect of the Capitol.

Furniture.

BOTANIC GARDEN

Salaries: For personal services (including not exceeding \$3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), \$80,200; all under the direction of the Joint Committee on the Library.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons when required for use by employees in connection with their work; not to exceed \$25 for emergency medical supplies; disposition of waste; traveling expenses of the Director and his assistants, not to exceed \$250; streetcar fares, not exceeding \$25; not to exceed \$45 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials, and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange of motortrucks, and maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed \$100; repairs and improvements to Director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library, \$20,000.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

No part of the appropriations contained in this Act for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

Distribution of
nursery stock.

LIBRARY OF CONGRESS

Salaries, Library, proper: For the Librarian, the Librarian Emeritus, Chief Assistant Librarian, and other personal services, including special and temporary services and extra special services of regular employees (not exceeding \$5,000) at rates to be fixed by the Librarian, \$1,783,310, of which \$135,000 shall be immediately available.

COPYRIGHT OFFICE

Salaries: For the Register of Copyrights, assistant register, and other personal services, \$299,800.

LEGISLATIVE REFERENCE SERVICE

Salaries: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, and for printing and binding the digests of public general bills, and including not to exceed \$5,700 for employees engaged on piece work and work by the day or hour at rates to be fixed by the Librarian, \$198,300: *Provided*, That not more than \$20,000 of this sum shall be used for preparation and reproduction of copies of the Digest of General Public Bills.

Digests of public
general bills.

DISTRIBUTION OF PRINTED CARDS

Salaries and expenses: For the distribution of printed cards and other publications of the Library, including personal services, freight charges (not exceeding \$500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed \$30,000 for employees engaged in piece work and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, \$227,900.

INDEX TO STATE LEGISLATION

Salaries and expenses: To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (2 U. S. C. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed \$2,500 for special and temporary services at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, \$35,000.

44 Stat. 1066.

UNION CATALOGUES

Salaries and expenses: To continue the development and maintenance of the Union Catalogues, including personal services within and without the District of Columbia (and not to exceed \$700 for special and temporary services, including extra special services of regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, \$44,700.

MOTION-PICTURE PROJECT

To enable the Librarian of Congress to make preliminary investigations and to prepare plans for recording, storing, and servicing of motion pictures and still photographs, including personal services, traveling expenses, rental of storage space and other necessary expenses, \$11,600.

INCREASE OF THE LIBRARY OF CONGRESS

General increase of Library: For purchase of books, miscellaneous periodicals and newspapers, photo-copying supplies and photo-copying labor, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses not to exceed \$35,000, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, \$525,000, to continue available during the fiscal year 1947.

Increase of the law library: For the purchase of books and for legal periodicals for the law library, including payment for legal society publications and for freight, commissions, traveling expenses

not to exceed \$2,500, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of lawbooks, and all other material for the increase of the law library, \$150,000, to continue available during the fiscal year 1947.

Books for the Supreme Court: For the purchase of books and periodicals for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, \$20,000.

BOOKS FOR ADULT BLIND

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (2 U. S. C. 135a), as amended, \$500,000, including not exceeding \$30,000 for personal services, not exceeding \$100,000 for books in raised characters, not exceeding \$400,000 for sound-reproduction records and for the maintenance and replacement of the Government-owned reproducers for sound-reproduction records for the blind and not exceeding \$1,000 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian.

46 Stat. 1487.
2 U. S. C., Supp.
IV, § 135a.

PRINTING AND BINDING

General printing and binding: For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of library books, and for the Library Buildings, \$319,000.

Printing the Catalogue of Title Entries of the Copyright Office: For the publication of the Catalogue of Title Entries of the Copyright Office and the decisions of the United States courts involving copyright, \$20,000.

Printing catalog cards: For the printing of catalog cards and of miscellaneous publications relating to the distribution of printed cards, \$260,000.

CONTINGENT EXPENSES OF THE LIBRARY

For miscellaneous and contingent expenses, stationery, office supplies, stock and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding \$500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, \$26,600.

For personal services, paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, and for the purchase of photoduplications, \$24,100.

For deposit in the general fund of the Treasury for cost of penalty mail for the Library of Congress as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$12,500.

Photoduplicating.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

LIBRARY BUILDINGS

Salaries: For the superintendent and other personal services, in accordance with the Classification Act of 1923, as amended, including special and temporary services and special services of regular

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 et seq.
Post, p. 296 et seq.

employees in connection with the custody, care, and maintenance of the Library Buildings in the discretion of the Librarian (not exceeding \$750) at rates to be fixed by the Librarian, \$314,300.

Incidental expenses.

For mail, delivery, including maintenance, operation, and repair of a motor-propelled passenger-carrying vehicle, telephone services, rubber boots, rubber coats, and other special clothing for employees, uniforms for guards and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Buildings, \$22,800:

Minor purchases.

Provided, That any appropriations under the control of the Librarian of Congress may be expended without reference to section 3709 of the Revised Statutes (41 U. S. C. 5) in any case when the total amount of the purchase involved does not exceed the sum of \$100.

LIBRARY OF CONGRESS TRUST FUND BOARD

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$500.

Citizenship requirements, exemptions.

Ante, p. 132.

Not to exceed ten positions in the Library of Congress may be exempt from the provisions of section 206 of the Independent Offices Appropriation Act, 1946, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointment a person in any of the three categories specified in such section 206 who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress.

GOVERNMENT PRINTING OFFICE

WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, such pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment; fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses, including not to exceed \$3,000 for attendance at meetings or conventions when authorized by the Joint Committee on Printing; stationery, postage, and advertising; directories, technical books, newspapers, magazines, and books of reference (not exceeding \$750); adding and numbering machines, time

Salaries, etc.

Leave with pay.

stamps, and other machines of similar character; rubber boots, coats, and gloves; machinery (not exceeding \$300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding \$1,000); for salaries and expenses of preparing the semi-monthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at \$3,480, one cataloger at \$3,180, two catalogers at \$2,460 each, and one cataloger at \$2,100); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, \$24,200,000; to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations; the printing, binding, and distribution of the Federal Register in accordance with the Act approved July 26, 1935 (44 U. S. C. 301-317) (not exceeding \$500,000); for the printing and binding of the supplement to the Code of Federal Regulations for 1945, as authorized by the Act of July 26, 1935 (44 U. S. C. 311), \$100,000; the printing and binding for use of the Government Printing Office; the printing and binding (not exceeding \$3,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate; in all to an amount not exceeding \$4,200,000: *Provided*, That not less than \$20,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than twelve months after the close of the fiscal year 1946: *Provided further*, That notwithstanding the provisions of section 73 of the Act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of \$4,200,000 shall be used for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Yearbook of Agriculture).

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

During the fiscal year 1946 any executive department or independent establishment of the Government ordering printing and binding or blank paper and supplies from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do; all sums received from sales of waste-paper, other waste material, and condemned property; and for losses or damage to Government property; shall be deposited to the credit,

Machinery.

Congressional Record indexes.

Federal Register.
49 Stat. 500.
44 U. S. C. §§ 301-314; Supp. IV, § 311.
Supplements to CFR.
49 Stat. 503.
44 U. S. C., Supp. IV, §§ 311, 311a.

Unexpended balance.

Yearbook of Agriculture.
28 Stat. 612.

Payment for work ordered by departments, etc.

Adjustments.

Credit of payments to working capital.

on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office for the year in which the work is done, and be subject to requisition by the Public Printer.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

Employees detailed for service in executive branch.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

Salaries: For the Superintendent of Documents, assistant superintendent, and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (44 U. S. C. 40), \$1,045,000.

General expenses: For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelopes, postage, carfares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone, and telegraph service; traveling expenses (not to exceed \$200); repairs to buildings, elevators, and machinery; rental of equipment; preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, bibliographies, catalogs, and indexes; for supplying books to depository libraries; in all, \$345,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents: *Provided further*, That the Superintendent of Documents shall furnish, from the quota that was printed for sale, two complete sets of Definitive Writings of George Washington to each Senator, Representative, Delegate, and Resident Commissioner, serving during the Seventy-eighth Congress, who makes written application therefor.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*

43 Stat. 658.

Books for depository libraries.

Definitive Writings of George Washington.

COST OF HANDLING PENALTY MAIL, GOVERNMENT PRINTING OFFICE

For deposit in the general fund of the Treasury for cost of penalty mail of the Government Printing Office as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$353,000.

SEC. 102. Purchases may be made from the foregoing appropriations under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

SEC. 103. In order to keep the expenditures for printing and binding for the fiscal year 1946 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

SEC. 104. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.
Purchases.

28 Stat. 601.
44 U. S. C. § 1 *et seq.*
36 Stat. 531.

Annual, etc., reports.
Discontinuance of printing.

Original copies.

Private vehicles.

SEC. 105. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for herein or whenever the rate of compensation or designation of any position appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, appropriated for or provided herein shall be the permanent law with respect thereto; and the authority for any position specifically established by such Act which is not specifically appropriated for herein shall cease to exist.

Rate of compensation and designation of positions.
46 Stat. 32.
2 U. S. C. Supp. IV, § 60a.

SEC. 106. No part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police who does not meet the standards to be prescribed for such appointees by the Capitol Police Board: *Provided*, That the Capitol Police Board is hereby authorized to detail police from the House Office, Senate Office, and Capitol Buildings for police duty on the Capitol Grounds.

Capitol Police.
Standards required.

Details for duty of
Capitol Grounds.

SEC. 107. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment, the salary or wages for which are paid from any appropriation contained in this Act, shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons advocating
overthrow of U. S.
Government.

Affidavit.

Penalty.

SEC. 108. This Act may be cited as the "Legislative Branch Appropriation Act, 1946".

Short title.

Approved June 13, 1945.

[CHAPTER 190]

AN ACT

To further extend the effectiveness of the Act approved December 17, 1941, relating to additional safeguards to the radio communications service of ships of the United States, as amended, and for other purposes.

June 13, 1945
[H. R. 3287]
[Public Law 86]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide additional safeguards to the radio communications service of ships of the United States in the interest of national defense, and for other purposes", approved December 17, 1941 (55 Stat. 808), as amended (57 Stat. 244; U. S. C., 1940 edition, Supp. III, title 47, sec. 353, note), is hereby further amended by striking out the words "During the period until July 1, 1945, or until such earlier time as the Congress by concurrent resolution may designate," and inserting in lieu thereof the following: "During the period ending with the termination of the present wars as determined by proclamation of the President or concurrent resolution of Congress, whichever is earlier, or until such date prior to such termination as the Congress by concurrent resolution may designate,".

Radio operators
aboard ship.
Employment restriction,
time extended.

47 U. S. C., Supp.
IV, § 353 note.

Approved June 13, 1945.

[CHAPTER 192]

AN ACT

To amend the Act entitled "An Act to expedite the provisions of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to expedite the provision of housing in connection with the national defense, and for other purposes", approved October 14, 1940, as amended (U. S. C., 1940 edition, Supp. III, title 42, secs. 1521 et seq.), is hereby amended by adding, after section 404, the following new title:

"TITLE V

"HOUSING FOR DISTRESSED FAMILIES OF SERVICEMEN AND VETERANS WITH FAMILIES

"SEC. 501. In those areas or localities where the Administrator shall find that an acute shortage of housing exists or impends and that, because of war restrictions, permanent housing cannot be provided in sufficient quantities when needed, the Administrator is authorized to exercise all of the powers specified in titles I and III of this Act, subject to all of the limitations upon the exercise of such powers contained in such titles, to provide housing for distressed families of servicemen and for veterans and their families who are affected by evictions or other unusual hardships (where their needs cannot be met through utilization of the existing housing supply, including housing under the jurisdiction of the Administrator): *Provided*, That any housing constructed under the provisions of this title V shall be undertaken only where the need cannot be met by moving existing housing and shall be of a temporary character subject to the removal provisions contained in title III of this Act: *And provided further*, That the Administrator shall fix fair rentals for housing constructed or made available pursuant to this title V which shall be within the financial reach of families of servicemen and veterans with families.

"SEC. 502. To carry out the purposes of this title V, and for administrative expenses in connection therewith, any funds made available under title I of this Act are hereby made available.

"SEC. 503. As used in this title V the term 'families of servicemen' shall include the family of any person who is serving in the military or naval forces of the United States, and the term 'veterans' shall include any person who has served in the military or naval forces of the United States during the present war and who has been discharged or released therefrom under conditions other than dishonorable."

Approved June 23, 1945.

[CHAPTER 193]

AN ACT

To permit the continuation of certain subsidy payments and certain purchase and sale operations by corporations created pursuant to section 5d (3) of the Reconstruction Finance Corporation Act, 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 the last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended by the Stabilization Extension Act of 1944, shall not apply, with respect to operations for the fiscal year ending June 30,

June 23, 1945

[H. R. 3322]

[Public Law 87]

Defense housing,
amendments.

54 Stat. 1125.
42 U. S. C., Supp.
IV, § 1521 et seq.
Post, p. 383.

Powers of Adminis-
trator.

54 Stat. 1125; 55 Stat.
361, 363.
42 U. S. C., Supp. IV,
§§ 1521-1524, 1541-1553.

Construction re-
strictions.

Rentals.

Funds available.
Post, p. 674.

"Families of service-
men."

"Veterans."

June 23, 1945

[S. 502]

[Public Law 88]

Subsidy payments,
etc.
Post, p. 507.
58 Stat. 635.
50 U. S. C., Supp.
IV, app. § 902 (e).
Ante, p. 51.

1946, to corporations created or operations authorized to be performed pursuant to section 5d (3) of the Reconstruction Finance Corporation Act, as amended: *Provided*, That with respect to such corporations and such operations the making of subsidy payments and buying for resale at a loss shall be limited as follows:

(a) Payments or purchases may be made after June 30, 1945, in such amounts as may be necessary to fulfill obligations incurred prior to July 1, 1945, with respect to 1945 and prior fiscal year activities.

(b) Payments and purchases may be made with respect to operations for the fiscal year ending June 30, 1946, which involve subsidies and anticipated losses as follows:

(1) With respect to materials or commodities, other than rubber and rubber products, produced outside the United States, in an amount not to exceed \$80,000,000;

(2) With respect to rubber and rubber products produced outside the United States, in an amount not to exceed \$60,000,000;

(3) With respect to materials or commodities produced within the United States, as follows:

(A) Meat in an amount not to exceed \$595,000,000;

(B) Butter in an amount not to exceed \$100,000,000;

(C) Flour in an amount not to exceed \$190,000,000;

(D) Petroleum and petroleum products in an amount not to exceed \$290,000,000;

(E) Copper, lead, and zinc, in the form of premium payments, in an amount not to exceed \$88,000,000; and

(F) Other materials or commodities in an amount not to exceed \$100,000,000:

Provided, That in the event the entire amount of any of the above allocations is not required for its purpose, the unused portion of such allocation, but not to exceed 10 per centum of such allocation, may be used for making such payments on and purchases of any other item or items enumerated in this Act, as may be determined by the Director of Economic Stabilization: *Provided further*, That the premium price plan for copper, lead, and zinc shall be extended until June 30, 1946, on the same terms as heretofore, except that all classes of premiums shall be noncancelable unless necessary in order to make individual adjustments of income to specific mines; and that the Metals Reserve Company shall purchase during the fiscal year ending June 30, 1946, at its 1944 price schedule, bauxite produced from such of the underground mines as supplied bauxite to the Metals Reserve Company during 1944 and in such quantities as the Bureau of Mines determines as being subject to permanent loss if not removed prior to June 30, 1946, but not to exceed, however, five hundred thousand long tons.

SEC. 2. Any slaughterer who heretofore or hereafter shall have received extra compensation payments under Livestock Slaughter Payments Regulation Numbered 3 of Defense Supplies Corporation (adopted pursuant to directives of the Director of Economic Stabilization) when such slaughterer was not in a class eligible for such extra compensation payments, shall be relieved, in whole or in part, of obligation to repay the amount thereof and shall be entitled to receive, in whole or in part, the amount of such extra compensation payments repaid by such slaughterer to, or withheld by Defense Supplies Corporation on account of such extra compensation payments, to the extent that it is determined by the Director of Economic Stabilization, or any agency of the Government authorized by him, that it would be inequitable for Defense Supplies Corporation to require repayment by such slaughterer or to retain the amounts so repaid or withheld, provided such Director or agency also determines that such slaughterer believed reasonably and in good faith that he was eligible

54 Stat. 961,
15 U. S. C., Supp.
IV, § 606b (3).
Limitations.

Obligations incurred
prior to July 1, 1945.

Allocations for fiscal
year 1946.

Materials produced
outside U. S.

Rubber, etc.

U. S. products.

Use of unused portion
of allocation.

Premium price plan
for copper, lead, and
zinc.

Bauxite.

Slaughterers.
Relief concerning
extra compensation
payments.

Determination.

Court review.

to receive such extra compensation payments: *Provided*, That any determination by such Director or agency under this section shall be reviewable by the Emergency Court of Appeals under such rules as such court may prescribe.

Approved June 23, 1945.

[CHAPTER 194]

AN ACT

June 29, 1945

[S. 58]

[Public Law 89]

To amend an Act entitled "An Act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes", approved July 24, 1941, 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 the Act entitled "An Act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes", approved July 24, 1941 (55 Stat. 603), as amended (U. S. C., 1940 edition, Supp. IV, title 34, sec. 350 and the following), is hereby amended by adding the following new subsection (c) to section 2 of said Act:

Regular Navy, retired officers, temporary appointments, etc.

"(c) Officers on the retired list of the Regular Navy may, while on active duty, be temporarily appointed to ranks or grades in a different branch or corps of the Regular Navy without loss of or prejudice to any rights, benefits, privileges, and gratuities enjoyed by them by virtue of their former status."

Naval Reserve, retired officers, temporary appointments, etc.

SEC. 2. Said Act of July 24, 1941, as amended, is further amended by striking out the period at the end of section 11 (a) of said Act and inserting in lieu thereof a colon and the following: "*Provided*, That officers on the retired list of the Naval Reserve with pay pursuant to provisions of the Act entitled 'An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and nineteen, and for other purposes', approved July 1, 1918, may, while on active duty, be temporarily appointed to ranks or grades in a different branch or corps of the Naval Reserve under the authority of this Act without loss of or prejudice to any rights, benefits, privileges, and gratuities enjoyed by them by virtue of their former status."

40 Stat. 717.
34 U. S. C. § 423.

Approved June 29, 1945.

[CHAPTER 195]

AN ACT

June 29, 1945

[S. 118]

[Public Law 90]

Authorizing the Secretary of the Interior to convey certain lands on the Gila reclamation project, Arizona, to the University of Arizona.

Gila reclamation project, Ariz.
Conveyance of lands to University of Arizona.

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 be, and he is hereby, authorized and directed to cause a patent to issue conveying the west half southwest quarter, section 28, township 9 south, range 23 west, Gila and Salt River meridian, Arizona, to the board of regents of the University of Arizona, for use by the University as an agricultural experimental farm; but in said patent there shall be reserved to the United States all oil, coal, and other mineral deposits within said lands and the right to prospect for, mine, and remove the same and a perpetual right-of-way for ditches, canals, laterals, transmission lines, telephone lines, and roadway constructed by or under authority of the United States.

Mineral, etc., rights.

Condition.

SEC. 2. The conveyance herein authorized shall be made upon the express condition that if the terms of the grant have not been complied with, the grant shall be held to be forfeited and the title shall

revert to the United States, and the Secretary of the Interior is hereby authorized and empowered to determine the facts and declare such forfeiture and such reversion and restore said land to the public domain, and such order of the Secretary shall be final and conclusive.

Approved June 29, 1945.

[CHAPTER 196]

AN ACT

To repeal section 3 of the Act approved April 13, 1938, as amended, relating to hops.

June 29, 1945
[S. 427]
[Public Law 91]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to amend the Agricultural Adjustment Act, as amended, by including hops as a commodity to which orders under such Act are applicable", approved April 13, 1938, as amended (U. S. C., 1940 edition, Supp. III, title 7, sec. 608c-1), is hereby repealed.

Agricultural Adjustment Act.
Orders applicable to hops.

52 Stat. 215.
7 U. S. C. § 608c-1;
Supp. IV, § 608c-1.

Approved June 29, 1945.

[CHAPTER 197]

AN ACT

To amend the National Defense Act, as amended, so as to eliminate provisions for retirement of wing commanders of the Air Corps.

June 29, 1945
[S. 612]
[Public Law 92]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth sentence of section 4c of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended by the Act of June 4, 1920 (41 Stat. 762), and as amended by the Act of May 12, 1939 (53 Stat. 740), and as amended by the Act of October 14, 1940 (54 Stat. 1116), is further amended to read as follows: "Any officer who shall have served four years as chief or assistant chief of a branch or as commanding general of the General Headquarters Air Force and who may subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the highest grade held by him as such chief, assistant chief, or commanding general: *Provided,* That this provision shall not reduce the rank, pay, or allowances with which such officer would otherwise be entitled to retire."

National Defense Act, amendment.

10 U. S. C. § 1026.

Retirement of certain officers of Air Force.

Rank, pay, etc.

Approved June 29, 1945.

[CHAPTER 198]

AN ACT

To provide for designation of the United States Veterans' Administration hospital at Sioux Falls, South Dakota, as the Royal C. Johnson Veterans Memorial Hospital.

June 29, 1945
[S. 880]
[Public Law 93]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proposed United States Veterans' Administration hospital at Sioux Falls, South Dakota, shall be known and designated on the public records as the Royal C. Johnson Veterans Memorial Hospital.

Royal C. Johnson Veterans Memorial Hospital.

Approved June 29, 1945.

[CHAPTER 199]

AN ACT

June 29, 1945
[S. 916]

[Public Law 94]

To remove the limitation on the right to command of officers of the Dental Corps of the Army which limits such officers to command in that corps.

Officers of Dental
Corps, Army.
Right to command.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and twelve", approved March 3, 1911, is amended by striking out from the fourth paragraph under the heading "Medical Department" the sentence which reads: "Their right to command shall be limited to the dental corps" (36 Stat. 1054; 10 U. S. C. 130).

Approved June 29, 1945.

[CHAPTER 200]

JOINT RESOLUTION

June 29, 1945
[H. J. Res. 206]

[Public Law 95]

Extending the time for the release of powers of appointment for the purposes of certain provisions of the Internal Revenue Code.

Revenue Act of 1942,
amendments.
56 Stat. 944, 952; 58
Stat. 72, 830.
26 U. S. C., Supp.
IV, §§ 811, 812, 826,
861 notes, 1000 note.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403 (d) (3) of the Revenue Act of 1942 (relating to the release of certain powers of appointment) is amended by striking out "July 1, 1945" wherever it appears and inserting in lieu thereof "July 1, 1946"; and section 452 (c) of the Revenue Act of 1942 is amended to read as follows:

"(c) RELEASE BEFORE JULY 1, 1946.—

"(1) A release of a power to appoint before July 1, 1946, shall not be deemed a transfer of property by the individual possessing such power.

"(2) This subsection shall apply to all calendar years prior to 1946 and to that part of the calendar year 1946 prior to July 1, 1946".

SEC. 2. Section 501 (c) of the Revenue Act of 1932 as added by section 502 (b) of the Revenue Act of 1943, relating to certain discretionary trusts, is amended by striking out the words "on or after January 1, 1939, and" and inserting in lieu thereof the words "on or after June 7, 1932, and".

Approved June 29, 1945.

[CHAPTER 201]

AN ACT

June 29, 1945
[H. R. 2416]

[Public Law 96]

Authorizing the State of Alabama to lease or sell and convey all or any part of the Salt Springs land granted to said State by the Act of March 2, 1819.

Alabama.
Disposition of Salt
Springs land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Alabama shall be, and is hereby, authorized and empowered to lease or sell and convey, in such manner and on such terms and conditions as the legislature of said State has directed or may direct, the whole or any part of the Salt Springs land granted to said State for its use by the Act entitled "An Act to enable the people of Alabama Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States", approved March 2, 1819, and to apply the proceeds of such lease or leases, sale or sales, or conveyance or conveyances to such objects as the legislature of said State has directed or may in the future direct.

Approved June 29, 1945.

3 Stat. 491.
Use of proceeds.

[CHAPTER 203]

AN ACT

Authorizing an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. 484), and for other purposes.

June 30, 1945
[H. R. 378]
[Public Law 97]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$101,630 for payment to certain individual Sioux Indians, their heirs, or devisees, in full settlement and satisfaction of their claims against the United States for personal property losses as found and determined by the Secretary of the Interior on November 4, 1944, pursuant to the Act of May 3, 1928 (45 Stat. 484): *Provided*, That the Secretary may make corrections in his findings to eliminate or modify awards where overlapping or duplications exist: *Provided further*, That the Secretary is authorized and directed to determine what attorney or attorneys have rendered services of value on behalf of the said Indian claimants as a class, and to pay such attorney or attorneys the reasonable value of such services not to exceed, in the aggregate, 10 per centum of the amount appropriated above, which payment shall be in full for all services rendered by such attorney or attorneys to said claimants.

Sioux Indians.
Claims for personal
property losses.
Post, p. 647.

Corrections.

Attorneys' services.

SEC. 2. The Secretary, or his duly authorized representative, under such rules and regulations as the Secretary may prescribe, is authorized and directed to distribute the amounts awarded to said claimants and to ascertain the heirs or devisees of deceased claimants. In addition, an additional \$10,000 is hereby authorized to be appropriated to be available until expended.

Distribution of
awards.

Additional appro-
priation authorized.

SEC. 3. Every claim or demand for payment of the individual awards made pursuant to said Act of May 3, 1928, shall be forever barred unless such claim or demand shall be filed with the Office of Indian Affairs within ten years after the date of the approval of this Act. The Secretary of the Interior shall cause diligent investigation and inquiry to be made for the purpose of identifying all persons entitled to share in the distribution of any such award, including the heirs or devisees of deceased claimants. As soon as possible after the termination of the time allowed by this section, the Secretary shall certify to the Department of the Treasury the amounts of the individual awards made pursuant to said Act of May 3, 1928, which remain unpaid by reason of no claim or demand having been filed, or by reason of the death of the claimant intestate and without heirs, or by reason of inability to identify any person entitled to receive distribution of the award. All amounts so certified shall revert to the United States and be covered into the surplus fund of the Treasury.

Time limitation.

Certification of
awards.

Approved June 30, 1945.

[CHAPTER 204]

AN ACT

To amend the Federal Farm Loan Act, the Emergency Farm Mortgage Act of 1933, the Federal Farm Mortgage Corporation Act, the Servicemen's Readjustment Act of 1944, and for other purposes.

June 30, 1945
[H. R. 2113]
[Public Law 98]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the second paragraph of section 7 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 712), is further amended by inserting between the words "three" and "members" in the last sentence thereof the words "or more", and by adding at the end thereof three new sentences as

Federal Farm Loan
Act, amendments.
39 Stat. 365.

National farm loan associations.
Loan committees.

follows: "The secretary-treasurer shall be eligible for membership on the loan committee. The board of directors may empower (a) the loan committee to elect applicants to membership and (b) any three members of said committee to act as the loan committee in approving loans on behalf of the association and in electing applicants to membership in the association. No action by the loan committee shall be valid where the full committee is acting unless unanimously approved by all members or where any three of its members are acting as herein provided unless approved by all such members."

39 Stat. 368.

New members.

(b) The first sentence of the fifth paragraph of section 9 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 745), is further amended by inserting after the words "by a majority vote of the directors" the following: ", or by the loan committee where said committee has been empowered to elect applicants to membership, and"

Appraisal.
39 Stat. 369.

SEC. 2. The first, second, and third paragraphs of section 10 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 751, 752, and 753), are further amended to read as follows:

Investigation as to applicant's character, etc.

Ante, p. 265.

"Whenever an application for a mortgage loan is made to a national farm-loan association, the loan committee provided for in section 7 of this Act shall forthwith make, or cause to be made, such investigation as it may deem necessary as to the character and solvency of the applicant, and the sufficiency of the security offered. The committee may request a report on the value of the security by a land bank appraiser appointed under the authority of section 3 of this Act, in which event such an appraiser shall investigate and make a written report to the association upon the security offered. The committee shall cause written report to be made of the results of such investigation or investigations as it has required to be made and shall, if it concurs in such report, approve the same in writing. No loan shall be made unless the report of the committee is favorable. After the investigation required in this paragraph has been made, the association has requested and received a report upon the value of the security by a land bank appraiser, and the loan committee has reached an agreement as to the amount and terms of the loan which may be offered to the applicant, if such amount is not in excess of 65 per centum of the normal value of the security offered as determined by said appraiser the secretary-treasurer may notify the applicant of the amount and terms of the loan approved by the loan committee: *Provided*, That any such notice shall contain a statement that the amount and terms of the loan offered to the applicant are subject to and conditioned upon subsequent approval or disapproval by the Federal land bank.

Security offered; report.

39 Stat. 360.
12 U. S. C. § 651 et seq.; Supp. IV, § 657.

Notice to applicant as to amount and terms of loan.

Condition.

"The written report required in the preceding paragraph, together with any report made by a land bank appraiser, shall be submitted to the Federal land bank with the application for the loan, and the land bank shall examine said written report when it passes on the loan application which it accompanies, but it shall not be bound by the value placed upon the property by the loan committee.

Reports to Federal land bank.

Reference of application to appraiser.

39 Stat. 360.
12 U. S. C. § 651 et seq.; Supp. IV, § 657.

"Before any mortgage loan is made by any Federal land bank, or joint-stock land bank, it shall refer the application to one or more of the land bank appraisers appointed under the authority of section 3 of this Act, and such appraiser or appraisers shall investigate and make a written report on the security offered for said loan: *Provided*, That if a land bank appraiser has made a report on said security to the national farm-loan association, the Federal land bank need not request an additional report. No such loan shall be made by said land bank unless the written report of the land bank appraiser is favorable."

SEC. 3. The last sentence of the first paragraph of section 4 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 672), is further amended to read as follows:

"Loans made by each such branch bank shall be subject to the restrictions and provisions of this Act, except that each such branch bank may loan direct to borrowers, and, subject to such regulations as the Farm Credit Administration may prescribe, the rate charged borrowers may be 1½ per centum in excess of the rate borne by the last preceding issue of farm loan bonds of the Federal land bank with which such branch bank is connected: *Provided*, That no loan shall be made in Puerto Rico or Alaska by such branch bank for a longer term than twenty years."

SEC. 4. Section 12 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 771), is further amended as follows:

(a) Paragraph "Second" thereof is amended by inserting immediately after the second colon the following: "*And provided further*, That under the rules and regulations of the Farm Credit Administration any land bank may agree, at the time a loan is made or thereafter, that the mortgagor may make such payments or portions of payments in advance or pay the entire principal of such loan during the first five years the loan is in effect:"

(b) Subparagraph (d) of paragraph "Fourth" thereof is amended by striking out "incurred prior to January 1, 1937" and inserting in lieu thereof "incurred at least two years prior to the date of the application for the loan".

(c) The first paragraph of subparagraph "Fifth" thereof is amended to read as follows:

"No such loan shall exceed 65 per centum of the normal value of the farm mortgaged, said value to be ascertained by appraisal, as provided in section 10 of this Act. In making said appraisal the value of the farm for agricultural purposes shall be the basis of appraisal and the normal earning power of said farm shall be a principal factor."

(d) Paragraph "Ninth" thereof is amended by striking out "the rate of 8 per centum per annum" in the first and second sentences of said paragraph and inserting in lieu thereof "a rate not exceeding 6 per centum per annum".

SEC. 5. Paragraph "Seventh" of section 13 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 781), is further amended to read as follows:

"To borrow money severally, or jointly and severally with one or more other Federal land banks, to give security therefor, and to pay interest thereon."

SEC. 6. Paragraph "Eighth" of section 13 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 781), is amended to read as follows:

"To buy and sell United States Government obligations direct or fully guaranteed; and to purchase and acquire from the Federal Farm Mortgage Corporation notes and mortgages representing loans made by the Land Bank Commissioner pursuant to section 32 of the Emergency Farm Mortgage Act of 1933, as amended (title 12, U. S. C. 1016), upon farm property situated in the farm credit district in which said bank is located, and purchase money mortgages and contracts for the sale of farms held by the Federal Farm Mortgage Corporation in connection with the sale of farm property situated in such district: *Provided*, That no such note and mortgage, purchase-money mortgage, or contract shall be purchased pursuant hereto unless (1) the unpaid balance of the indebtedness represented or secured thereby, together with any indebtedness to the Federal

39 Stat. 362.

Loans by branch banks, restrictions.

39 Stat. 370.
12 U. S. C., Supp. IV, § 771.

Advance payments.

39 Stat. 370.

39 Stat. 371.

Limitation.

Ante, p. 266.

Interest upon items in default.

39 Stat. 372.

Borrowing of money.

39 Stat. 372.

Buying and selling of U. S. Government obligations, etc.

48 Stat. 48.
12 U. S. C. Supp. IV, § 1016.
Post, p. 269.

Prerequisites of purchase.

land bank secured by a prior mortgage on the property, does not exceed 65 per centum of the normal value of the farm as determined upon appraisal made pursuant to the Federal Farm Loan Act; (2) the borrower acquires such stock in a national farm loan association, in addition to any available stock which he may already own, as may be necessary to constitute an amount equal to one share of stock for each \$100 of the unpaid balance of the indebtedness represented or secured by the note and mortgage, purchase-money mortgage, or contract being purchased and acquired, together with the indebtedness secured by any prior lien on the property in favor of the Federal land bank; (3) the national farm loan association in which such stock is held elects the borrower to membership, if not already a member, and agrees to be liable for the indebtedness secured by the note and mortgage, purchase-money mortgage, or contract being purchased and acquired; and (4) the land bank takes such action, if any, as may be necessary to reduce the rate of interest on the indebtedness secured by the mortgage, purchase-money mortgage, or contract acquired or purchased to the same rate of interest the bank is charging on first-mortgage loans which it is then making."

SEC. 7. Section 13 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 781), is further amended by adding at the end thereof the following new paragraph:

"Nineteenth. To permit any borrower to defer payment of the principal portions of installments on his loan in order that he may pay, in whole or in part, any indebtedness which is secured by a lien junior to the lien of the bank upon the farm land mortgaged to secure his loan."

SEC. 8. Section 19 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 851-857), is further amended by striking out the last paragraph and substituting in lieu thereof the following:

"Notwithstanding any other provisions of this Act to the contrary, on and after the effective date of this paragraph, subject to the approval of the Farm Credit Administration, any Federal land bank may deposit with the farm-loan registrar of the district, and it shall be the duty of said registrar to accept, as collateral security for farm-loan bonds, either originally or by substitution, (a) United States Government obligations direct or fully guaranteed, and (b) notes secured by mortgages or purchase money mortgages on farms, or contracts for the sale of farms; provided any such mortgage, purchase money mortgage, or contract constitutes a first lien on the farm, or its equivalent from a security standpoint as determined by the Farm Credit Administration, and the unpaid balance thereof at the time of acceptance is not in excess of 65 per centum of the normal value of the farm, as determined upon appraisal made pursuant to the Federal Farm Loan Act."

SEC. 9. The first paragraph of section 20 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 861), is further amended by striking out the first two sentences thereof and substituting in lieu thereof the following:

"Bonds provided for in this Act shall be issued in such amounts, denominations, and bear such terms as the Farm Credit Administration may authorize; they shall have a specified maturity, but may, in addition, when stated in the bonds, be redeemable, at the option of the land bank, at an earlier specified date or dates."

SEC. 10. (a) The fourth paragraph of section 21 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 874), is further amended by striking out the following: "of United States Government bonds, or first mortgages on farm lands" and substituting in lieu thereof the following: "prescribed by the Federal Farm Loan Act, as amended".

39 Stat. 360.
12 U. S. C. § 641 note;
Supp. IV, § 657 et seq.
Ante, p. 265 et seq.

39 Stat. 372.
Ante, p. 267.

Deferred payments.

39 Stat. 376.

Collateral security
for farm-loan bonds.

Supra.

39 Stat. 377.

Farm loan bonds.
Amounts, denomina-
tions, maturity, etc.

Certificate of Land
Bank Commissioner.
Collateral security.
39 Stat. 377.

Supra.

(b) The tenth paragraph of section 21 of the Federal Farm Loan Act, as amended (title 12, U. S. C. 880), is further amended by striking out the following: "consisting of obligations of the United States Government, or first mortgages on farm lands" and substituting in lieu thereof the following: "prescribed by the Federal Farm Loan Act, as amended".

42 Stat. 1476.

SEC. 11. The fourth sentence of section 32 of the Emergency Farm Mortgage Act of 1933, as amended (title 12, U. S. C. 1016 (c)), is further amended by striking out the following words: "interest on unpaid principal at a rate of not to exceed 5 per centum per annum" and substituting therefor the following words: "interest on unpaid principal at a rate of 1 per centum per annum higher than the rate on loans through national farm loan associations made at the same time by the Federal land bank in the farm credit district in which the security for the loan under this section is located: *Provided, however,* That loans guaranteed under title III of the Servicemen's Readjustment Act of 1944 may be made at such lower rate as may be necessary to qualify them for such guaranty".

Land Bank Commissioner loans.
48 Stat. 48.
Interest rate.

SEC. 12. Section 32 of the Emergency Farm Mortgage Act of 1933, as amended (title 12, U. S. C. 1016), is further amended by adding after the fourth sentence thereof a new sentence reading as follows: "The instruments under which each loan under this section is made and security given therefor shall provide that if at any time it shall appear to the lender that the borrower may be able to obtain a Federal land bank loan on the mortgaged property, the borrower shall, on request of the lender, apply for a Federal land bank loan to pay off the loan under this section, and shall accept such loan as may be offered to him by the Federal land bank, if sufficient in amount to pay the loan under this section and pay for any stock which it is necessary for him to purchase in obtaining the loan from the Federal land bank".

58 Stat. 291.
38 U. S. C., Supp.
IV, §§ 694-694a.
Post, pp. 270, 542,
626 *et seq.*

SEC. 13. The tenth sentence of section 32 of the Emergency Farm Mortgage Act of 1933, as amended (title 12, U. S. C. 1016), is amended by striking out "July 1, 1945" wherever it appears therein and inserting in lieu thereof "July 1, 1946".

48 Stat. 48.
12 U. S. C., Supp.
IV, § 1016.
Supra; *infra*.
Use of Federal land bank loans to refinance Commissioner loans.

SEC. 14. The last two sentences of section 3 of the Federal Farm Mortgage Corporation Act (title 12, U. S. C. 1020b) are hereby amended to read as follows:

57 Stat. 196.
12 U. S. C., Supp.
IV, § 1016 (g).

"The Federal Farm Mortgage Corporation is authorized to repay to the Secretary of the Treasury on behalf of the United States all amounts in excess of \$50,000,000 heretofore subscribed to the capital stock of the Corporation. The proceeds of such repayment shall be held in the Treasury of the United States as a fund available for subscription, by the Governor on behalf of the United States with the approval of the Secretary of the Treasury, to the capital of the Corporation when, in the judgment of the directors of the Corporation, additional subscriptions to its capital are necessary."

54 Stat. 573.

Capital stock, repayment.

SEC. 15. Section 4 (b) of the Federal Farm Mortgage Corporation Act, as amended (title 12, U. S. C. 1020d), is further amended by adding at the end thereof the following:

Availability for further subscription.

"The Corporation is authorized and empowered to sell and assign, without recourse and without warranty, its notes and mortgages representing loans made by the Land Bank Commissioner pursuant to section 32 of the Emergency Farm Mortgage Act of 1933, as amended (title 12 U. S. C. 1016), to the Federal land bank located in the farm credit district in which the mortgaged farm properties are situated and to sell and assign in like manner purchase money mortgages and contracts for the sale of farms held by the Federal Farm Mortgage Corporation in connection with the sale of farm property situated in such district."

48 Stat. 346; 50 Stat. 703.

Financial transactions authorized.

12 U. S. C., Supp.
IV, § 1016.
Supra.

Loans for stock in cooperative association.

58 Stat. 292.
38 U. S. C., Supp.
IV, § 604b.
Post, p. 623.

SEC. 16. Section 502 of title III of the Servicemen's Readjustment Act of 1944 is amended by inserting after the comma following the word "applicant" and before the words "may be approved" the following: "or to purchase stock in a cooperative association where the purchase of such stock is required by Federal statute as an incident to obtaining a loan on which a guaranty is sought,".

Separability.

SEC. 17. The sections, subsections, paragraphs, and provisos of this Act are hereby declared to be separable, and if any one or more of the sections, subsections, paragraphs, or provisos of this Act, or the application thereof to any person or circumstance, should be held to be unconstitutional or invalid for any other reason, the validity of other sections, subsections, paragraphs, and provisos of this Act, and the application thereof to other persons or circumstances, shall not be affected thereby.

SEC. 18. The right to alter, amend, or repeal this Act, or any part thereof, is expressly reserved.

Effective date.

SEC. 19. This Act shall become effective on July 1, 1945.

Approved June 30, 1945.

[CHAPTER 205]

AN ACT

To continue in effect section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended, relating to the exportation of certain commodities.

Export control of certain commodities.

58 Stat. 671.
50 U. S. C., Supp.
IV, app. § 701.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of July 2, 1940 (54 Stat. 714), as amended by the Act of June 30, 1942 (56 Stat. 463), and the Act of July 1, 1944 (Public Law 397, Seventy-eighth Congress), is hereby further amended by deleting from subsection (d) thereof the words "June 30, 1945" and substituting therefor the words "June 30, 1946".

Approved June 30, 1945.

[CHAPTER 206]

AN ACT

Authorizing the Postmaster General to continue to use post-office clerks and city letter carriers interchangeably.

Postal Service.
Interchange of personnel.
39 U. S. C., Supp.
IV, § 103 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved November 4, 1943 (57 Stat. 586), entitled "An Act authorizing the Postmaster General to use post-office clerks and city letter carriers interchangeably" is amended by substituting the date "June 30, 1946" for the date "June 30, 1945" appearing in the second section thereof.

Approved June 30, 1945.

[CHAPTER 207]

AN ACT

To amend section 3 of the Act entitled "An Act to authorize the President to requisition certain articles and materials for the use of the United States, and for other purposes", approved October 10, 1940, as amended, for the purpose of continuing it in effect.

June 30, 1945
[H. R. 3232]
[Public Law 101]

Requisition of certain articles and materials.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to authorize the President to requisition certain articles and materials for the use of the United States, and for other purposes", approved October 10, 1940 (54 Stat. 1090), as

amended by the Acts of July 2, 1942 (56 Stat. 467, Public Law 643, Seventy-seventh Congress), and June 28, 1944 (Public Law 379, Seventy-eighth Congress), is amended to read as follows:

"SEC. 3. The authority granted in this Act shall remain in force until June 30, 1946, or until such earlier time as the Congress by concurrent resolution or the President by proclamation may designate."

Approved June 30, 1945.

[CHAPTER 208]

AN ACT

To amend the Act entitled "An Act to authorize the President of the United States to requisition property required for the defense of the United States", approved October 16, 1941, as amended, for the purpose of continuing it in effect.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the first section of the Act entitled "An Act to authorize the President of the United States to requisition property required for the defense of the United States", approved October 16, 1941 (55 Stat. 742), as amended by the Acts of March 27, 1942 (56 Stat. 176, title VI, Public Law 507, Seventy-seventh Congress), June 30, 1943 (57 Stat. 271, Public Law 104, Seventy-eighth Congress), and June 28, 1944 (Public Law 378, Seventy-eighth Congress), is hereby amended by striking out the date "June 30, 1945" and inserting in lieu thereof "June 30, 1946".

SEC. 2. Section 2 of the Act of October 16, 1941 (55 Stat. 742), as amended, is hereby amended by striking out the date "December 31, 1945" and inserting in lieu thereof "December 31, 1946".

Approved June 30, 1945.

[CHAPTER 209]

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1946, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are appropriated for the District of Columbia for the fiscal year ending June 30, 1946, out of (1) the general fund of the District of Columbia, hereinafter known as the general fund, such fund being composed of the revenues of the District of Columbia other than those applied by law to special funds, and \$6,000,000, which is hereby appropriated for the purpose out of any money in the Treasury not otherwise appropriated (to be advanced July 1, 1945), (2) the highway fund, established by law (D. C. Code, title 47, ch. 19), and (3) the water fund, established by law (D. C. Code, title 43, ch. 15), sums as follows:

From the general fund: All sums appropriated under the following heads: General administration, fiscal service, compensation and retirement fund expenses, District debt service (excluding those items designated as payable from the highway and water funds), public works investment fund, regulatory agencies, public schools, Public Library, Recreation Department, Metropolitan Police, Fire Department, policemen's and firemen's relief, courts, Health Department, public welfare, public works (excluding those items designated as payable from the highway and water funds), National Guard, National Capital Parks, National Capital Park and Planning Commission, and National Zoological Park;

56 Stat. 468; 58 Stat. 625.
50 U. S. C. app. § 713; Supp. IV, app. § 713.
Continuance of authority.

June 30, 1945
[H. R. 3234]
[Public Law 102]

Requisition of property for national defense.

58 Stat. 624.
50 U. S. C., Supp. IV, app. § 721.

50 U. S. C., Supp. IV, app. § 722.

June 30, 1945
[H. R. 3306]
[Public Law 103]

District of Columbia Appropriation Act, 1946.
Post, pp. 642-644.

D. C. Code, Supp. IV, ch. 19.

Post, p. 644.

From the highway fund: All sums appropriated under District debt service and public works designated as payable from the highway fund; and

From the water fund: All sums appropriated under District debt service, public works, and Washington aqueduct, designated as payable from the water fund; namely:

GENERAL ADMINISTRATION

For all expenses necessary for the offices named under this general head, including, in addition to the objects specified respectfully under each head, personal services; lawbooks, books of reference, periodicals, and newspapers; and printing and binding:

Executive office, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners of the District of Columbia, hereafter in this Act referred to as the Commissioners; \$10,500 for examination of estimates of appropriations without regard to the civil-service and classification laws; payment of dues and expenses of attendance at meetings of organizations concerned with the work of the District of Columbia government when authorized by the Commissioners; \$250 to aid in support of the National Conference of Commissioners on Uniform State Laws; general advertising in newspapers and legal periodicals in the District of Columbia but not elsewhere, unless the need for advertising outside the District of Columbia shall have been specifically approved by the Commissioners, including notices of public hearings, publication of orders and regulations, tax and school notices, and notices of changes in regulations; and \$20,000 for expenses in case of emergency, such as riot, pestilence, public insanitary conditions, flood, fire, or storm, and for expenses of investigations; \$169,200: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of \$1,500 of this appropriation for such purposes as they may deem necessary.

Office of the corporation counsel, including extra compensation for the corporation counsel as general counsel of the Public Utilities Commission; \$4,500 for the settlement of claims not in excess of \$250 each, approved by the Commissioners in accordance with the Act approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500); and judicial expenses, including witness fees and expert services, in District of Columbia cases before the courts of the United States and of the District of Columbia; \$140,200.

Board of Tax Appeals, \$16,000.

FISCAL SERVICE

For all expenses necessary for the offices named under this general head, including, in addition to the objects specified respectively under each head, personal services; books of reference, periodicals, and newspapers; and printing and binding:

Assessor's office, including advertising notice of taxes in arrears July 1, 1945, to be reimbursed by a charge of 75 cents for each lot or piece of property advertised, \$420,000: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one newspaper published in the District of Columbia.

Collector's office, including refunding, wholly or in part, erroneous payments of taxes, special assessments, school tuition charges, payment

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*

National Conference
of Commissioners on
Uniform State Laws.

D. C. Code §§ 1-902
to 1-905.

for lost library books, rents, fines, fees, or collections of any character, which have been erroneously covered into the Treasury to the credit of the general fund, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat. 967), \$196,700: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

Auditor's office, including \$2,000 for the employment of a real estate expert without regard to the civil-service and classification laws, \$225,400.

Purchasing Division, \$64,300.

D. C. Code § 5-430.

COMPENSATION AND RETIREMENT FUND EXPENSES

For compensation and retirement fund expenses, as follows:

District government employees' compensation: For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, authorizing compensation for employees of the government of the District of Columbia suffering injuries while in the performance of their duties, \$62,000.

41 Stat. 104.
D. C. Code § 1-311.

Workmen's compensation, administrative expenses: For reimbursement to the Employees' Compensation Commission for administration of the law providing compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, \$86,580.

District government employees' retirement: For financing of the liability of the government of the District of Columbia, created by the Act approved May 22, 1920, as amended (5 U. S. C. 707a), \$1,220,000, which amount shall be placed to the credit of the "Civil service retirement and disability fund".

Retirement Act,
contribution.

41 Stat. 614.
5 U. S. C. § 691
et seq.; Supp. IV, § 691
et seq.
Post, pp. 577, 621.

DISTRICT DEBT SERVICE

For reimbursement to the United States of funds loaned, in compliance with section 4 of the Act of May 29, 1930 (46 Stat. 482), as amended, \$122,000.

District debt service (payable from highway fund): For reimbursement to the United States of funds loaned, including interest as required, in compliance with sections 3 and 4 of the Act of December 20, 1941 (55 Stat. 847), as amended, \$44,000.

District debt service (payable from water fund): For reimbursement to the United States of funds loaned, including interest as required, in compliance with sections 3 and 4 of the Act of December 20, 1941 (55 Stat. 847), as amended, \$250,000.

46 Stat. 485.
D. C. Code §§ 8-106
note, 9-210, 9-217;
Supp. IV, § 6-1009
note.

PUBLIC WORKS INVESTMENT FUND

For investment by the Secretary of the Treasury in United States securities for the account of the general fund of the District of Columbia, to provide, as priorities permit, for public works projects postponed on account of the war, \$5,000,000.

REGULATORY AGENCIES

Regulatory agencies: For all expenses necessary for agencies named under this general head, including, in addition to the objects specified respectively under each head, personal services, books of reference and periodicals, and printing and binding:

Alcoholic Beverage Control Board, including witness fees, \$1,000 for the purchase of samples, and allowances for privately owned

automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile), \$65,700.

Board of Indeterminate Sentence and Parole, including allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile), \$30,400.

Coroner's office, including juror and witness fees, and repairs to the morgue, \$23,400.

Department of Insurance, \$44,500.

Department of Weights, Measures, and Markets, including maintenance and repairs to markets, \$2,500 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, maintenance and repair of motor vehicles, and for the purchase, including exchange, of one motor vehicle, \$128,100, together with not to exceed \$6,000 of the unexpended balance of the appropriation for this purpose contained in the District of Columbia Appropriation Act, 1945: *Provided*, That the Disbursing Officer of the District of Columbia is authorized to advance to the Superintendent of the Department of Weights, Measures, and Markets, upon requisition previously approved by the Auditor of the District of Columbia, sums of money, not exceeding \$100 at any one time, to be used exclusively in connection with investigations and detection of short weights and measures.

Minimum Wage and Industrial Safety Board, \$39,200.

Office of Administrator of Rent Control, \$80,700.

Office of Recorder of Deeds, including lawbooks and \$100 for equipment and medical supplies for rest room, \$148,700.

Poundmaster's office, including uniforms for dog catchers, \$22,200.

Public Utilities Commission, including a people's counsel and newspapers, \$98,000: *Provided*, That no appropriation in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission.

Zoning Commission, \$16,200.

PUBLIC SCHOOLS

OPERATING EXPENSES

General administration: For all expenses necessary for the general administration of the public-school system of the District of Columbia, including personal services; printing and binding; lawbooks, books of reference, and periodicals; allowances for privately owned automobiles used for the performance of official duties within the District of Columbia (not to exceed \$264 per annum for each automobile); \$325,000, of which \$10,000 shall be immediately available.

General supervision and instruction: For all expenses necessary for supervision, instruction, and education in the teachers colleges and in the day, evening, and summer public schools of the District of Columbia, and the education of foreigners of all ages in the Americanization schools; including personal services; printing and binding; textbooks, lawbooks, books of reference, newspapers, and periodicals; and subsistence supplies for pupils attending the schools for crippled children; \$8,800,000, of which \$300,000 shall be available immediately: *Provided*, That no part of the funds herein appropriated for the public schools shall be available for the operation of any school which

58 Stat. 511.

Advances.

Post, p. 642.

Meters in taxicabs.

Treatment of legally adopted children.

denies to legally adopted children the same treatment as that given to children living with their natural parents.

Vocational education, George-Deen program: For all expenses necessary for the development of vocational education in the District of Columbia in accordance with the Act of June 8, 1936 (49 Stat. 1488), including personal services, and allowances for privately owned automobiles used for the performance of official duties within the District of Columbia (not to exceed \$100 per annum for each automobile), \$100,300.

20 U. S. C. §§ 15h-15p.

Operation of buildings and maintenance of equipment: For all expenses necessary for the operation of school buildings and the purchase and repair of equipment, including personal services, insurance and operation, maintenance, and repair of District-owned or borrowed automobiles used in driver-training courses, and allowances for privately owned automobiles used for the performance of official duties within the District of Columbia (not to exceed \$264 per annum for each automobile), \$1,800,000, of which \$150,000 shall be immediately available.

Repairs and maintenance of buildings and grounds: For all expenses necessary for the repair, maintenance, and improvement of school buildings, mechanical equipment, and school grounds, including personal services; printing and binding; and allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile); \$860,000, of which \$100,000 shall be immediately available: *Provided*, That this appropriation shall be available for making repairs to other municipal buildings, subject to reimbursement from other applicable appropriations for the cost of such work, and a report of all such expenditures shall be submitted to Congress in the annual Budget.

Repairs to other municipal buildings.

Report to Congress.

Deaf and dumb, and blind persons.

Auxiliary educational services: For the maintenance and instruction of deaf and dumb persons of the District of Columbia admitted to the Columbia Institution for the Deaf, and for the maintenance and instruction of colored deaf mutes of teachable age, and blind children, of the District of Columbia, in Maryland or some other State, by contract entered into by the Commissioners, for the transportation of children attending schools or classes established by the Board of Education for physically handicapped children, and for carrying out the provisions of the Act of December 16, 1944 (58 Stat. 811), \$84,000.

34 U. S. C., Supp. IV, § 945.

Teachers' retirement appropriated fund: To carry out the purposes of the Act of January 15, 1920, as amended by the Act of June 11, 1926 (44 Stat. 727), \$609,000: *Provided*, That the Treasury Department shall prepare the estimates of the annual appropriations required to be made to the teachers' retirement fund, and shall make actuarial valuations of such fund at intervals of five years, or oftener if deemed necessary by the Secretary of the Treasury, and the Commissioners are authorized to expend from money to the credit of the teachers' retirement fund not exceeding \$5,000 per annum for this purpose.

41 Stat. 387. D. C. Code §§ 31-701 to 31-720.

CAPITAL OUTLAY

Post, pp. 642, 643.

For furnishing and equipping the following school buildings: Davis Elementary School, Kimball Elementary School addition, and new elementary school in the vicinity of Fifteenth and Hamlin Streets Northeast, \$24,500, to remain available until expended.

The unexpended balance of the appropriation for stabilization and drainage of the grounds at the Young Elementary School, Browne Junior High School, and Phelps Vocational School, contained in the District of Columbia Appropriation Act, 1945, and the unexpended balance of the appropriation for stabilization and drainage of the grounds of the Browne Junior High School and Phelps Vocational

Reappropriation.

58 Stat. 513.

57 Stat. 323.

School contained in the District of Columbia Appropriation Act, 1944, are hereby continued available until expended.

Construction of
school buildings.
Post, p. 643.

For construction, as follows:

For continuing construction of a new extensible vocational high school to replace the present Alexander Graham Bell (Abbot) Vocational School, to be located in Brentwood Park, not to exceed \$300,000;

For beginning construction of a new junior high school to be located in the vicinity of Thirty-fourth Street and Minnesota Avenue Southeast, not to exceed \$300,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed \$980,000: *Provided*, That not to exceed \$20,580 may be transferred to the credit of the appropriation account, "Office of Municipal Architect, construction services", and be available for the preparation of plans and specifications for said building;

For the construction of an addition to the Taft Junior High School, consisting of two wings, with one gymnasium and five classrooms in each wing, and an inclined floor in the auditorium, necessary remodeling of the present building, and treatment of grounds, not to exceed \$200,760, and the Commissioners are authorized to enter into a contract or contracts for such addition at a total cost not to exceed \$207,000;

For the construction of an eight-room elementary school addition to the Logan School, including an assembly hall-gymnasium, and treatment of grounds, and the necessary remodeling of the present building, not to exceed \$242,500, and the Commissioners are authorized to enter into a contract or contracts for such addition at a total cost not to exceed \$250,000;

For beginning construction of a new elementary-school building, including an assembly hall-gymnasium, in the vicinity of Eleventh and G Streets Southeast, to replace the present Cranch and Tyler Schools, not to exceed \$250,000, and the Commissioners are authorized to enter into a contract or contracts for such building at a total cost not to exceed \$500,000;

For the construction of a fifteen-room junior high-school addition on the second and third floors of the Banneker Junior High School, not to exceed \$169,750, and the Commissioners are authorized to enter into a contract or contracts for such addition at a total cost not to exceed \$175,000;

For beginning construction of the Miller Junior High School, in the vicinity of Forty-ninth Street and Washington Place Northeast, not to exceed \$300,000 and the limit of cost of said building as specified in the District of Columbia Appropriation Act, 1942, is increased to \$980,000: *Provided*, That not to exceed \$5,153 of the amount herein appropriated may be transferred to the credit of the appropriation account, "Office of Municipal Architect, construction services", and be available for completing the plans and specifications for said building;

55 Stat. 513.

For the construction of an addition to the Randall Junior High School, consisting of eighteen rooms and a cafeteria, necessary remodeling of the present building, and treatment of grounds, not to exceed \$320,000;

For an additional amount for the construction of an eight-room addition to the Kimball School, including an assembly hall-gymnasium, remodeling of the present building, and treatment of grounds, \$60,000;

For the construction of a sixteen-room extensible elementary-school building, including an assembly hall-gymnasium, and treatment of grounds, in the vicinity of Fifty-third and Blaine Streets Northeast, \$430,000;

Preparation of plans
and specifications.

For the preparation of plans and specifications for building improvements and alterations at Western High School, including structural

changes in the gymnasiums, at a total cost not to exceed \$100,000, \$2,100, which amount may be credited to the appropriation account, "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for a new auditorium at the Shaw Junior High School, and for the conversion of the present auditorium into two gymnasiums, including necessary alterations to the present building, to be constructed at a total cost not to exceed \$250,000, \$5,250, which amount may be credited to the appropriation account, "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for a new twenty-four-room elementary-school building, including an assembly hall-gymnasium, to replace the present Amidon, Fairbrother, and Greenleaf Schools, to be constructed at a total cost of not to exceed \$500,000, on a site in the vicinity of the Amidon School, \$10,500, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for a new twenty-four-room elementary-school building, including an assembly hall-gymnasium, to replace the present Walker and Jones Schools, to be constructed at a total cost not to exceed \$500,000, on a site in the vicinity of Third and L Streets Northwest, \$10,500, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for a new fourteen-room elementary-school building, including an assembly hall-gymnasium, to replace the present Peabody and Hilton Schools, to be constructed at a total cost not to exceed \$360,000, on a site in the vicinity of the Peabody School, \$7,560, which amount may be credited to the appropriation account "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for a new sixteen-room extensible elementary-school building, including an assembly hall-gymnasium, to replace the present Stanton temporary and permanent buildings, to be constructed at a total cost not to exceed \$360,000, on the present site of the Stanton School, \$7,560, which amount may be credited to the appropriation account, "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for a seven-room addition on the third floor of the Anacostia Senior High School, to be constructed at a total cost not to exceed \$80,000, \$1,680, which amount may be credited to the appropriation account, "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for the construction of a stadium and associated structures at Calvin Coolidge High School, including the improvement of the grounds for athletic purposes, at a total cost not to exceed \$200,000, \$4,200, which amount may be credited to the appropriation account, "Office of Municipal Architect, construction services";

For the preparation of plans and specifications for the construction of a stadium and associated structures at Spingarn High School, including the improvement of the grounds for athletic purposes, at a total cost not to exceed \$200,000, \$4,200, which amount may be credited to the appropriation account, "Office of Municipal Architect, construction services";

In all, \$2,126,560, to be immediately available as one fund and to remain available until expended, to be disbursed and accounted for as "Capital outlay, public schools", but obligations for expenditure to be made during the fiscal year 1946 shall not be incurred for any

Total; accounting.

or all of the foregoing projects which would result in a total obligation in excess of such \$2,126,560.

For the purchase of sites as follows:

In the vicinity of Ninth and C Streets Southeast, to provide an additional amount required for a site for a new junior high school to replace the present Hine Junior High School;

In the vicinity of First and O Streets Northwest, for additional land required for an addition to the Armstrong High School;

In the vicinity of the Randle Highlands School to permit the closing of R Street at Thirty-first Street Southeast;

At the Garfield School, for the construction of a twelve-room elementary school addition, including an assembly hall-gymnasium, and for playground purposes;

In the vicinity of East Capitol Street and Benning Road Southeast, for the construction of a twenty-four-room elementary-school building, including an assembly hall-gymnasium, and for playground purposes;

In the vicinity of the old Dennison School site on S Street, between Thirteenth and Fourteenth Streets Northwest, for the construction of a new senior high school, to replace the present Cardozo High School;

Total for sites.

In all, for sites, \$250,000, to remain available until expended, and to be disbursed and accounted for as "Capital outlay, school building and playground sites, public schools, District of Columbia".

Double salaries.
39 Stat. 120.
5 U. S. C. §§ 58, 59.
Ante, p. 38.

Section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended, shall not apply from July 1 to September 15, 1945, to teachers of the public schools of the District of Columbia when employed by any of the executive departments or independent establishments of the United States Government.

PUBLIC LIBRARY

For all expenses necessary for the operation of the Public Library, including personal services; extra services on Sundays and holidays; newspapers, books, periodicals, and other printed material, including payment in advance for subscription thereto; music records, sound recordings, and educational films; printing and binding; alterations, repairs; fitting up buildings; care of grounds; and rent of suitable quarters for branch libraries in Anacostia, Chevy Chase, and Woodridge; \$679,000: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the Public Library, upon requisition previously approved by the auditor of the District of Columbia, not exceeding \$50 at the first of each month, for the purchase of certain books, pamphlets, periodicals, or newspapers, or other printed material.

Acquisition of sites
for branch libraries.

For the acquisition of sites for branch libraries in Woodridge and in the vicinity of Georgia Avenue and Kennedy Street Northwest, to be approved by the board of library trustees and the Commissioners, \$40,000, to remain available until expended.

Plans and specifications.

For the preparation of plans and specifications for construction of branch library buildings in Anacostia and Pleasant Plains, and for remodeling of existing structures at Takoma Park and Southeastern, \$17,800.

58 Stat. 515.

The appropriation of \$55,000 in the District of Columbia Appropriation Act, 1945, for the acquisition of sites for branch libraries in Brookland, Tenley, Benning, and Cleveland Park, is continued available until expended.

For completion of the first unit of the new central library building in square 491, \$100,000.

The unexpended balances of the amounts made available by the District of Columbia Appropriation Act, 1940, for the preparation of plans and specifications for the new central building of the Public Library of the District of Columbia shall remain available for the same purposes and under the same conditions and limitations until June 30, 1946.

53 Stat. 1011.

RECREATION DEPARTMENT

Operating expenses: For all expenses necessary for operation and maintenance of recreation facilities in the District of Columbia, including personal services; books of reference, newspapers, and periodicals; and printing and binding; \$620,000.

Capital outlay: For improvement of various municipal playgrounds and recreation centers, including erection of shelter houses, and preparation of architectural and landscaping plans, \$72,300.

The disbursing officer of the District of Columbia is authorized to advance to the superintendent of recreation, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as the Commissioners may require of said superintendent, sums of money to be used for the expense of conducting its activities under the trust fund created by the Act of April 29, 1942, the total of such advancements not to exceed \$500 at any one time.

Advances.

56 Stat. 261.
D. C. Code, Supp.
IV, §§ 8-201 to 8-219.

METROPOLITAN POLICE

Post, p. 470.

For all expenses necessary for the Metropolitan Police, including pay and allowances and other personal services; the present property clerk with the rank and pay of inspector; the present acting sergeant in charge of police automobiles with the rank and pay of sergeant; the present acting sergeant in charge of the police radio station with the rank and pay of lieutenant; the present private in charge of purchasing and accounts with the rank and pay of sergeant; corporals at \$2,600 per annum each; not to exceed four detectives in the salary grade of captain; meals for prisoners; rewards for fugitives; medals of award; books of reference, periodicals, newspapers, and photographs; printing and binding; rental and maintenance of teletype system; travel expenses incurred in prevention and detection of crime; \$3,000 for expenses of attendance, without loss of pay or time, at specialized police training classes and pistol matches, including tuition and entrance fees; \$2,500 for expenses of the police training school, including travel expenses of visiting lecturers or experts in criminology; police equipment and repairs to same; insignia of office, uniforms, and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase, exchange, and maintenance of passenger-carrying motor vehicles; expenses of harbor patrol; and the maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise; \$3,955,000, of which amount \$16,000 shall be exclusively available for expenditure by the Superintendent of Police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Prevention and detection of crime.

The disbursing officer of the District of Columbia is authorized to advance to the Superintendent of Police upon the approval of the Commissioners, sums of money to be used in the prevention and

Advances.

detection of crime, the total of such advancements not to exceed \$5,000 at any one time.

FIRE DEPARTMENT

For all expenses necessary for the Fire Department, including pay and allowances and other personal services; books of reference and periodicals; printing and binding; uniforms and other official equipment, including cleaning, alteration, and repair of articles transferred from one individual to another, or damaged in the performance of duty; purchase, operation, and maintenance of passenger-carrying automobiles; repairs and improvements to buildings and grounds; \$2,540,000: *Provided*, That the Commissioners, in their discretion, may authorize the construction, in whole or in part, of fire-fighting apparatus in the Fire Department repair shop.

Post, pp. 318, 470,
662.

Reappropriation.

58 Stat. 517.

Not to exceed \$4,800 of the unexpended balance of the appropriation for the Fire Department, contained in the District of Columbia Appropriation Act for the fiscal year 1945, is continued available for the same purpose until June 30, 1946.

POLICEMEN'S AND FIREMEN'S RELIEF

For policemen's and firemen's relief and other allowances as authorized by law, \$1,500,000.

COURTS

District of Columbia courts: For all expenses of the following District of Columbia courts, including personal services; witness fees and compensation of jurors; lawbooks, books of reference, and periodicals; printing and binding; lodging and meals for jurors, bailiffs, and deputy United States marshals while in attendance upon jurors, when ordered by the courts; and meals for prisoners:

Juvenile court, \$132,200, of which \$470 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364): *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, not to exceed \$50 at any one time, to be expended for travel expenses to secure the return of absconding probationers.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.
Return of absconding
probationers.

Psychiatric service.

For a psychiatric service for the juvenile court of the District of Columbia \$10,100: *Provided*, That the Board of Commissioners of the District of Columbia is authorized to obtain said psychiatric service for the juvenile court of the District of Columbia from the United States Public Health Service, and, at the request of the Board of Commissioners, the Surgeon General is authorized to detail the necessary medical and other personnel, not to exceed one psychiatrist, one psychologist, and one nurse, for this purpose: *Provided further*, That the amount herein appropriated shall be transferred to the United States Public Health Service for reimbursement for the medical and other personnel so detailed.

Transfer of funds.

Municipal court, including pay of retired judges and \$525 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$340,000: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

D. C. Code § 11-722.

set by the court, cases be discontinued or settled, or demands for jury trials be waived: *Provided further*, That hereafter the disbursing officer of the District of Columbia is authorized to advance to the clerk of the court, upon requisition previously approved by the Auditor of the District of Columbia, sums of money not exceeding \$500 at any one time, to be used for the payment of witness fees.

Municipal court of appeals, \$62,300, of which \$500 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

United States courts: For reimbursement to the United States for services rendered to the District of Columbia by the Judiciary and the Department of Justice as specified under the head "United States courts for the District of Columbia" in the Judiciary Appropriation Act, 1946, and in the Department of Justice Appropriation Act, 1946, \$599,300.

Probation system: For all expenses necessary for the probation system, including personal services, \$125 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), and printing and binding, \$33,600.

Office of Register of Wills: For all expenses necessary for the Office of Register of Wills, including personal services; \$500 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); lawbooks, books of reference, periodicals, and newspapers; printing and binding; and contract statistical services, \$96,600.

Commission on Mental Health: For all expenses necessary for the Commission on Mental Health, including an executive secretary at \$3,200 per annum and physician-members at \$4,000 per annum, and other personal services; lawbooks, books of reference, and periodicals; and printing and binding; \$25,300.

HEALTH DEPARTMENT

Health Department (excluding hospitals): For all expenses necessary for the general administration, medical services, laboratories, and inspection services of the Health Department, including the enforcement of the Acts relating to the prevention of the spread of contagious and infectious diseases in the District of Columbia; the maintenance of tuberculosis and venereal-disease clinics and dispensaries; the conduct of hygiene and sanitation work in schools; the maintenance of a dental health service; the maintenance of a maternal and child-health service, including housekeeping assistance in cases of authentic indigent sick; the maintenance of a nursing service; the maintenance of a psychiatric service; the maintenance of an emergency ambulance service; the operation and maintenance of laboratories; out-patient relief of the poor, including medical and surgical supplies, artificial limbs, and pay of physicians, and the enforcement of the Acts relating to the drainage of lots and abatement of nuisances in the District of Columbia, the Act relating to the adulteration of foods, drugs, and candy, the Act relating to the manufacture and sale of mattresses, the Act relating to the manufacture, sale, and transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and the Act relating to the sale of milk, cream, and ice cream; such expenses to include two physicians at \$4,600 per annum each, to be appointed without regard to civil-service laws, and other personal services; contract investigational service; books and periodicals; uniforms; rent; printing and binding; purchase, maintenance, and repair of passenger-carrying

Advances for payment of witness fees.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.
Reimbursement.

Ante, pp. 196, 187.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Automobile allow-
ances. motor vehicles; manufacture of serum in indigent cases; and allow-
ances for privately owned automobiles used for the performance of
official duties (not to exceed \$264 per annum for each automobile for
employees other than dairy-farm inspectors and not to exceed \$312
per annum for each automobile for dairy-farm inspectors);

Volunteer services. \$1,340,000: *Provided*, That the Commissioners may, without creating
any obligation for the payment of money on account thereof, accept
such volunteer services as they may deem expedient in connection with
the establishment and maintenance of the medical services herein

Special services. provided for: *Provided further*, That not to exceed \$200 may be
expended for special services in detecting adulteration of drugs and
foods, including candy and milk.

Glenn Dale Tuberculosis Sanatorium: For all expenses necessary
for the Tuberculosis Sanatorium at Glenn Dale, Maryland, including
personal services; compensation of consulting physicians at rates
to be fixed by the Commissioners, and not to exceed \$3,000 for tem-
porary per diem services; rental, purchase, maintenance, repair, and
operation of busses; school books, books of reference, and periodicals;
printing and binding; classroom supplies; and repairs and improve-
ments to buildings and grounds; \$1,080,000, of which not to exceed
\$5,000 shall be for the compensation of convalescent patients to be
employed in essential work of the sanatorium and as an aid to their
rehabilitation at rates and under conditions to be determined by the
Commissioners; but nothing in this paragraph shall be construed as
conferring employee status on patients whose services are so utilized.

Post, p. 643.

Operating expenses, Gallinger Municipal Hospital: For all expenses
necessary for Gallinger Municipal Hospital and the Tuberculosis
Hospital at Fourteenth and Upshur Streets Northwest including per-
sonal services; one superintendent at \$8,000 per annum; one deputy
superintendent at \$6,000 per annum; not to exceed five full-time chief
medical officers at \$6,000 per annum each and two associate medical
officers at \$4,600 per annum each, to be appointed without reference
to civil-service requirements; not to exceed \$20,000 for temporary
per diem services; reference books and periodicals; musical instru-
ments and music; expenses of commencement exercises, entertain-
ments, and the training school for nurses; printing and binding;
expenses incident to furnishing proper containers for the reception,
burial, and identification of the ashes of all human bodies of indigent
persons that are cremated at the public crematorium and remain
unclaimed after twelve months from the date of such cremation; and
repairs and improvements to buildings and grounds; \$1,788,000: *Pro-
vided*, That hereafter no District of Columbia appropriations shall
be available for the care of persons, except in emergency cases, where
the person has been a resident of the District of Columbia for less
than one year at the time of application for admission: *Provided
further*, That no part of any appropriation for Gallinger Municipal
Hospital or the Health Department shall be used for furnishing,
other than at rates prescribed by the Commissioners, clinical services,
drugs, pharmaceutical preparations, or X-ray service, to persons who
are not indigent, except in emergency cases or where the Commis-
sioners determine it to be necessary in the public interest.

Post, p. 411.

Residents of D. C.
for less than 1 year.

Services to persons
not indigent.

Not to exceed \$180,000 of the appropriations of \$2,203,500 for operat-
ing expenses, Gallinger Hospital, contained in the District of Colum-
bia Appropriation Act, 1945, and the First Deficiency Appropriation
Act, 1945, is continued available until June 30, 1946.

58 Stat. 519.
Ante, p. 83.

Post, p. 643.

Capital outlay, Gallinger Municipal Hospital: For the construction
of a new pediatrics building, \$620,000; a laboratory building,
\$190,000; a superintendent's residence, \$15,000; and an incinerator,
\$15,000; in all, \$840,000.

Medical charities: For care and treatment of indigent patients under contracts to be made by the Health Officer of the District of Columbia and approved by the Commissioners with institutions, as follows: Children's Hospital, \$60,000; Central Dispensary and Emergency Hospital, \$50,000; Eastern Dispensary and Casualty Hospital, \$50,000; Washington Home for Incurables, \$25,000; in all, \$185,000.

Columbia Hospital and Lying-in Asylum: For general repairs, including labor and material to be expended under the direction of the Architect of the Capitol, \$5,000.

Freedmen's Hospital: For reimbursement to the United States for services rendered to the District of Columbia by Freedmen's Hospital, as specified under the head, "Freedmen's Hospital", in the Federal Security Agency Appropriation Act, 1946, \$406,700.

Post, p. 366.

PUBLIC WELFARE

OFFICE OF THE DIRECTOR

For all expenses necessary for the general administration of public welfare in the District of Columbia, including personal services; printing and binding; lawbooks, city directories, books of reference, and periodicals; and contract investigational services; \$61,700.

FAMILY WELFARE SERVICE

Post, p. 643.

Operating expenses, child care: For all expenses necessary for placing and visiting children; board and care of all children committed to the guardianship of the Board of Public Welfare by the courts of the District, including white girls committed to the National Training School for Girls, and all children accepted by said Board for care, as authorized by law; temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than \$6,000 each to institutions under sectarian control, not more than \$3,360 for continuous maintenance of eight foster homes for temporary or emergency board and care of nondelinquent children, and not more than \$400 for burial of children dying while beneficiaries under this appropriation; maintenance, under jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under eighteen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise; such expenses to include personal services; books of reference and periodicals; printing and binding; and rental, repair, and upkeep of building; \$557,680: *Provided*, That no part of this appropriation shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside the District of Columbia and the States of Virginia and Maryland, and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and said Board shall have power to discharge from guardianship any child committed to its care.

Visits to wards outside D. C., Va., and Md.

Capital outlay, child care: For the construction of a receiving home and classification center for children in parcel 141/68, \$285,000.

Receiving home, construction.

Adult assistance: For all expenses necessary for certification of persons eligible for any public benefits which are or may become available as may be approved by the Commissioners, relief and rehabilitation for purposes of employment of indigent residents of the

District of Columbia, to be expended under rules and regulations prescribed by the Commissioners; vocational rehabilitation of disabled residents of the District of Columbia in accordance with the provisions of the Act of July 6, 1943 (Public Law 113), aid to dependent children in accordance with the provisions of the Act of June 14, 1944 (Public Law 340); assistance against old-age want, as authorized by law; pensions for needy blind persons, as authorized by law; distribution of surplus commodities and relief milk to public and charitable institutions; necessary expenses, including personal services without regard to the Classification Act of 1923, as amended, for the carrying out, under regulations to be prescribed by the Commissioners of a "penny milk" program for the school children of the District, including the purchase and distribution of milk under agreement with the United States Department of Agriculture, and for the carrying out of a food-conservation program in the District of Columbia, including the supervision of "Victory" gardens and the canning of the products thereof; maintenance pending transportation, and transportation, of indigent nonresident persons; burial of indigent residents of the District of Columbia; including for all such purposes, personal services; books of reference and periodicals; and printing and binding; \$1,587,000: *Provided*, That collections from the milk program shall be paid to the collector of taxes, District of Columbia, for deposit in the Treasury of the United States to the credit of the District, and that reimbursement for canning of "Victory" garden products shall be in kind and for the benefit of public-welfare institutions of the District of Columbia: *Provided further*, That the auditing and disbursing of funds under this appropriation, and the accounting therefor, including all employees engaged in such work and records relating thereto, shall be under the supervision and control of the Auditor of the District of Columbia.

Operating expenses, institutions for the indigent: For all necessary expenses for the Home for the Aged and Infirm and the Municipal Lodging House, and the Temporary Home for Former Soldiers and Sailors, including personal services; printing and binding; subsistence of interns; repairs and improvements to buildings and grounds; care and maintenance of women and children under contracts to be made by the Board of Public Welfare and approved by the Commissioners with the Florence Crittenton Home and Saint Ann's Infant Asylum and Maternity Hospital; training and employment of the blind under contracts to be made by the Board of Public Welfare and approved by the Commissioners with the Columbia Polytechnic Institute for the Blind; and for aid and support of the National Library for the Blind; \$318,500.

Not to exceed \$120,000 of the appropriation of \$170,000 for beginning construction of a new heating plant at the Home for the Aged and Infirm, contained in the First Supplemental Appropriation Act, 1945, is continued available until expended.

JUVENILE CORRECTIONAL SERVICE

Operating expenses: For all expenses necessary for the operation of the Industrial Home School, the Industrial Home School for Colored Children, and the National Training School for Girls, including personal services; subsistence of interns; books of reference and periodicals; printing and binding; repairs and improvements to buildings and grounds; securing suitable homes for paroled or discharged children; and care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the Attorney General at a rate of not to exceed \$2 per day for each boy so committed; \$385,740: *Provided*, That no part of this appropriation

57 Stat. 374.
29 U. S. C., Supp.
IV, §§ 31-41.

58 Stat. 277.
D. C. Code, Supp.
IV, §§ 32-751 to 32-765.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 296 *et seq.*
"Penny milk" program.

"Victory" gardens.

Auditing, disbursing, and accounting.

58 Stat. 860.

Post, p. 643.

shall be used for the maintenance of white girls in the National Training School for Girls: *Provided further*, That the salary of the superintendent of the National Training School for Girls shall be at the rate of \$3,200 per annum.

The appropriation of \$58,000 in the District of Columbia Appropriation Act, 1945, for the acquisition of land in the vicinity of the District Training School near Laurel, Maryland, as a site for the National Training School for Girls, together with the unexpended balance of the appropriation of \$42,000 for this purpose in the District of Columbia Appropriation Act, 1944, is continued available until June 30, 1946.

Site for National Training School for Girls.
58 Stat. 521.

57 Stat. 332.

ADULT CORRECTIONAL SERVICE

Operating expenses: For all expenses necessary for the operation of the jail and the workhouse and reformatory, including personal services; subsistence of interns; compensation of consulting physician and dentist; attendance of guards at pistol and rifle matches; uniforms and caps for guards; newspapers, books of reference, and periodicals; rental of motion-picture films; repairs and improvements to buildings and grounds; purchase, exchange, maintenance, operation, and repair of motor busses; support, maintenance, and transportation of prisoners transferred from the District of Columbia; expenses of interment of deceased inmates; discharge gratuities; electrocutions; shipping remains of deceased prisoners to their homes in the United States; identifying, pursuing, recapturing (including rewards therefor), and returning to institutions, escaped inmates and parole and conditional-release violators; and returning released prisoners to their residences, \$1,468,000.

Working capital fund: To provide a working capital fund for such industrial enterprises at the workhouse and reformatory as may be approved by the Commissioners, \$50,000: *Provided*, That the various departments and institutions of the District of Columbia and the Federal Government may purchase, at fair market prices, as determined by the Commissioners, products and services of said industrial enterprises: *Provided further*, That receipts from the sale of products and services shall be deposited to the credit of said working capital fund, and said fund, including all receipts credited thereto, shall be used as a revolving fund for the fiscal year 1946 for all necessary expenses of such enterprises, including personal services; the purchase and repair of machinery, tools, and equipment; purchase of raw materials and manufacturing supplies; and for the payment to inmates or their dependents of such pecuniary earnings as the Commissioners may deem proper.

Purchase of products and services.

Deposit of receipts.

MENTAL REHABILITATION SERVICE

Post, p. 643.

Operating expenses, District Training School: For all expenses necessary for the operation of the District Training School, including personal services; books of reference and periodicals; printing and binding; compensation of consulting physicians at rates to be fixed by the Commissioners; subsistence of interns; and repairs and improvements to buildings and grounds, \$390,000.

Saint Elizabeths Hospital: For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, \$2,956,500.

Deportation of nonresident insane: For all necessary expenses for deportation of nonresident insane persons, as provided by law, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, including personal services; books of reference; and printing and binding; \$41,200.

Advances to Director of Public Welfare.

The disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the Auditor of the District and upon such security as the Commissioners may require of said Director, sums of money to be used for placing and visiting children; returning escaped prisoners, conditional releases, and parolees; and deportation of non-resident insane persons; the total of such advancements not to exceed \$2,000 at any one time.

PUBLIC WORKS

Office of chief clerk: For all expenses for the office of chief clerk, including personal services; books of reference and periodicals; printing and binding; maintenance and repair of wharves; and \$575 for affiliation with the National Safety Council, Incorporated; \$37,000.

Office of Municipal Architect: For all expenses necessary for the Office of Municipal Architect, including personal services, books of reference and periodicals, allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile), and printing and binding, \$64,000.

Basis of apportionment.

All apportionments of appropriations for the use of the Office of Municipal Architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than \$2,000,000 of appropriations made for such construction projects and not exceeding $2\frac{3}{4}$ per centum of a total of the appropriations in excess of \$2,000,000, and appropriations specifically made in this Act for the preparation of plans and specifications shall be deducted from any allowances authorized under this paragraph: *Provided*, That reimbursements may be made to this fund from appropriations contained in this Act for services rendered other activities of the District government, without reference to fiscal-year limitations on such appropriations.

Reimbursements.

Operating expenses, Office of Superintendent of District Buildings: For all expenses necessary for care of the District buildings, including personal services, rental of postage meter equipment, allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile), and printing and binding, \$457,700.

Surveyor's office: For all expenses necessary for the surveyor's office, including personal services, books of reference and periodicals, and printing and binding, \$80,700.

Fire escapes.
D. C. Code §§ 5-301 to 5-312.

D. C. Code §§ 5-601 to 5-615, §§ 5-501 to 5-505; Supp. IV, §§ 5-603 to 5-614.

Department of Inspections: For all expenses necessary for the Department of Inspections, including the enforcement of the Act requiring the erection of fire escapes on certain buildings (48 Stat. 843) and the removal of dangerous or unsafe and insanitary buildings (34 Stat. 157; 49 Stat. 105); such expenses to include two members of the plumbing board at \$150 per annum each; two members of the board of examiners, steam engineers, at \$300 per annum each (the inspector of boilers to serve without additional compensation); \$6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed in surveys of such dangerous and unsafe buildings; and other personal services; allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile); books of reference and periodicals; and printing and binding; \$346,900.

Operating expenses, Electrical Division: For all expenses necessary for the operation and maintenance of the District's communication

systems, including personal services, allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile), and printing and binding; rental, purchase, installation, and maintenance of telephone, telegraph, and radio services; and street lighting, including the purchase, installation, and maintenance of public lamps, lamp posts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost and maintenance of airport and airway lights necessary for operation of the air mail to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat. 1008), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat. 181), and other laws applicable thereto; \$1,130,000: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for current consumed.

36 Stat. 1008, 1011.
D. C. Code §§ 7-701
to 7-705.

Rates for electric
street lighting.

Capital outlay, Electrical Division: For all expenses necessary for placing underground, relocating, and extending the telephone, police-patrol, and fire-alarm systems, \$70,000.

Central garage: For all expenses necessary for the purchase, exchange, operation, and maintenance of passenger-carrying motor vehicles, work cars, field wagons, ambulances, and busses owned by the District of Columbia, including three chauffeurs for the Executive Office at \$1,800 per annum each and other personal services, and printing and binding, \$84,900.

All motor-propelled passenger-carrying vehicles owned by the District of Columbia shall be used exclusively for "official purposes" directly pertaining to the public service of said District, and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District, except as otherwise provided in this Act; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except as to the Commissioners of the District of Columbia and in cases of officers and employees the character of whose duties makes such transportation necessary, and then only as to such latter cases when the same is approved by the Commissioners. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Use of motor vehicles for "official purposes."

Operating expenses, Street and Bridge Divisions (payable from highway fund): For all operating expenses of the Street and Bridge Divisions, including operation, minor construction, maintenance, and repair of bridges; repairs to streets, avenues, roads, sidewalks, and alleys; reconditioning existing gravel streets and roads; and cleaning snow and ice from streets, sidewalks, cross walks, and gutters, in the discretion of the Commissioners; such expenses to include personal services; allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile); books of reference and periodicals; printing and binding; and purchase, exchange, operation, and maintenance of passenger-carrying motor vehicles, surveying instruments, implements, and equipment used in this work; \$1,500,000, of which amount \$45,000 shall be exclusively for snow removal purposes.

Snow removal.
Foot, p. 288.

Capital outlay, Street and Bridge Divisions (payable from highway fund): For personal services and all expenses necessary for the grading, surfacing, paving, repaving, widening, altering, and otherwise improving streets, avenues, roads, and alleys, including curbing and

gutters, directional and pedestrian islands at various intersections to permit of proper traffic-light control and channelization of traffic, drainage structures, culverts, suitable connections to stormwater sewer system, retaining walls, replacement and relocation of sewers, water mains, fire hydrants, traffic lights, street lights, fire-alarm boxes, police-patrol boxes, and curb-line trees, when necessary, Federal-aid highway projects under section 1 (b) of the Federal Aid Highway Act of 1938, and highway structure projects financed wholly from the highway fund upon the approval of plans for such structures by the Commissioners; for carrying out the provisions of existing laws which authorize the Commissioners to open, extend, straighten, or widen streets, avenues, roads, or highways, in accordance with the plan of the permanent system of highways for the District of Columbia, and alleys and minor streets, and for the establishment of building lines in the District of Columbia, including the procurement of chains of title; and for assessment and permit work, paving of roadways under the permit system, and construction of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, \$2,600,000, to remain available until June 30, 1947: *Provided*, That appropriations contained in this Act for highways, sewers, city refuse, and the Water Division shall be available for snow removal when ordered by the Commissioners in writing: *Provided further*, That the Commissioners are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed \$30,000: *Provided further*, That in connection with the highway planning survey, involving surveys, plans, engineering, and economic investigations of projects for future construction in the District of Columbia, as provided for under section 10 of the Federal Aid Highway Act of 1938, and in connection with the construction of Federal-aid highway projects under section 1 (b) of said Act, and highway structure projects financed wholly from the highway fund, this appropriation shall be available for the employment of engineering or other professional services by contract or otherwise, and without regard to section 3709 of the Revised Statutes and the civil-service and classification laws, and for engineering and incidental expenses: *Provided further*, That this appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act (47 Stat. 752), and the proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to make such payment, from the said street-railway company in the manner provided by section 5 of the Act of June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected: *Provided further*, That assessments in accordance with existing law shall be made for paving and repaving roadways, alleys, and sidewalks where such roadways, alleys, and sidewalks are paved or repaved with funds herein appropriated: *Provided further*, That this appropriation may be used for payment to contractors and for other expenses in connection with the expense of design, construction, and inspection of grade-crossing elimination and other construction projects authorized under section 8 of the Act of June 16, 1936 (49 Stat. 1521), and section 1 (b) of the Federal Aid Highway Act of 1938, pending reimbursement to the District of Columbia by the Public Roads Administration, Federal Works Agency, reimbursement to be credited to fund from which payment

52 Stat. 633.
23 U. S. C. § 41b.

Snow removal.
Ante, p. 287.

Asphalt plant.

52 Stat. 636; 53 Stat.
1066.

52 Stat. 633.
23 U. S. C. § 41b.

41 U. S. C. § 5.

Street-railway pavements.

D. C. Code § 7-604.

20 Stat. 105.
D. C. Code § 7-604.

Assessments for paving and repaving.

Grade-crossing elimination.

23 U. S. C. § 24a.
52 Stat. 633.
23 U. S. C. § 41b.

was made: *Provided further*, That the Commissioners are authorized to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act: *Provided further*, That no appropriation in this Act shall be available for repairing, resurfacing, or paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving materials as well as in price: *Provided further*, That in addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense: *Provided further*, That no appropriation in this Act shall be used for the operation of a testing laboratory of the Highway Department for making tests of materials in connection with any activity of the District government.

Department of Vehicles and Traffic (payable from highway fund): For all expenses necessary for the Department of Vehicles and Traffic, including personal services; purchase, installation, modification, operation, and maintenance of electric traffic lights, signals, controls, markers, and directional signs; printing and binding; purchase of motor-vehicle identification number plates; operation and maintenance of parking meters on the streets of the District of Columbia; \$20,000 for traffic safety education without reference to any other law; \$444,000: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining streetcar loading platforms and lights of any description employed to distinguish same, except that a permanent type of platform may be constructed from appropriations contained in this Act for street improvements when plans and locations thereof are approved by the Public Utilities Commission and the Director of Vehicles and Traffic: *Provided further*, That the street-railway company shall after construction maintain, mark, and light the same at its expense: *Provided further*, That fees from parking meters shall be deposited to the credit of the highway fund: *Provided further*, That the Commissioners are authorized and directed to designate, reserve, and properly mark appropriate and sufficient parking spaces on the streets adjacent to all public buildings in the District for the use of Members of Congress engaged on public business: *Provided further*, That the incumbent on July 1, 1944, of the authorized position of Registrar of Titles and Tags, whose duties shall be as prescribed in the District of Columbia Appropriation Act, 1945, shall hereafter be continued for compensation purposes in grade 9 of the clerical, administrative, and fiscal service under the Classification Act of 1923, as amended.

Division of Trees and Parking (payable from highway fund): For all necessary expenses for the Division of Trees and Parking, including personal services; books of reference and periodicals; and printing and binding, \$142,600.

Reimbursement of other appropriations (payable from highway fund): There are hereby authorized to be paid from the highway fund to other appropriations for the District of Columbia the following sums: \$9,775 to "General administration" (Office of Corporation Counsel); \$21,800 to "Fiscal service" (Collector's Office, \$4,555; Auditor's Office, \$12,720; Purchasing Division, \$4,525); \$8,797 to "Operating expenses, Office of Superintendent of District Buildings"; \$2,028 to "Operating expenses, Electrical Division"; \$607,500 to

Widths of sidewalks and roadways.

Open competition for street-improvement contracts.

Liability for repairs.

Nonuse of funds for testing laboratory.

Parking meters.
Traffic safety education.

Streetcar loading platforms.

Fees from parking meters.
Parking spaces for Members of Congress.

Registrar of Titles and Tags.

58 Stat. 527.
D. C. Code, Supp. IV, § 40-603a.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*

“Metropolitan Police”; and \$20,000 to “National Capital Parks”; in all, \$669,900.

Refunding erroneous collections (payable from highway fund): To enable the Commissioners to refund collections erroneously covered into the Treasury during the present and past three fiscal years to the credit of the highway fund, \$1,500: *Provided*, That this appropriation shall not be available for refunds authorized by section 10 of the Act of April 23, 1924.

Operating expenses, Refuse Division: For all expenses necessary for collection and disposal of refuse and street cleaning, including personal services; printing and binding; books of reference and periodicals; repair and maintenance of plants, buildings, and grounds; and fencing of public and private property designated by the Commissioners as public dumps; \$2,560,000: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments having a central heating system, or from any building or connected group of buildings operated as a rooming, boarding, or lodging house having a total of more than twenty-five rooms.

Capital outlay, Refuse Division: For construction of the extension of the proposed incinerator numbered 3 for refuse in parcel 141/13, \$403,600; for construction of a refuse transfer station on land owned by the District of Columbia in square 739 and on land to be acquired adjacent thereto for the transfer of city refuse from collection units to hauling units for transportation to remote disposal points, employment of engineering and other personal services, \$302,700; for all necessary expenses for the preparation of plans and specifications for a garage and shops building in parcel 141/13, including the employment of engineering and other personal services and \$1,500 for subsoil investigations, \$12,500; in all, \$718,800.

Operating expenses, Sewer Division: For all expenses necessary for operating the District's system of sewage disposal; cleaning and repairing sewers and basins; operation and maintenance of the sewage pumping service and sewage treatment plant, including repairs to equipment, machinery, and structures; maintenance of public convenience stations; control and prevention of the spread of mosquitoes in the District of Columbia; and pro rata contribution of the District of Columbia to the expenses of the Interstate Commission on the Potomac River Basin in accordance with Act of July 11, 1940 (54 Stat. 748); such expenses to include personal services; books of reference and periodicals; and printing and binding; \$800,000.

Capital outlay, Sewer Division: For construction of sewers and receiving basins; for assessment and permit work; for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, \$1,000; and for conducting a survey for city relief sewers, including personal services and all necessary expenses incident thereto, \$75,000, to remain available until June 30, 1947; in all, \$1,040,000: *Provided*, That not to exceed \$365,000 of the appropriation for capital outlay, Sewer Division, including \$165,000 for the acquisition and development of a site for the storage of construction materials, contained in the District of Columbia Appropriation Act, 1945, is continued available until June 30, 1946.

Operating expenses, Water Division (payable from water fund): For all expenses necessary for operation and maintenance of the District of Columbia water distribution system; installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, said meters to remain the property of the District of Columbia;

43 Stat. 108.
D. C. Code § 47-
1910.

Interstate Commis-
sion on the Potomac
River Basin.
33 U. S. C. § 567b.

Post, p. 643.

Reappropriation.

66 Stat. 523.

replacement of old mains, service pipes, and divide valves; water waste and leakage survey; such expenses to include personal services; books of reference and periodicals; printing and binding; allowances for privately owned automobiles used for the performance of official duties (not to exceed \$264 per annum for each automobile); purchase, exchange, operation, and maintenance of passenger-carrying motor vehicles; and refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes; \$1,140,000, to be available for such refunds of payments made within the past two years.

Capital outlay, Water Division (payable from water fund): For extension of the District of Columbia water distribution system, laying of such service mains as may be necessary under the assessment system, laying mains in advance of paving, and installing fire and public hydrants, \$330,000; for construction of approximately one thousand seven hundred linear feet of thirty-six-inch trunk line water main from the vicinity of Fifth and M Streets Southeast, to the vicinity of Eleventh and M Streets Southeast, \$65,000, to continue available until June 30, 1947; for construction of approximately twenty-six thousand two hundred linear feet of thirty-, twenty-four-, and twenty-inch trunk line water main from the vicinity of Eighteenth Street and Minnesota Avenue Southeast, to the vicinity of Benning Road and East Capitol Street, \$605,000, to continue available until June 30, 1947; in all, \$1,000,000: *Provided*, That the appropriations in the District of Columbia Appropriation Act, 1943, for the construction of one or more elevated water tanks of approximately two million gallons capacity, and so forth, and for additional pumping equipment at the Anacostia pumping station are continued available until June 30, 1946.

56 Stat. 457, 458.

WASHINGTON AQUEDUCT

Operating expenses (payable from water fund): For all expenses necessary for the operation, maintenance, repair, and protection of Washington aqueducts and their accessories, and maintenance of MacArthur Boulevard; including personal services; books of reference and periodicals; printing and binding; purchase, installation, and maintenance of water meters on Federal services within the District of Columbia; purchase (including exchange), operation, and maintenance of two passenger-carrying motor vehicles; purchase and repair of rubber boots and protective apparel; \$850,000.

Maintenance, etc., of aqueducts and accessories.

Meters on Federal services.

Capital outlay (payable from water fund): For increasing capacity of the McMillan pumping station; for installing loop for McMillan filter plant rising main; for rehabilitation and repair of the McMillan filter plant; for additional mechanical sand-washing equipment for McMillan filters; for beginning new conduit repairs; for relining sections containing major cracks; and for developing increased water supply for the District of Columbia and environs; and all necessary expenses incident thereto; including engineering and other professional services by contract or otherwise, without regard to section 3709 of the Revised Statutes and civil-service and classification laws; \$317,000, to continue available until June 30, 1947.

McMillan pumping station.

41 U. S. C. § 5.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington aqueduct, its rights, appurtenances, and fixtures connected with the same, and over appropriations and expenditures therefor as now provided by law.

NATIONAL GUARD

For all expenses necessary for the National Guard of the District of Columbia, including personal services; expenses of attendance at meetings of associations pertaining to the National Guard; books of reference and periodicals; printing and binding; expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; care and repair of armories, offices, storehouses, machinery, and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; maintenance and operation of passenger-carrying motor vehicles; \$11,800, to be expended under the direction of the commanding general.

NATIONAL CAPITAL PARKS

For all expenses necessary for the National Capital Parks, including maintenance, care, and improvement of public parks, grounds, fountains, and reservations, propagating gardens and greenhouses, and the tourists' camp on its present site in East Potomac Park under the jurisdiction of the National Park Service; placing and maintaining portions of the parks in condition for outdoor sports, erection of stands, furnishing and placing of chairs, and services incident thereto in connection with national, patriotic, civic, and recreational functions held in the parks, including the President's Cup Regatta, and expenses incident to the conducting of band concerts in the parks; such expenses to include personal services; pay and allowances of the United States Park Police force; per diem employees at rates of pay approved by the Secretary of the Interior, not exceeding current rates of pay for similar employment in the District of Columbia; lawbooks, books of reference, and periodicals; printing and binding; uniforming and equipping the United States Park Police force, including \$225 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, uniforms, ammunition, and radio equipment and the rental of teletype service; leather and rubber articles for the protection of employees and property; and the purchase, exchange, operation, repair, and maintenance of passenger-carrying motor vehicles, bicycles, motorcycles, and self-propelled machinery; the hire of draft animals with or without drivers at local rates approved by the Secretary of the Interior; the purchase and maintenance of draft animals, harness, and wagons; \$948,300: *Provided*, That not to exceed \$10,000 of the amount herein appropriated may be expended for the erection of minor auxiliary structures.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

For all necessary expenses of the National Capital Park and Planning Commission except the acquisition of land as authorized by law (40 U. S. C. 71), including personal services in the District of Columbia; \$80 for deposit in the general fund of the Treasury for cost of

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

43 Stat. 463.
40 U. S. C. §§ 71-74;
Supp. IV, § 71 notes.

penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); operation, maintenance, and repair of passenger-carrying vehicles; printing and binding; and reference books, newspapers, and periodicals, \$48,200.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

NATIONAL ZOOLOGICAL PARK

For all expenses necessary for the National Zoological Park, including personal services; erecting and repairing buildings; care and improvement of grounds; travel, including travel for the procurement of live specimens; purchase, care, and transportation of specimens; purchase of one additional passenger-carrying vehicle, and maintenance and operation of passenger-carrying vehicles; purchase and exchange of bicycles, motorcycles, with or without side cars for use of police; revolvers, and ammunition; purchase of uniforms and equipment for police, and uniforms for keepers, and assistant keepers; books and periodicals; and printing and binding; \$310,000, no part of which sum shall be available for architect's fees or compensation.

SEC. 2. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of the District of Columbia unless such person is a citizen of the United States, or a person in the service of the United States or the District of Columbia on the date of the approval of this Act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States. This section shall not apply to citizens of the Commonwealth of the Philippines or nationals of those countries allied with the United States in the prosecution of the war effort.

Citizenship requirement.

Exceptions.

SEC. 3. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 4. Whenever in this Act an amount is specified within an appropriation for particular purposes or object of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount which may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Maximum amount.

SEC. 5. The Commissioners are authorized, under available appropriations in this Act, to contract for stenographic reporting services without regard to section 3709 of the Revised Statutes.

41 U. S. C. § 5

SEC. 6. Work performed for repairs and improvements under appropriations contained in this Act may be by contract or otherwise, as determined by the Commissioners.

SEC. 7. In purchasing motor-propelled or animal-drawn vehicles or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, the

Exchange or sale of equipment.

Commissioners or their duly authorized representatives may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor.

Investments.

SEC. 8. The Commissioners are hereby authorized in their discretion, to invest at any time in United States Government securities, with the approval of the Secretary of the Treasury, any part of the general fund, highway fund, water fund, or trust funds, of the District of Columbia, not needed to meet expenses during the current fiscal year, to deposit the interest accruing from such investment to the credit of the fund from which the investment was made, and to sell or exchange such securities for other Government securities, and deposit the proceeds to the credit of the appropriate fund.

Reallocation in-
creases and adminis-
trative promotions.
58 Stat. 532.
D. C. Code, Supp.
IV, § 1-310a.

SEC. 9. Section 7 of the District of Columbia Appropriation Act, 1945, is amended to read as follows: "Hereafter appropriations for the District of Columbia shall be used to pay increases in the salaries of officers and employees by reason of the reallocation of the position of any officer or employee by the Civil Service Commission, and administrative promotions within the several grades: *Provided*, That such reallocation increases and administrative promotions shall be subject to the approval of the Commissioners of the District of Columbia: *Provided further*, That officers and employees whose positions were reallocated by the Civil Service Commission during the period January 1, 1945, to July 1, 1945, who have not received such reallocation increases shall be entitled to receive them retroactively to the date they would otherwise have been effective except for the provisions of said section 7, but in no case prior to January 1, 1945."

Condition.

Retroactive provi-
sions.

SEC. 10. Appropriations herein made available for the purchase of passenger-carrying vehicles, with the exception of those to be purchased for use by the Fire Department and the Metropolitan Police, shall be available only for the purchase of used or Federal surplus motor vehicles.

Purchase of used
vehicles.

Short title.

SEC. 11. This Act may be cited as the "District of Columbia Appropriation Act, 1946".

Approved June 30, 1945.

[CHAPTER 210]

AN ACT

To extend through December 31, 1945, the termination date under the Renegotiation Act.

June 30, 1945

[H. R. 3395]

[Public Law 104]

Renegotiation Act,
amendment.
55 Stat. 246.
50 U. S. C., Supp.
IV, app. § 1191 (h).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (h) of the Renegotiation Act (relating to the termination date) is amended to read as follows:

"(h) This section shall apply only with respect to profits derived from contracts with the Departments and subcontracts which are determined under regulations prescribed by the Board to be reasonably allocable to performance prior to the close of the termination date. Notwithstanding the method of accounting employed by the contractor in keeping his books, profits determined to be so allocable shall be considered as having been received or accrued not later than the termination date. For the purposes of this subsection, the term 'termination date' means whichever of the following dates first occurs—

"(1) December 31, 1945; or

"(2) the date proclaimed by the President as the date of the termination of hostilities in the present war; or

"(3) the date specified in a concurrent resolution of the two Houses of Congress as the date of the termination of hostilities in the present war."

"Termination
date."

SEC. 2. TERMINATION OF REPRICING OF WAR CONTRACTS.

Section 802 (b) of the Revenue Act of 1943 (relating to repricing of war contracts) is amended to read as follows:

“(b) Section 801 shall not apply to any contract with a Department or any subcontract made after (1) the date proclaimed by the President as the date of the termination of hostilities in the present war, or (2) the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, or (3) December 31, 1945, whichever date is the earlier.”

Approved June 30, 1945.

58 Stat. 93.
50 U. S. C., Supp.
IV, app. § 1192 note.

[CHAPTER 211]**JOINT RESOLUTION**

To continue the temporary increases in postal rates on first-class matter, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1001 (a), as amended (relating to temporary increase in first-class postage rate), of the Revenue Act of 1932, and section 2, as amended (authorizing the President to modify certain postage rates), of the Act entitled “An Act to extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes”, approved June 16, 1933, are further amended by striking out “July 1, 1945” wherever appearing therein and inserting in lieu thereof “July 1, 1947”, and by striking out “June 30, 1945” wherever appearing therein and inserting in lieu thereof “June 30, 1947”.

SEC. 2. Section 732 (d) of the Internal Revenue Code is amended to read as follows:

“(d) **REVIEW BY SPECIAL DIVISION OF BOARD.**—The determinations and redeterminations by any division of the Board involving any question arising under section 721 (a) (2) (C) or section 722 with respect to any taxable year shall be reviewed by a special division of the Board which shall be constituted by the Chairman and consist of not less than three members of the Board. The decisions of such special division shall not be reviewable by the Board, and shall be deemed decisions of the Board.”

Approved June 30, 1945.

June 30, 1945
[H. J. Res. 184]
[Public Law 105]

47 Stat. 285; 48 Stat.
254; 57 Stat. 157.
39 U. S. C. § 280
note; Supp. IV, § 280
note.

56 Stat. 917.
26 U. S. C., Supp.
IV, § 732 (d).

55 Stat. 22, 23.
26 U. S. C., Supp.
IV, §§ 721 (a) (2) (C),
722.

[CHAPTER 212]**AN ACT**

To improve salary and wage administration in the Federal service; to provide pay for overtime and for night and holiday work; to amend the Classification Act of 1923, as amended; to bring about a reduction in Federal personnel and to establish personnel ceilings for Federal departments and agencies; to require a quarterly analysis of Federal employment; and for other purposes.

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 “Federal Employees Pay Act of 1945”.

June 30, 1945
[S. 807]
[Public Law 106]

Federal Employees
Pay Act of 1945.

TITLE I—COVERAGE AND EXEMPTIONS**COVERAGE**

SEC. 101. (a) Subject to the exemptions specified in section 102 of this Act, titles II and III of this Act shall apply (1) to all civilian officers and employees in or under the executive branch of the Government, including Government-owned or controlled corporations, and in or under the District of Columbia municipal government, and (2) to those officers and employees of the judicial branch of the Government, the Library of Congress, the Botanic Garden, and the Office of

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Post, p. 298 *et seq.*

the Architect of the Capitol who occupy positions subject to the Classification Act of 1923, as amended.

(b) Title IV of this Act shall apply to officers and employees who occupy positions subject to the Classification Act of 1923, as amended.

Legislative and judicial branches.

(c) Subject to the exemptions specified in section 102 of this Act, title V of this Act shall apply to officers and employees in or under the legislative or the judicial branch of the Government whose compensation is not fixed in accordance with the Classification Act of 1923, as amended, and to the official reporters of proceedings and debates of the Senate and their employees.

Supra.

(d) Subject to the exemptions specified in section 102 of this Act, title VI of this Act (containing miscellaneous provisions) shall apply to civilian officers and employees of the Government according to the terms thereof.

General Accounting Office.

(e) All provisions of this Act applicable to the executive branch of the Government shall be applicable to the General Accounting Office.

EXEMPTIONS

SEC. 102. (a) This Act shall not apply to (1) elected officials; (2) Federal judges; (3) heads of departments or of independent establishments or agencies of the Federal Government, including Government-owned or controlled corporations; (4) employees of the District of Columbia municipal government whose compensation is fixed by the Teachers' Salary Act of June 4, 1924, as amended; and (5) officers and members of the Metropolitan Police or of the Fire Department of the District of Columbia. As used in this subsection the term "elected officials" shall not include officers elected by the Senate or House of Representatives who are not members of either body.

43 Stat. 367.
D. C. Code § 31-601
et seq.
Ante, p. 99; *post*, p. 500.

Post, p. 304.

(b) This Act, except section 607, shall not apply to (1) officers and employees in the field service of the Post Office Department; (2) employees outside the continental limits of the United States, including those in Alaska, who are paid in accordance with local native prevailing wage rates for the area in which employed; (3) officers and employees of the Inland Waterways Corporation; (4) officers and employees of the Tennessee Valley Authority; (5) individuals to whom the provisions of section 1 (a) of the Act of March 24, 1943 (Public Law Numbered 17, Seventy-eighth Congress), are applicable; and (6) officers and members of the United States Park Police and the White House Police.

(c) This Act, except sections 203 and 607, shall not apply to employees whose basic compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose.

(d) This Act, except sections 606 and 607, shall not apply to employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, to vessel employees of the Coast and Geodetic Survey, or to vessel employees of the Panama Railroad Company.

TITLE II—COMPENSATION FOR OVERTIME

OVERTIME PAY

SEC. 201. Officers and employees to whom this title applies shall, in addition to their basic compensation, be compensated for all hours of employment, officially ordered or approved, in excess of forty hours in any administrative workweek, at overtime rates as follows:

(a) For employees whose basic compensation is at a rate less than \$2,980 per annum, the overtime hourly rate shall be one and one-half times the basic hourly rate of compensation: *Provided*, That in computing such overtime compensation for per annum employees, the basic

Work in excess of 40 hours.

Overtime rates.
Compensation less than \$2,980.

57 Stat. 45.
50 U. S. C., Supp.
IV, app. § 1291 (a).

hourly rate of compensation shall be determined by dividing the per annum rate by two thousand and eighty.

(b) For employees whose basic compensation is at a rate of \$2,980 per annum or more, the overtime hourly rate shall be in accordance with and in proportion to the following schedule :

\$2,980 or more.

Basic rate of compensation per annum	Overtime rate of compensation per 416 overtime hours
\$2,980	\$894. 000
3,090	885. 554
3,200	877. 108
3,310	868. 662
3,420	860. 216
3,530	851. 770
3,640	843. 324
3,750	834. 878
3,860	826. 432
3,970	817. 986
4,080	809. 540
4,190	801. 094
4,300	792. 648
4,410	784. 202
4,520	775. 756
4,630	767. 310
4,740	758. 864
4,960	741. 972
5,180	725. 080
5,390	708. 955
5,600	692. 831
5,810	676. 707
6,020	660. 583
6,230	644. 458
6,440 and over	628. 334

COMPENSATORY TIME OFF FOR IRREGULAR OR OCCASIONAL OVERTIME WORK

SEC. 202. (a) The heads of departments, or of independent establishments or agencies, including Government-owned or controlled corporations, and of the District of Columbia municipal government, and the heads of legislative or judicial agencies to which this title applies, may by regulation provide for the granting of compensatory time off from duty, in lieu of overtime compensation for irregular or occasional duty in excess of forty-eight hours in any regularly scheduled administrative workweek, to those per annum employees requesting such compensatory time off from duty.

(b) The Architect of the Capitol may, in his discretion, grant per annum employees compensatory time off from duty in lieu of overtime compensation for any work in excess of forty hours in any regularly scheduled administrative workweek.

WAGE-BOARD EMPLOYEES

SEC. 203. Employees whose basic rate of compensation is fixed on an annual or monthly basis and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose shall be entitled to overtime pay in accordance with the provisions of section 23 of the Act of March 28, 1934 (U. S. C., 1940 edition, title 5, sec. 673c). The rate of compensation for each hour of overtime employment of any such employee shall be computed as follows:

(a) If the basic rate of compensation of the employee is fixed on an annual basis, divide such basic rate of compensation by two thousand and eighty and multiply the quotient by one and one-half; and

(b) If the basic rate of compensation of the employee is fixed on a monthly basis, multiply such basic rate of compensation by twelve

48 Stat. 522.

If basic rate fixed on annual basis.

Monthly basis.

to derive a basic annual rate of compensation, divide such basic annual rate of compensation by two thousand and eighty, and multiply the quotient by one and one-half.

TITLE III—COMPENSATION FOR NIGHT AND HOLIDAY WORK

NIGHT PAY DIFFERENTIAL

SEC. 301. Any officer or employee to whom this title applies who is assigned to a regularly scheduled tour of duty, any part of which falls between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian, shall, for duty between such hours, excluding periods when he is in a leave status, be paid compensation at a rate 10 per centum in excess of his basic rate of compensation for duty between other hours: *Provided*, That such differential for night duty shall not be included in computing any overtime compensation to which the officer or employee may be entitled: *And provided further*, That this section shall not operate to modify the provisions of the Act of July 1, 1944 (Public Law Numbered 394, Seventy-eighth Congress), or any other law authorizing additional compensation for night work.

Differential not included in overtime.

58 Stat. 648.
31 U. S. C., Supp.
IV, § 180.

COMPENSATION FOR HOLIDAY WORK

SEC. 302. Officers and employees to whom this title applies who are assigned to duty on a holiday designated by Federal statute or Executive order shall be compensated for such duty, excluding periods when they are in leave status, in lieu of their regular pay for that day, at the rate of one and one-half times the regular basic rate of compensation: *Provided*, That extra holiday compensation paid under this section shall not serve to reduce the amount of overtime compensation to which the employee may be entitled under this or any other Act during the administrative workweek in which the holiday occurs, but such extra holiday compensation shall not be considered to be a part of the basic compensation for the purpose of computing such overtime compensation. This section shall take effect upon the cessation of hostilities in the present war as proclaimed by the President, or at such earlier time as the Congress by concurrent resolution may prescribe. Prior to so becoming effective, it shall be effective with respect to any designated holiday only if the President has declared that such day shall not be generally a workday in the Federal service.

TITLE IV—AMENDMENTS TO CLASSIFICATION ACT OF 1923, AS AMENDED

ESTABLISHMENT OF RATES FOR CLASSES OF POSITIONS WITHIN GRADES

SEC. 401. Section 3 of the Classification Act of 1923, as amended, is amended by inserting at the end of such section a paragraph reading as follows:

"In subdividing any grade into classes of positions, as provided in the foregoing paragraph, the Civil Service Commission, whenever it deems such action warranted by the nature of the duties and responsibilities of a class of positions in comparison with other classes in the same grade, and in the interests of good administration, is authorized to establish for any such class a minimum rate, which shall be one of the pay rates, but not in excess of the middle rate, of that grade as set forth in section 13 of this Act, as amended. Whenever the Commission shall find that within the same Government organization and at the same location gross inequities exist between basic per annum rates

42 Stat. 1489.
5 U. S. C. § 663.

Rates for classes within grades.

Post, p. 300.
Correction of inequities.

of pay fixed for any class of positions under this Act and the compensation of employees whose basic rates of pay are fixed by wage boards or similar administrative authority serving the same purpose, the Commission is hereby empowered, in order to correct or reduce such inequities, to establish as the minimum rate of pay for such class of positions any rate not in excess of the middle rate within the range of pay fixed by this Act for the grade to which such class of positions is allocated. For the purposes of this section the fourth rate of a six-rate grade shall be considered to be the middle rate of that grade. Minimum rates established under this paragraph shall be duly published by regulation and, subject to the foregoing provisions, may be revised from time to time by the Commission. The Commission shall make a report of such actions or revisions with the reasons therefor to Congress at the end of each fiscal year. Actions by the Civil Service Commission under this paragraph shall apply to both the departmental and field services and shall have the force and effect of law."

Middle rate of grade.

Report to Congress.

Applicability of actions.

PERIODIC WITHIN-GRADE SALARY ADVANCEMENTS

SEC. 402. Subsection (b) of section 7 of the Classification Act of 1923, as amended, is amended to read as follows:

55 Stat. 613.
5 U. S. C., Supp.
IV, § 667 (b).

Periodic within-grade advancements.

"(b) All employees compensated on a per annum basis, and occupying permanent positions within the scope of the compensation schedules fixed by this Act, who have not attained the maximum rate of compensation for the grade in which their positions are respectively allocated, shall be advanced in compensation successively to the next higher rate within the grade at the beginning of the next pay period following the completion of (1) each twelve months of service if such employees are in grades in which the compensation increments are less than \$200, or (2) each eighteen months of service if such employees are in grades in which the compensation increments are \$200 or more, subject to the following conditions:

Conditions.

"(1) That no equivalent increase in compensation from any cause was received during such period, except increase made pursuant to subsection (f) of this section;

Post, p. 300.

"(2) That an employee shall not be advanced unless his current efficiency is 'good' or better than 'good';

"(3) That the service and conduct of such employee are certified by the head of the department or agency or such official as he may designate as being otherwise satisfactory; and

"(4) That any employee, (A) who, while serving under permanent, war service, temporary, or any other type of appointment, has left his position to enter the armed forces or the merchant marine, or to comply with a war transfer as defined by the Civil Service Commission, (B) who has been separated under honorable conditions from active duty in the armed forces, or has received a certificate of satisfactory service in the merchant marine, or has a satisfactory record on war transfer, and (C) who, under regulations of the Civil Service Commission or the provisions of any law providing for restoration or reemployment, or under any other administrative procedure with respect to employees not subject to civil service rules and regulations, is restored, reemployed, or reinstated in any position subject to this section, shall upon his return to duty be entitled to within-grade salary advancements without regard to paragraphs (2) and (3) of this subsection, and to credit such service in the armed forces, in the merchant marine, and on war transfer, toward such within-grade salary advancements. As used in this paragraph the term 'service in the merchant marine' shall have the same meaning as when used in the Act entitled 'An Act to provide reemployment rights for persons who leave their positions to serve in the merchant marine,

Employees leaving to join armed forces, etc.

Restoration or re-employment.

"Service in the merchant marine."

and for other purposes; approved June 23, 1943 (U. S. C., 1940 edition, Supp. IV, title 50 App., secs. 1471 to 1475, inc.).”

57 Stat. 162.

REWARDS FOR SUPERIOR ACCOMPLISHMENT; AUTHORIZATION AND LIMITATIONS

55 Stat. 614.
5 U. S. C., Supp.
IV, § 667 (f).

SEC. 403. Subsection (f) of section 7 of the Classification Act of 1923, as amended, is amended to read as follows:

“(f) Within the limit of available appropriations, as a reward for superior accomplishment, under standards to be promulgated by the Civil Service Commission, and subject to prior approval by the Civil Service Commission, or delegation of authority as provided in subsection (g), the head of any department or agency is authorized to make additional within-grade compensation advancements, but any such additional advancements shall not exceed one step and no employee shall be eligible for more than one additional advancement hereunder within each of the time periods specified in subsection (b). All actions under this subsection and the reasons therefor shall be reported to the Civil Service Commission. The Commission shall present an annual consolidated report to the Congress covering the numbers and types of actions taken under this subsection.”

Infra.

Ante, p. 299.

Report to Congress.

REWARDS FOR SUPERIOR ACCOMPLISHMENT; RESPONSIBILITY OF CIVIL SERVICE COMMISSION

55 Stat. 614.
5 U. S. C., Supp.
IV, § 667 (g).
Administrative reg-
ulations.

SEC. 404. Subsection (g) of section 7 of the Classification Act of 1923, as amended, is amended to read as follows:

“(g) The Civil Service Commission is hereby authorized to issue such regulations as may be necessary for the administration of this section. In such regulations the Commission is hereby empowered, in its discretion, to delegate to the head of any department or agency, or his designated representative, the authority to approve additional within-grade compensation advancements provided for in subsection (f), without prior approval in individual cases by the Commission. The Commission is also authorized to withdraw or suspend such authority from time to time, whenever post-audit of such actions by the Commission indicates that standards promulgated by the Commission have not been observed.”

Supra.

INCREASE IN BASIC RATES OF COMPENSATION

42 Stat. 1491.
5 U. S. C. § 673;
Supp. IV, § 673.
Infra.

SEC. 405. (a) Each of the existing rates of basic compensation set forth in section 13 of the Classification Act of 1923, as amended, except those affected by subsection (b) of this section, is hereby increased by 20 per centum of that part thereof which is not in excess of \$1,200 per annum, plus 10 per centum of that part thereof which is in excess of \$1,200 per annum but not in excess of \$4,600 per annum, plus 5 per centum of that part thereof which is in excess of \$4,600 per annum. Such augmented rates shall be considered to be the regular basic rates of compensation provided by such section.

(b) (1) The proviso to the fifth paragraph under the heading “Crafts, Protective, and Custodial Service” in section 13 of the Classification Act of 1923, as amended, is hereby amended to read as follows: “*Provided*, That charwomen working part time be paid at the rate of 78 cents an hour, and head charwomen at the rate of 83 cents an hour”.

Charwomen.

(2) Such section is amended so as to provide the following rates of compensation for positions in the clerical-mechanical service:

Clerical-mechanical service.

Grade 1, 78 to 85 cents an hour.

Grade 2, 91 to 98 cents an hour.

Grade 3, \$1.05 to \$1.11 an hour.

Grade 4, \$1.18 to \$1.31 an hour.

(c) The increase in existing rates of basic compensation provided by this section shall not be construed to be an "equivalent increase" in compensation within the meaning of section 7 (b) (1) of the Classification Act of 1923, as amended.

55 Stat. 613.
5 U. S. C., Supp.
IV, § 667 (b).
Ante, p. 299.

TITLE V—EMPLOYEES OF LEGISLATIVE AND JUDICIAL BRANCHES

PART I—EMPLOYEES OF THE LEGISLATIVE BRANCH

INCREASE IN RATES OF COMPENSATION

SEC. 501. Except as provided in section 503, each officer and employee in or under the legislative branch to whom this title applies shall be paid additional compensation computed as follows: 20 per centum of that part of his rate of basic compensation which is not in excess of \$1,200 per annum, plus 10 per centum of that part of such rate which is in excess of \$1,200 per annum but not in excess of \$4,600 per annum, plus 5 per centum of that part of such rate which is in excess of \$4,600 per annum. The additional compensation provided by this section shall be considered a part of the basic compensation of any such officer or employee for the purposes of the Civil Service Retirement Act of May 29, 1930, as amended. The additional compensation provided for by this section and section 502 shall not be taken into account in determining whether any amount expended for clerk hire, or the compensation paid to an officer or employee, is within any limit now prescribed by law.

Accounting for re-
tirement purposes.

46 Stat. 468.
5 U. S. C. § 691 *et seq.*; Supp. IV, § 691 *et seq.*
Post, pp. 577, 621.

TEMPORARY ADDITIONAL COMPENSATION IN LIEU OF OVERTIME

SEC. 502. During the period beginning on July 1, 1945, and ending on June 30, 1947, each officer and employee in or under the legislative branch entitled to the benefits of section 501 of this Act shall be paid additional compensation at the rate of 10 per centum of (a) the aggregate of the rate of his basic compensation and the rate of additional compensation received by him under section 501 of this Act, or (b) the rate of \$2,900 per annum, whichever is the smaller.

COMPENSATION FOR OVERTIME

SEC. 503. Hereafter, for overtime pay purposes, per diem and per hour employees under the Office of the Architect of the Capitol not subject to the Classification Act of 1923, as amended, shall be regarded as subject to the provisions of section 23 of the Act of March 28, 1934 (U. S. C., 1940 edition, title 5, sec. 673c), and sections 501 and 502 of this Act shall not be applicable to such employees.

Office of the Archi-
tect of the Capitol.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Ante, p. 298 *et seq.*
48 Stat. 522.

PART II—EMPLOYEES OF THE JUDICIAL BRANCH

INCREASE IN BASIC RATES OF COMPENSATION

SEC. 521. Each officer and employee in or under the judicial branch to whom this title applies shall be paid additional basic compensation computed as follows: 20 per centum of that part of his rate of basic compensation which is not in excess of \$1,200 per annum, plus 10 per centum of that part of such rate which is in excess of \$1,200 per annum but not in excess of \$4,600 per annum, plus 5 per centum of that part of such rate which is in excess of \$4,600 per annum. The limitations of \$6,500 and \$7,500 with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the eighth paragraph under the head "Miscellaneous Items of Expense" in The Judiciary Appropriation Act, 1946 (Public Law Numbered 61, Seventy-ninth Congress), shall be increased by the amounts necessary to pay the additional basic compensation provided

Aggregate salary.
limitation.

Ante, p. 199.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Anie, p. 298 *et seq.*

by this section; and the changes in the rates of basic compensation in the Classification Act of 1923, as amended, made by section 405 of this Act shall not be taken into account in fixing salaries under such eighth paragraph.

TEMPORARY ADDITIONAL COMPENSATION IN LIEU OF OVERTIME

SEC. 522. During the period beginning on July 1, 1945, and ending on June 30, 1947, each officer and employee in or under the judicial branch entitled to the benefits of section 521 of this Act shall be paid additional compensation at the rate of 10 per centum of (a) the rate of his basic compensation, or (b) the rate of \$2,900 per annum, whichever is the smaller. As used in this section the term "basic compensation" includes the additional basic compensation provided for by section 521 of this Act.

TITLE VI—MISCELLANEOUS PROVISIONS

EFFECT ON EXISTING LAWS AFFECTING CERTAIN INSPECTIONAL GROUPS

SEC. 601. The provisions of this Act shall not operate to prevent payment for overtime services or extra pay for Sunday or holiday work in accordance with any of the following statutes: Act of February 13, 1911, as amended (U. S. C., 1940 edition, title 19, secs. 261 and 267); Act of July 24, 1919 (U. S. C., 1940 edition, title 7, sec. 394); Act of June 17, 1930, as amended (U. S. C., 1940 edition, title 19, secs. 1450, 1451, and 1452); Act of March 2, 1931 (U. S. C., 1940 edition, title 8, secs. 109a and 109b); Act of May 27, 1936, as amended (U. S. C., 1940 edition, title 46, sec. 382b); Act of March 23, 1941 (U. S. C., 1940 edition, Supp. IV, title 47, sec. 154 (f) (2)); Act of June 3, 1944 (Public Law Numbered 328, Seventy-eighth Congress): *Provided*, That the overtime, Sunday, or holiday services covered by such payment shall not also form a basis for overtime or extra pay under this Act.

INCREASE IN BASIC STATUTORY RATES OF COMPENSATION NOT UNDER CLASSIFICATION ACT OF 1923, AS AMENDED

SEC. 602. (a) The existing basic rates of pay set forth in the Act entitled "An Act to adjust the compensation of certain employees in the Customs Service", approved May 29, 1928, as amended, and those set forth in the second paragraph of section 24 of the Immigration Act of 1917, as amended, are hereby increased in the same amount that corresponding rates would be increased under the provisions of section 405 of this Act; and each such augmented rate shall be considered to be the regular basic rate of compensation.

(b) Basic rates of compensation specifically prescribed by statute of Congress for positions in the executive branch or the District of Columbia municipal government which are not increased by any other provision of this Act are hereby increased in the same amount that corresponding rates would be increased under the provisions of section 405 of this Act; and each such augmented rate shall be considered to be the regular basic rate of compensation.

LIMITATIONS ON REDUCTIONS AND INCREASES IN COMPENSATION

SEC. 603. (a) The aggregate per annum rate of compensation with respect to any pay period, in the case of any full-time employee in the service on July 1, 1945, (1) who was a full-time employee on June 30, 1945, (2) whose per annum basic rate of compensation on June 30, 1945, did not exceed a rate of \$1,800 per annum, and (3) whose compensation is fixed in accordance with the provisions of the Classification Act of 1923, as amended, or the Act entitled "An Act to adjust the compensation of certain employees in the Customs Service",

36 Stat. 901.
41 Stat. 241.
7 U. S. C., Supp. IV,
§ 394.
46 Stat. 715.
19 U. S. C., Supp.
IV, § 1450 *et seq.*
46 Stat. 1467.
49 Stat. 1385.
55 Stat. 46.
58 Stat. 269.
19 U. S. C., Supp.
IV, §§ 1451, 1451a.

Customs Service,
etc.

45 Stat. 955.
19 U. S. C. §§ 6a-6d.
39 Stat. 893.
8 U. S. C. § 109;
Supp. IV, § 109.

Positions in execu-
tive branch or D. C.
government.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Anie, p. 298 *et seq.*

approved May 29, 1928, as amended, shall not, under the rates of compensation established by this Act, so long as he continues to occupy the position he occupied on June 30, 1945, be less than his per annum basic rate of compensation on such date, plus the rate of \$300 per annum or 25 per centum of such per annum basic rate of compensation, whichever is the smaller amount.

(b) Notwithstanding any other provision of this Act, no officer or employee shall, by reason of the enactment of this Act, be paid, with respect to any pay period, basic compensation, or basic compensation plus any additional compensation provided by this Act, at a rate in excess of \$10,000 per annum, except that (1) any officer or employee who was receiving overtime compensation on June 30, 1945, and whose aggregate rate of compensation on such date was in excess of \$10,000 per annum may receive overtime compensation at such rate as will not cause his aggregate rate of compensation for any pay period to exceed the aggregate rate of compensation he was receiving on June 30, 1945, until he ceases to occupy the office or position he occupied on such date or until the overtime hours of work in his administrative workweek are reduced by action of the head of his department or independent establishment or agency, or Government-owned or controlled corporation, and when such overtime hours are reduced such rate of overtime compensation shall be reduced proportionately, and (2) any officer or employee who, because of the receipt of additional compensation in lieu of overtime compensation, was receiving aggregate compensation at a rate in excess of \$10,000 per annum on June 30, 1945, may continue to receive such rate of aggregate compensation so long as he continues to occupy the office or position he occupied on such date but in no case beyond June 30, 1947.

ESTABLISHMENT OF BASIC WORKWEEK; PAY COMPUTATION METHODS

SEC. 604. (a) It shall be the duty of the heads of the several departments and independent establishments and agencies in the executive branch, including Government-owned or controlled corporations, and the District of Columbia municipal government, to establish as of the effective date of this Act, for all full-time officers and employees in their respective organizations, in the departmental and the field services, a basic administrative workweek of forty hours, and to require that the hours of work in such workweek be performed within a period of not more than six of any seven consecutive days.

(b) Beginning not later than October 1, 1945, each pay period for all officers and employees of the organizations referred to in subsection (a), except officers and employees on the Isthmus of Panama in the service of The Panama Canal or the Panama Railroad Company, shall cover two administrative workweeks. When a pay period for such officers and employees begins in one fiscal year and ends in another, the gross amount of the earnings for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period.

(c) The following provisions of law are hereby repealed: (1) the provisions of the Saturday half-holiday law of March 3, 1931 (46 Stat. 1482; U. S. C., 1940 edition, title 5, sec. 26 (a)), and (2) the provisions of so much of section 5 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-four, and for other purposes", approved March 3, 1893, as amended (30 Stat. 316; U. S. C., 1940 edition, title 5, sec. 29), as precedes the second proviso in such section. The first sentence of section 6 of the Act of June 30, 1906 (34 Stat. 763; U. S. C., 1940 edition, title 5, sec. 84), is amended by inserting after "United States" the following: "(except persons whose compensation is computed in

45 Stat. 955.
19 U. S. C. §§ 6a-6d.

Aggregate compensation, limitation.

Exceptions.

Biweekly pay periods.

Exceptions.

Repeals.

5 U. S. C., Supp. IV, § 26a.

27 Stat. 715.
5 U. S. C., Supp. IV, § 29.
Amendments.

Infra.

accordance with section 604 (d) of the Federal Employees Pay Act of 1945"); and the last sentence of such section 6 is amended by striking out "Any person" and inserting "Any such person".

Basic per annum rates of compensation.

(d) (1) Hereafter, for all pay computation purposes affecting officers or employees in or under the executive branch, the judicial branch, or the District of Columbia municipal government, basic per annum rates of compensation established by or pursuant to law shall be regarded as payment for employment during fifty-two basic administrative workweeks of forty hours.

Conversion of pay rates.

(2) Whenever for any such purpose it is necessary to convert a basic monthly or annual rate to a basic weekly, daily, or hourly rate, the following rules shall govern:

(A) A monthly rate shall be multiplied by twelve to derive an annual rate;

(B) An annual rate shall be divided by fifty-two to derive a weekly rate;

(C) A weekly rate shall be divided by forty to derive an hourly rate; and

(D) A daily rate shall be derived by multiplying an hourly rate by the number of daily hours of service required.

(e) The Architect of the Capitol may, in his discretion, apply the provisions of subsection (a) to any officers or employees under the Office of the Architect of the Capitol or the Botanic Garden, and the Librarian of Congress may, in his discretion, apply the provisions of such subsection to any officers or employees under the Library of Congress; and officers and employees to whom such subsection is so made applicable shall also be subject to the provisions of subsections (b) and (d) of this section.

REGULATIONS

SEC. 605. The Civil Service Commission is hereby authorized to issue such regulations, subject to the approval of the President, as may be necessary for the administration of the foregoing provisions of this Act insofar as this Act affects officers and employees in or under the executive branch of the Government.

VESSEL EMPLOYEES

SEC. 606. Employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, vessel employees of the Coast and Geodetic Survey, and vessel employees of the Panama Railroad Company, may be compensated in accordance with the wage practices of the maritime industry.

PERSONNEL CEILINGS

Termination of employment of excess personnel.

SEC. 607. (a) It is hereby declared to be the sense of the Congress that in the interest of economy and efficiency the heads of departments, and of independent establishments or agencies, in the executive branch, including Government-owned or controlled corporations, shall terminate the employment of such of the employees thereof as are not required for the proper and efficient performance of the functions of their respective departments, establishments, and agencies.

Periodic reports to Budget Bureau.

(b) The heads of departments, and of independent establishments or agencies, in the executive branch, including Government-owned or controlled corporations, shall present to the Director of the Bureau of the Budget such information as the Director shall from time to time, but at least quarterly, require for the purpose of determining the numbers of full-time civilian employees (including full-time intermittent employees who are paid on a "when actually employed"

basis, and full-time employees paid nominal compensation, such as \$1 a year or \$1 a month) and the man-months of part-time civilian employment (including part-time employment by intermittent employees who are paid on a "when actually employed" basis, and part-time employment by employees paid nominal compensation such as \$1 a year or \$1 a month) required within the United States for the proper and efficient performance of the authorized functions of their respective departments, establishments, and agencies. The Director shall, within sixty days after the date of enactment of this Act and from time to time, but at least quarterly, thereafter, determine the numbers of full-time employees and man-months of part-time employment, which in his opinion are required for such purpose, and any personnel or employment in such department, establishment, or agency in excess thereof shall be released or terminated at such times as the Director shall order. Such determinations, and any numbers of employees or man-months of employment paid in violation of the orders of the Director, shall be reported quarterly to the Congress. Each such report shall include a statement showing for each department, independent establishment, and agency the net increase or decrease in such employees and employment as compared with the corresponding data contained in the next preceding report, together with any suggestions the Director may have for legislation which would bring about economy and efficiency in the use of Government personnel. As used in this subsection the term "United States" shall include the Territories and possessions.

Determinations by Director.

Report to Congress.

(c) Determinations by the Director of numbers of employees and man-months of employment required shall be by such appropriation units or organization units as he may deem appropriate.

(d) The Director shall maintain a continuous study of all appropriations and contract authorizations in relation to personnel employed and shall, under such policies as the President may prescribe, reserve from expenditure any savings in salaries, wages, or other categories of expense which he determines to be possible as a result of reduced personnel requirements. Such reserves may be released by the Director for expenditure only upon a satisfactory showing of necessity.

Employment studies.

Expenditure reserve.

(e) Casual employees, as defined by the Civil Service Commission, and employees hired without compensation may be excluded from the determinations and reports required by this section.

Casual employees

(f) Until the cessation of hostilities in the present war as proclaimed by the President, the provisions of this section shall not be applicable to (1) employees of the War and Navy Departments except those who are subject to the provisions of titles II and III of this Act; or (2) individuals employed or paid by or through the War Shipping Administration (A) who are outside the United States, (B) to whom the provisions of section 1 (a) of the Act of March 24, 1943 (Public Law Numbered 17, Seventy-eighth Congress), are applicable, (C) who are undergoing a course of training under the United States Maritime Service or who have completed such training and are awaiting assignment to ships, or (D) who are on stand-by wages awaiting assignment to ships. As used in this subsection the term "United States" means the several States and the District of Columbia.

Nonapplicability of section to certain groups.

57 Stat. 45.
50 U. S. C., Supp. IV, app. § 1291 (a).

EXEMPTION FOR PURPOSES OF VETERANS LAWS AND REGULATIONS

SEC. 608. Amounts payable under the provisions of this Act, other than increases under sections 405, 501, 521, and 602, shall not be considered in determining the amount of a person's annual income or annual rate of compensation for the purposes of paragraph II (a) of part III of Veterans Regulation Numbered 1 (a), as amended, or

38 U. S. C. note foll. ch. 12; Supp. IV, note foll. ch. 12.

47 Stat. 406.

section 212 of title II of the Act entitled "An Act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes", approved June 30, 1932, as amended (U. S. C., 1940 edition, title 5, sec. 59a; Supp. IV, title 5, sec. 59b).

APPROPRIATION AUTHORIZED

SEC. 609. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 610. This Act shall take effect on July 1, 1945.

Approved June 30, 1945.

[CHAPTER 213]

AN ACT

To amend the Act suspending until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws, so as to continue such suspension until June 30, 1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to suspend until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws", approved October 10, 1942 (56 Stat. 781; U. S. C., Supp. III, title 15, note following sec. 16), is amended by striking out the date "June 30, 1945" where it appears in such section and inserting in lieu thereof the date "June 30, 1946".

Approved June 30, 1945.

[CHAPTER 214]

JOINT RESOLUTION

Extending the effective period of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 (b) of the Emergency Price Control Act of 1942, as amended, is amended by striking out "June 30, 1945" and substituting "June 30, 1946".

SEC. 2. Section 6 of the Stabilization Act of 1942, as amended, is amended by striking out "June 30, 1945" and substituting "June 30, 1946".

SEC. 3. Section 2 (b) of the Emergency Price Control Act of 1942, as amended, is hereby amended to read as follows:

"(b) Whenever in the judgment of the Administrator such action is necessary or proper in order to effectuate the purposes of this Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area. If within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of this Act. So far as practicable, in establishing any maximum rent for any defense-area housing accommodations, the Administrator shall ascertain and give

June 30, 1945

[S. 937]

[Public Law 107]

Antitrust laws.
Suspension of running of statute of limitations.

15 U. S. C., Supp. IV, § 16 note.

June 30, 1945

[S. J. Res. 30]

[Public Law 108]

56 Stat. 24.
50 U. S. C., Supp. IV, app. § 901 (b).

56 Stat. 767.
50 U. S. C., Supp. IV, app. § 966.

56 Stat. 25.
50 U. S. C., Supp. IV, app. § 902 (b).
Defense-area housing rentals.

Establishment of maximum rents.

Rents prevailing April 1, 1941.

due consideration to the rents prevailing for such accommodations, or comparable accommodations, on or about April 1, 1941 (or if, prior or subsequent to April 1, 1941, defense activities shall have resulted or threatened to result in increases in rents for housing accommodations in such area inconsistent with the purposes of this Act, then on or about a date (not earlier than April 1, 1940), which in the judgment of the Administrator, does not reflect such increases), and he shall make adjustments for such relevant factors as he may determine and deem to be of general applicability in respect of such accommodations, including increases or decreases in property taxes and other costs within such defense-rental area. In designating defense-rental areas, in prescribing regulations and orders establishing maximum rents for such accommodations, and in selecting persons to administer such regulations and orders, the Administrator shall, to such extent as he determines to be practicable, consider any recommendations which may be made by State and local officials concerned with housing or rental conditions in any defense-rental area. Whenever the Administrator shall find that, in any defense-rental area or any portion thereof specified by him, the availability of adequate rental housing accommodations and other relevant factors are such as to make rent control unnecessary for the purpose of eliminating speculative, unwarranted, and abnormal increases in rents and of preventing profiteering, and speculative and other disruptive practices resulting from abnormal market conditions caused by congestion, the controls imposed upon rents by authority of this Act in such defense-rental area or portion thereof shall be forthwith abolished; but whenever in the judgment of the Administrator it is necessary or proper, in order to effectuate the purpose of this Act, to reestablish the regulation of rents in any such defense-rental area or portion thereof, he may forthwith by regulation or order reestablish maximum rents for housing accommodations therein in accordance with the standards set forth in this Act. Before issuing any regulation or order under the foregoing provisions of this subsection, the Administrator shall, so far as practicable, advise and consult with representative members of the industry which will be affected by such regulation or order, and shall give consideration to their recommendations. The Administrator shall, at the request of any substantial portion of the industry subject to such regulation or order of the Administrator, appoint a national industry advisory committee, or committees, in the same manner and form and with the same powers and duties as provided in subsection (a) for industry advisory committees relating to price."

SEC. 4. Section 2 of the Emergency Price Control Act of 1942, as amended, is amended by inserting at the end of such section a new subsection as follows:

"(n) In establishing or maintaining maximum prices under this Act or otherwise in the case of collect-on-delivery sales of any commodity where under established practices of the seller a uniform charge is added to the price to cover mailing costs, an increase in maximum prices shall be allowed equivalent to any increase in such costs heretofore or hereafter resulting from increased postal rates or charges."

SEC. 5. (a) Subsection (e) of section 3 of the Emergency Price Control Act of 1942, as amended, is amended to read as follows:

"(e) Notwithstanding any other provision of this or any other law, no action shall be taken under this Act by the Administrator or any other person, without prior written approval of the Secretary of Agriculture, with respect to any agricultural commodity or with respect to any regulation, order, price schedule or other requirement applicable to any processor with respect to any food or feed product processed or manufactured in whole or substantial part from any

Recommendations
by State and local
officials.

Withdrawal of con-
trols.

Reestablishment.

Consultation, etc.,
with members of af-
fected industry.

National industry
advisory committee.

56 Stat. 24.
50 U. S. C., Supp.
IV, app. § 902.
Ante, pp. 51, 306.

Collect - on - deliv-
ery sales.

56 Stat. 28.
50 U. S. C., Supp.
IV, app. § 903 (e).
Agricultural com-
modities.
Approval of Secre-
tary of Agriculture.

Individual adjust-
ments.

Enforcement.
56 Stat. 30, 33.
50 U. S. C., Supp.
IV, app. §§ 922, 925.

56 Stat. 36.
50 U. S. C., Supp.
IV, app. § 942.

Livestock.
58 Stat. 639.
50 U. S. C., Supp.
IV, app. § 924 (e).

Leave to file com-
plaint in Emergency
Court of Appeals.

Supra.
35 Stat. 1096.
18 U. S. C. § 88.
56 Stat. 24.
Ante, pp. 51, 306, 307.
56 Stat. 35.
50 U. S. C., Supp.
IV, app. § 925.

58 Stat. 31.
50 U. S. C., Supp.
IV, app. § 923 (a).
Jurisdiction of court.

Stay in proceeding.
56 Stat. 33.
50 U. S. C., Supp.
IV, app. § 925.
35 Stat. 1096.
18 U. S. C. § 88.

Supra.

Grant of stays in
civil proceedings.

agricultural commodity; except that (1) the foregoing provisions of this subsection shall not apply in the case of any individual adjustment making an increase in a maximum price, and (2) the Administrator may take such action as may be necessary under section 202 and section 205 to enforce compliance with any regulation, order, price schedule or other requirement which is lawfully in effect."

(b) Section 302 of the Emergency Price Control Act of 1942, as amended, is amended by inserting after paragraph (k) thereof a new paragraph as follows:

"(l) The term 'agricultural commodity' includes livestock."

SEC. 6. Section 204 (e) of the Emergency Price Control Act of 1942, as amended, is amended to read as follows:

"(e) (1) Within thirty days after arraignment, or such additional time as the court may allow for good cause shown, in any criminal proceeding, and within five days after judgment in any civil or criminal proceeding, brought pursuant to section 205 of this Act or section 37 of the Criminal Code, involving alleged violation of any provision of any regulation or order issued under section 2 or of any price schedule effective in accordance with the provisions of section 206, the defendant may apply to the court in which the proceeding is pending for leave to file in the Emergency Court of Appeals a complaint against the Administrator setting forth objections to the validity of any provision which the defendant is alleged to have violated or conspired to violate. The court in which the proceeding is pending shall grant such leave with respect to any objection which it finds is made in good faith and with respect to which it finds there is reasonable and substantial excuse for the defendant's failure to present such objection in a protest filed in accordance with section 203 (a). Upon the filing of a complaint pursuant to and within thirty days from the granting of such leave, the Emergency Court of Appeals shall have jurisdiction to enjoin or set aside in whole or in part the provision of the regulation, order, or price schedule complained of or to dismiss the complaint. The court may authorize the introduction of evidence, either to the Administrator or directly to the court, in accordance with subsection (a) of this section. The provisions of subsections (b), (c), and (d) of this section shall be applicable with respect to any proceeding instituted in accordance with this subsection.

"(2) In any proceeding brought pursuant to section 205 of this Act or section 37 of the Criminal Code, involving an alleged violation of any provision of any such regulation, order or price schedule, the court shall stay the proceeding—

"(i) during the period within which a complaint may be filed in the Emergency Court of Appeals pursuant to leave granted under paragraph (1) of this subsection with respect to such provision;

"(ii) during the pendency of any protest properly filed by the defendant under section 203 prior to the institution of the proceeding under section 205 of this Act or section 37 of the Criminal Code, setting forth objections to the validity of such provision which the court finds to have been made in good faith; and

"(iii) during the pendency of any judicial proceeding instituted by the defendant under this section with respect to such protest or instituted by the defendant under paragraph (1) of this subsection with respect to such provision, and until the expiration of the time allowed in this section for the taking of further proceedings with respect thereto.

Notwithstanding the provisions of this paragraph, stays shall be granted thereunder in civil proceedings only after judgment and upon

application made within five days after judgment. Notwithstanding the provisions of this paragraph, in the case of a proceeding under section 205 (a) the court granting a stay under this paragraph shall issue a temporary injunction or restraining order enjoining or restraining, during the period of the stay, violations by the defendant of any provision of the regulation, order, or price schedule involved in the proceeding. If any provision of a regulation, order, or price schedule is determined to be invalid by judgment of the Emergency Court of Appeals which has become effective in accordance with section 204 (b), any proceeding pending in any court shall be dismissed, and any judgment in such proceeding vacated, to the extent that such proceeding or judgment is based upon violation of such provision. Except as provided in this subsection, the pendency of any protest under section 203, or judicial proceeding under this section, shall not be grounds for staying any proceeding brought pursuant to section 205 of this Act or section 37 of the Criminal Code; nor, except as provided in this subsection, shall any retroactive effect be given to any judgment setting aside a provision of a regulation or order issued under section 2 or of a price schedule effective in accordance with the provisions of section 206."

SEC. 7. Section 3 of the Stabilization Act of 1942, as amended, is further amended by inserting at the end thereof the following: "*Provided further*, That on and after the date of the enactment of this proviso, no maximum prices shall be established or maintained on products resulting from the processing of cattle and calves, lambs and sheep, and hogs, the processing of each species being separately considered, which, taken together, do not allow for a reasonable margin of profit to the processing industry as a group on each such species."

SEC. 8. The Stabilization Act of 1942, as amended, is amended by inserting after section 3 thereof a new section as follows:

"SEC. 3A. (a) While this Act is in effect, no quota or other slaughtering limitation shall be imposed upon any slaughterer of animals, under authority of this or any other law, if the Secretary of Agriculture has certified that the slaughtering plant is operated under sanitary conditions and that the meat produced therein is clean, wholesome, and suitable for human consumption; but certification under this section shall not be made with respect to any slaughtering plant (1) at which inspection is maintained under the Act of March 4, 1907 (34 Stat. 1260), with respect to all its slaughtering operations, or, (2) at which such inspection under such Act was previously maintained if, in the judgment of the Secretary of Agriculture, the slaughterer withdrew such plant from such inspection for the purpose of applying for certification under this section.

"(b) As a condition of making certification in the case of any such slaughterer, the Secretary of Agriculture may require that such slaughterer make available to the armed services of the United States, or for Government purchase, such percentage of the meat slaughtered and processed as he may deem necessary or advisable.

"(c) The Secretary of Agriculture may make the certification provided for under subsection (a) with respect to a designated part of a slaughtering plant without making such certification with respect to the remainder of such slaughtering plant, in which event the provisions of this section shall apply only to meat produced in such designated part of the slaughtering plant.

"(d) In order that he may make the certifications provided for under subsection (a), the Secretary of Agriculture may provide for inspection in such manner and by such persons as he may deem advisable.

56 Stat. 33.
50 U. S. C., Supp.
IV, app. § 925 (a).

Effect of court judgment.

56 Stat. 32.
50 U. S. C., Supp.
IV, § 924 (b).

56 Stat. 31.
50 U. S. C., Supp.
IV, app. § 923.
35 Stat. 1096.
18 U. S. C. § 88.

56 Stat. 24, 35.
50 U. S. C., Supp.
IV, app. §§ 902, 926.
Amz, pp. 51, 306, 307.
56 Stat. 766.
50 U. S. C., Supp.
IV, app. § 963.

Maximum prices on designated products, restriction.

Supra.

Certification of plant sanitary conditions.

Exceptions.

21 U. S. C. §§ 71-93;
Supp. IV, § 71 note.

Certification of part of plant.

Inspection.

Transportation of meat.

21 U. S. C. §§ 71-93; Supp. IV, § 71 note.

Refusal or revocation of certification.

“(e) Meat which is produced under the circumstances specified in this section shall have the same status for transportation in interstate or foreign commerce, when properly identified in accordance with regulations issued by the Secretary of Agriculture, as meat produced in plants at which inspection is maintained under the Act of March 4, 1907 (34 Stat. 1260).

“(f) The Secretary of Agriculture may refuse or revoke certification in any case when he is not satisfied that the meat made available hereunder will be disposed of in legitimate trade channels in accordance with law.

“(g) The Secretary of Agriculture may revoke any certification under subsection (a) if it is found at any time that the slaughterer does not meet each of the conditions required under this section.

“(h) Nothing in this section shall prevent the termination, suspension, or limitation of the right of any person to slaughter if such person fails to comply with the price, rationing, or slaughter control requirements imposed under the authority of this or any other law.”

Approved June 30, 1945.

Penalty provision.

[CHAPTER 215]

JOINT RESOLUTION

To transfer to the Reconstruction Finance Corporation the functions, powers, duties, and records of certain corporations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, all functions, powers, duties, and authority of the corporations hereinafter designated, are hereby transferred, together with all their documents, books of account, records, assets, and liabilities of every kind and nature, to Reconstruction Finance Corporation and shall be performed, exercised, and administered by that Corporation in the same manner and to the same extent and effect as if originally vested in Reconstruction Finance Corporation, and the designated corporations are hereby dissolved: Defense Plant Corporation, Metals Reserve Company, Rubber Reserve Company, and Defense Supplies Corporation, created by Reconstruction Finance Corporation pursuant to the Act of June 25, 1940 (54 Stat. 572), and Disaster Loan Corporation, created by the Act of February 11, 1937 (50 Stat. 19), are hereby designated as the corporations to which this joint resolution applies.

SEC. 2. The Reconstruction Finance Corporation shall assume and be subject to all liabilities, whether arising out of contract or otherwise, of the corporations dissolved by this joint resolution. No suit, action, or other proceeding lawfully commenced by or against any of such corporations shall abate by reason of the enactment of this joint resolution, but the court, on motion or supplemental petition filed at any time within twelve months after the date of such enactment, showing a necessity for the survival of such suit, action, or other proceeding to obtain a determination of the questions involved, may allow the same to be maintained by or against the Reconstruction Finance Corporation.

SEC. 3. This joint resolution shall take effect on July 1, 1945.

Approved June 30, 1945.

June 30, 1945
[S. J. Res. 65]
[Public Law 109]

Transfer to RFC of functions, etc., of designated corporations.

Corporations dissolved.

54 Stat. 573.
15 U. S. C. § 606b;
Supp. IV, § 606b.
15 U. S. C. § 605k-1;
Supp. IV, § 606k-L.

Liabilities of dissolved corporations.

Legal proceedings.

[CHAPTER 217]

AN ACT

To amend section 927 of the Code of Law of the District of Columbia, relating to insane criminals.

July 2, 1945
[S. 463]
[Public Law 110]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 927 of an Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, relating to insane criminals, be, and the same is hereby, amended to read as follows:

D. C. Code, amend-
ment.
31 Stat. 1340.
D. C. Code § 24-301.

"SEC. 927. INSANE CRIMINALS.—When any person tried upon an indictment or information for an offense or tried in the juvenile court of the District of Columbia for an offense, is acquitted on the sole ground that he was insane at the time of its commission, that fact shall be set forth by the jury in their verdict; and whenever a person is indicted or is charged by an information for an offense, or is charged in the juvenile court of the District of Columbia with an offense, and before trial or after a verdict of guilty, it shall appear to the court, from prima facie evidence submitted to the court or from the evidence adduced at the trial, that the accused is then of unsound mind, the court may order the accused committed to the Gallinger Municipal Hospital for a period not exceeding thirty days, which period may be extended by the court for good cause shown, for examination and observation by the psychiatric staff of said hospital. If, after examination and observation, the said psychiatric staff shall report that in their opinion the accused is insane, the court may cause a jury to be impaneled from the jurors then in attendance on the court or, if the regular jurors have been discharged, may cause a sufficient number of jurors to be drawn to inquire into the sanity of the accused, and said inquiry shall be conducted in the presence and under the direction of the court. If the jury shall find the accused to be then insane, or if an accused person shall be acquitted by the jury solely on the ground of insanity, the court may certify the fact to the Federal Security Administrator, who may order such person to be confined in the hospital for the insane, and said person and his estate shall be charged with the expense of his support in the said hospital. The person whose sanity is in question shall be entitled to his bill of exceptions and an appeal as in other cases."

Insanity at time
offense committed.

Committal to Gal-
linger Municipal Hos-
pital for observation.

Procedure, if ac-
cused reported insane.

Approved July 2, 1945.

[CHAPTER 218]

AN ACT

To amend the joint resolution of January 27, 1942, entitled "Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute."

July 2, 1945
[H. R. 688]
[Public Law 111]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute", approved January 27, 1942, is amended by striking out the two provisos contained therein and inserting in lieu thereof the following: "Provided, That (1) the membership dues of the United States payable for any fiscal year shall not be paid unless, during the preceding

Inter-American
Statistical Institute.

56 Stat. 20.
22 U. S. C., Supp.
IV, § 269d.

Conditional pay-
ment of membership
dues.

fiscal year, at least eight other American nations shall have been in good standing as adhering members, and unless at least eight of such other adhering members for the last preceding year for which such members were respectively obligated to pay dues shall have paid dues which aggregated at least \$10,000, and (2) the total cost to the United States for any fiscal year, for adhering membership, shall not exceed \$35,000."

Approved July 2, 1945.

[CHAPTER 219]

AN ACT

To authorize an award of merit for uncompensated personnel of the Selective Service System.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby declares that many members of local boards, boards of appeal, Government appeal agents, local board examining physicians and dentists, members of medical advisory boards, and reemployment committeemen and other uncompensated personnel of the Selective Service System have, in a manner which is an example of patriotism, served the United States in the administration of the Selective Training and Service Act of 1940, as amended. This service has been voluntary and uncompensated and in many cases has resulted in great sacrifices on the part of these citizens.

The Congress further declares that in accordance with the historic policy of the United States to recognize and publicly acknowledge the gratitude of the people and Government of the United States for patriotic service, that uncompensated personnel of the Selective Service System who have given faithful service should be awarded a certificate and medal in recognition of their patriotic service.

SEC. 2. There may be awarded in the name of the Congress of the United States to such uncompensated personnel of the Selective Service System who have faithfully served more than two years and such others who have served faithfully as may be selected by the Director of Selective Service a certificate and a medal for faithful service in the administration of the Selective Training and Service Act of 1940, as amended.

SEC. 3. The medal authorized by this Act shall be known as the Selective Service Medal and shall be in such form and of such design and material as shall be prescribed by the Director of Selective Service.

SEC. 4. The appropriations for the Selective Service System shall be available for the payment of all expenses incident to the creation and awarding of the certificates and medals authorized by this Act.

Approved July 2, 1945.

[CHAPTER 220]

AN ACT

To amend the Canal Zone Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (a) of section 93 of title 2 of the Canal Zone Code, approved June 19, 1934, is hereby amended to read as follows:

"(a) Any employee to whom this article applies who shall have attained the age of fifty-five and rendered at least twenty-five years of service, of which not less than fifteen years shall have been rendered on the Isthmus of Panama, may voluntarily retire on an annuity equivalent in value to the present worth of a deferred

July 2, 1945

[H. R. 1812]

[Public Law 112]

Selective Service System. Uncompensated personnel.

54 Stat. 885.
50 U. S. C. app. §§ 301-318; Supp. IV, app. § 302 *et seq.*
Ante, p. 166.

Award of certificate and medal.

Supra.

Selective Service Medal.

Appropriations available.
Post, p. 484.

July 2, 1945

[H. R. 2125]

[Public Law 113]

Canal Zone Code, amendment.
48 U. S. C. § 1371b.

Voluntary retirement annuity.

annuity beginning at the age at which the employee would otherwise have become eligible for retirement, computed as provided in section 96 of this title: *Provided*, That any employee retiring prior to attaining the age of sixty under the provisions of this paragraph with at least thirty years of service shall receive an immediate annuity having a value equal to the present worth of a deferred annuity beginning at the age of sixty years, computed as provided in section 96 of this title."

Approved July 2, 1945.

[CHAPTER 221]

AN ACT

To provide for the issuance of the Mexican Border Service Medal to certain members of the Reserve forces of the Army on active duty in 1916 and 1917.

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 issue the Mexican Border Service Medal to any officer of the Medical Reserve Corps or to any other member of a reserve component of the Army not eligible under existing law to receive such medal or the Mexican Service Medal heretofore authorized by the President who (1) served on the Mexican border at any time during the period from January 1, 1916, to April 6, 1917, or (2) was called to active duty during such period on account of the existing emergency and served in the field but rendered service elsewhere than on the Mexican border: *Provided*, That such medal shall not be issued to any person who has, subsequent to such service, been dishonorably discharged from the service or deserted.

Approved July 2, 1945.

48 U. S. C. § 1371e;
Supp. IV, § 1371e.

July 2, 1945
[H. R. 2322]
[Public Law 114]

Mexican Border
Service Medal.

Restriction.

[CHAPTER 222]

AN ACT

To amend paragraph (c) of section 6 of the District of Columbia Traffic Act, as amended by Act approved February 27, 1931.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso of paragraph (c), section 6, of the District of Columbia Traffic Acts, as amended by the Act approved February 27, 1931, be, and the same is hereby, further amended by adding thereto the following: "*Provided further*, That such congressional tags shall be valid only for the Congress in which such tags are so issued, and it shall be unlawful to display such congressional tags for a period longer than thirty days after the opening of the next Congress.

"Any person violating this section shall be fined not more than \$300 or imprisoned not more than ninety days, or both."

Approved July 2, 1945.

July 2, 1945
[H. R. 2552]
[Public Law 115]

D. C. Traffic Act,
amendment.

46 Stat. 1425,
D. C. Code § 40-603
(c).

Congressional tags.

[CHAPTER 223]

AN ACT

To validate titles to certain lands conveyed by Indians of the Five Civilized Tribes and to amend the Act entitled "An Act relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma", approved January 27, 1933, and to validate State court judgments in Oklahoma and judgments of the United States District Courts of the State of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no conveyance made by an Indian of the Five Civilized Tribes on or after April 26, 1931, and prior to the date of enactment of this Act, of lands

July 2, 1945
[H. R. 2754]
[Public Law 116]

Five Civilized
Tribes.
Validation of certain
conveyances.

purchased, prior to April 26, 1931, for the use and benefit of such Indian with funds derived from the sale of, or as income from, restricted allotted lands and conveyed to him by deed containing restrictions on alienation without the consent and approval of the Secretary of the Interior prior to April 26, 1931, shall be invalid because such conveyance was made without the consent and approval of the Secretary of the Interior: *Provided*, That all such conveyances made after the date of the enactment of this Act must have the consent and approval of the Secretary of the Interior: *Provided further*, That if any such conveyances are subject to attack upon grounds other than the insufficiency of approval or lack of approval such conveyances shall not be affected by this section.

SEC. 2. That nothing contained in the Act of January 27, 1933 (47 Stat. 777), shall be construed to impose restrictions on the alienation of lands or interests in lands acquired by inheritance, devise, or in any other manner, by Indians of the Five Civilized Tribes, where such lands, or interest therein, were not restricted against alienation at the time of acquisition, and all conveyances executed by Indians of the Five Civilized Tribes after January 27, 1933, and before the date of approval of this section, of lands, or interests in lands, which, at the time of acquisition by them, were free from restrictions, are hereby confirmed and declared to be valid, irrespective of whether such conveyances were or were not approved by the Secretary of the Interior, or by any county court of the State of Oklahoma: *Provided*, That if any such conveyances are subject to attack upon grounds other than the insufficiency of approval or lack of approval such conveyances shall not be affected by this section: *Provided further*, That the provisions of this section shall not be construed to validate or confirm any conveyance made in violation of restrictions recited in any deed to lands purchased with the restricted or trust funds belonging to any Indian of the Five Civilized Tribes.

SEC. 3. That no order, judgment, or decree in partition made, entered, or rendered subsequent to the effective date of the Act of June 14, 1918 (40 Stat. 606), and prior to the effective date of this Act, and involving inherited restricted lands of enrolled and unenrolled members of the Five Civilized Tribes, shall be held null, void, invalid, or inoperative, nor shall any conveyance of any land pursuant to such order, judgment, or decree be held null, void, invalid, or inoperative because the United States was not a party to such order, judgment, or decree, or to any of the proceedings in connection therewith, or because the United States, its agents, or officers, or any of them, was not served with any notice or process in connection therewith, and all such orders, judgments, decrees, and conveyances, which are subject to attack solely by reason of any of the infirmities enumerated by this section, are hereby confirmed, approved, and declared valid.

SEC. 4. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Approved July 2, 1945.

²⁵ U. S. C. §§ 355,
375.

Separability of provisions.

[CHAPTER 224]

AN ACT

To increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia.

July 2, 1945
[H. R. 2839]
[Public Law 117]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 9 of the Act entitled "An Act to amend the Act of February 9, 1907, entitled 'An Act to define the term "registered nurse" and to provide for the registration of nurses in the District of Columbia"', approved March 2, 1929, be, and the same is hereby, amended to read as follows: "The executive secretary of said Board may receive a salary to be fixed by said Board at its annual organization meeting in accordance with the Classification Act of 1923, as amended."

Nurses' Examining Board, D. C.
Salary of executive secretary.

45 Stat. 1521.
D. C. Code § 2-408.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Ante, p. 298 *et seq.*

Approved July 2, 1945.

[CHAPTER 225]

AN ACT

To extend five-year-level-premium-term policies for an additional three years.

July 2, 1945
[H. R. 2949]
[Public Law 118]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the five-year-term period under all national service life insurance issued on or before December 31, 1945, and not exchanged or converted prior to that date to a plan other than five-year-level-premium-term insurance is hereby extended for an additional period of three years. The premiums actually chargeable for such additional period shall be the same as during the original five-year period notwithstanding that the premiums due under section 602 (e) of the National Service Life Insurance Act of 1940 are those for a three-year-level-premium-term insurance at the attained age of the insured at the commencement date of such three-year period: *Provided*, That the Administrator of Veterans Affairs is authorized to make such adjustments as he may determine to be proper in reserves and any dividends.*

National service life insurance.

Premiums.

54 Stat. 1009.
38 U. S. C. § 802 (e).

Adjustments.

Approved July 2, 1945.

[CHAPTER 226]

AN ACT

To permit waiving of the bonds of Navy mail clerks and assistant Navy mail clerks, and for other purposes.

July 2, 1945
[H. R. 3193]
[Public Law 119]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of August 24, 1912 (37 Stat. 554), as amended (39 U. S. C., Supp. III, sec. 135), is hereby further amended to read as follows: "Every Navy mail clerk and assistant Navy mail clerk and every Coast Guard mail clerk and assistant Coast Guard mail clerk shall give bond to the United States in such penal sum as the Postmaster General may deem sufficient for the faithful performance of his duties as such clerk: *Provided*, That the Secretary of the Navy may waive the giving of bond in the cases of Navy mail clerks and assistant Navy mail clerks. Navy mail clerks and assistant Navy mail clerks whose bonds are so waived shall not be entitled to the extra*

Navy mail clerks.

Bonds.

Waiving of requirement.

Reimbursements.

compensation otherwise authorized to be paid them by law. The Post Office Department shall be reimbursed annually by the Navy Department in an amount equal to funds embezzled by unbonded Navy mail clerks and assistant Navy mail clerks, and funds expended in payment of claims arising from errors, losses, or defalcations by unbonded Navy mail clerks and assistant Navy mail clerks."

Appropriation au-
thorized.

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

Approved July 2, 1945.

[CHAPTER 227]

AN ACT

July 2, 1945

[H. R. 3233]

[Public Law 120]

To permit members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, Public Health Service, and their dependents, to occupy certain Government housing facilities on a rental basis without loss of rental allowances.

Government hous-
ing facilities.Designated person-
nel may occupy on
rental basis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of any other law (including any laws restricting the occupancy of housing facilities under the jurisdiction of Government departments or agencies by personnel, and dependents of personnel, of the Army, Navy, Marine Corps, and Coast Guard above specified ranks, or by personnel, and dependents of personnel, of the Coast and Geodetic Survey and the Public Health Service), personnel of any of the services mentioned herein and their dependents may be accepted as tenants in and may occupy on a rental basis any such housing facilities, other than public quarters constructed or designated for assignment to and occupancy without charge by such personnel and their dependents if any, and such personnel shall not be deprived by reason of such occupancy of money allowances to which they are otherwise entitled for rental of quarters.

Approved July 2, 1945.

Exception.

Allowances.

[CHAPTER 228]

JOINT RESOLUTION

July 2, 1945

[H. J. Res. 136]

[Public Law 121]

To provide for the establishment, management, and perpetuation of the Kermit Roosevelt fund.

Kermit Roosevelt
fund.Establishment of
board of trustees, du-
ties, etc.Composition of
board.Acceptance of gifts
from Mrs. Kermit
Roosevelt.

Purpose of fund.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the War Department a board to be known as the Trustees of the Kermit Roosevelt Fund, whose duty it shall be properly to administer all money and property which hereafter may come under its control as part of the Kermit Roosevelt fund, created pursuant to section 2 hereof. The board shall be composed of the Chief of Finance, United States Army, ex officio, and three general officers of the Army who shall be appointed to the board and may be replaced thereon by the Secretary of War.

SEC. 2. The board is hereby authorized to accept from Mrs. Kermit Roosevelt such money and property as she may tender, to receipt therefor on behalf of the United States, and to deposit the funds so received in the Treasury of the United States as the original corpus of a trust fund, to be known as the Kermit Roosevelt fund, which shall be used for the purpose of fostering a better understanding and a closer relationship between the military forces of the United States and those of the United Kingdom by sponsoring lectures or courses of instruction to be delivered by officers of the British Army at the United States Military Academy and elsewhere in the United

States and by officers of the United States Army at Sandhurst Royal Military College and elsewhere in the United Kingdom or, should such exchange lectures prove or become impracticable or unnecessary for any reason, by such other application of the funds as the board, with the approval of the Secretary of War, may determine. The original corpus of the fund and the income therefrom may be disbursed at the discretion of the board in furtherance of the stated purpose, and shall be subject to investment and reinvestment as provided in section 3 hereof.

SEC. 3. The board is also authorized to accept, receive, hold, and administer gifts, bequests and devises of money, securities, or other property, whether real or personal, from any source, for the benefit of the Kermit Roosevelt fund, but no such gift, bequest, or devise which entails any expenditure not to be met out of the gift, bequest, devise, or the income thereof shall be accepted without the consent of Congress. Such additional sums or property shall be receipted for by the Chief of Finance and may, at the discretion of the board and unless otherwise restricted by the terms of the gift, bequest, or devise, be administered and disbursed in the same manner as the original corpus of the fund and the income therefrom. The board may in its discretion sell or exchange securities or other property given, bequeathed, or devised to or for the benefit of the Kermit Roosevelt fund, and may invest and reinvest the proceeds thereof, together with any other moneys in the fund, in such investments as it may determine from time to time: *Provided, however,* That the board is not authorized to engage in any business, nor shall it make any investments for the account of the fund which could not lawfully be made by a trust company in the District of Columbia, except that it may make any investment directly authorized by the instrument of gift, bequest, or devise under which the funds to be invested are derived, and may retain any investments accepted by it.

SEC. 4. The income from any property held or administered by the board, as and when collected, shall be deposited in the Treasury of the United States to the credit of the trust fund established pursuant to section 2 hereof, and it shall be and remain subject to investment, reinvestment, and disbursement by the board for the uses and purposes set forth herein.

SEC. 5. The board shall have all the usual powers of a trustee in respect to all property administered by it, but the members of the board shall not be personally liable, except for misfeasance, on account of any acts performed in their trust capacity. The members of the board shall not be required to furnish bond, and no additional compensation shall accrue to any of them on account of their duties as trustees. Within the limits prescribed by sections 2, 3, and 4 hereof, the administration, control, and expenditure of this fund and its application to the purposes intended shall be according to the sole discretion of the board, and the exercise of its discretion and authority in regard thereto and its decisions thereon, including any payments made or authorized by it to be made from the Kermit Roosevelt fund, shall not be subject to review except by the Secretary of War, to whom the board shall, on the 1st day of January, each year, render a full report of its activities during the preceding twelve months. The actions of the board shall not be subject to judicial review except in an action brought in the United States District Court for the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by the board.

Approved July 2, 1945.

Disbursements, investments.

Other gifts, etc.

Administration and disbursement.

Disposition of property.

Restriction on use of funds.

Deposit of income.

Powers of board.

Annual report.

Jurisdiction of suits.

[CHAPTER 261]

AN ACT

To amend an Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia", approved July 1, 1930 (46 Stat. 839), as amended May 5, 1944, be, and the same is hereby, further amended to read as follows:

"SEC. 2. That the annual basic salaries of the officers and members of the Fire Department of the District of Columbia shall be as follows: Chief engineer, \$8,000; deputy chief engineers, \$5,000 each; battalion chief engineers, \$4,500 each; fire marshal, \$5,000; deputy fire marshal, \$3,600; inspectors, \$2,460 each; captains, \$3,600 each; lieutenants, \$3,050 each; sergeants, \$2,750 each; superintendent of machinery, \$5,000; assistant superintendent of machinery, \$3,600; pilots, \$3,400 each; marine engineers, \$3,400 each; assistant marine engineers, \$2,460 each; marine firemen, \$2,100 each; privates, a basic salary of \$1,900 per year, with an annual increase of \$100 in salary for five years, or until the maximum salary of \$2,400 is reached. All original appointments of privates shall be made at the basic salary of \$1,900 per year, and the first year of service shall be probationary."

This Act shall become effective on the first day of the first month following the month in which approved.

Approved July 3, 1945.

[CHAPTER 262]

AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, 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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1946, namely:

OFFICE OF THE SECRETARY

SALARIES

Salaries: For the Secretary of the Interior (hereafter in this Act referred to as the Secretary), and other personal services in the District of Columbia and elsewhere, \$1,079,740: *Provided,* That no part of the appropriation made available to the office of the Secretary by this section shall be used for the broadcast of radio programs designed for or calculated to influence the passage or defeat of any legislation pending before the Congress.

OFFICE OF SOLICITOR

For personal services in the District of Columbia and in the field, \$210,926.

DIVISION OF TERRITORIES AND ISLAND POSSESSIONS

For personal services in the District of Columbia, \$118,980.

July 3, 1945

[H. R. 2875]

[Public Law 122]

District of Columbia.

46 Stat. 840; 58 Stat. 217.
D. C. Code § 4-405; Supp. IV, § 4-405.

Fire Department.
Salaries of officers and members.
Post, p. 470.

Post, pp. 471, 662.

Effective date.

July 3, 1945

[H. R. 3024]

[Public Law 123]

Interior Department Appropriation Act, 1946.
Post, pp. 646-650.

Radio broadcasts respecting legislation.

PETROLEUM CONSERVATION DIVISION

Post, p. 646.

For all salaries and expenses necessary for administering and enforcing the provisions of the Act of February 22, 1935, as amended (15 U. S. C. 15A), and for cooperation with Federal and State authorities in the production and conservation of oil and gas, including personal services in the District of Columbia; travel expenses; contract stenographic reporting services; stationery and office supplies; not to exceed \$2,500 for printing and binding; and the maintenance, operation, and repair of passenger-carrying vehicles, \$173,212.

49 Stat. 30.
15 U. S. C. §§ 715-715f; Supp. IV, § 715f.

DIVISION OF GEOGRAPHY

Salaries and expenses: For all necessary expenses of the Division of Geography, during the emergency declared by the President on May 27, 1941, and for a period not exceeding thirty days thereafter, in performing the duties imposed upon the Secretary by Executive Order 6680, dated April 17, 1934, relating to uniform usage in regard to geographic nomenclature and orthography throughout the Federal Government, including personal services in the District of Columbia, stationery and office supplies, and printing and binding, \$25,000.

3 CFR, p. 293.

SOIL AND MOISTURE CONSERVATION OPERATIONS

For all necessary expenses of administering and carrying out directly and in cooperation with other agencies a soil and moisture conservation program on lands under the jurisdiction of the Department of the Interior in accordance with the provisions of the Act of April 27, 1935 (16 U. S. C. 590a-590f), and Reorganization Plan Numbered IV, including such special measures as may be necessary to prevent floods and siltation of reservoirs; the improvement of irrigation and land drainage; the procurement of nursery stock and the establishment and operation of erosion nurseries; the making of conservation plans and surveys; the dissemination of information; and including \$86,626 for departmental personal services including such services in the District of Columbia; traveling expenses; printing and binding; furniture, furnishings, office equipment and supplies; operation, maintenance, and repair of motor-propelled and horse-drawn passenger-carrying vehicles, hire, maintenance, and operation of aircraft, \$1,200,000: *Provided*, That this appropriation shall be available for meeting expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Department of the Interior.

49 Stat. 163.
16 U. S. C., Supp. IV, §§ 590a-590f.
54 Stat. 1235.
5 U. S. C. § 1332 note.

Aircraft.
Warehouse maintenance, etc. main-

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

For the contingent expenses of the office of the Secretary and the bureaus and offices of the Department (except as otherwise provided), including teletype rentals and service; streetcar fares not exceeding \$300; traveling expenses, including not exceeding \$5,000 for inspections and investigations by the legislative branch, and any request from appropriate authority in such branch in connection therewith shall be immediately complied with by administrative authority in the Department; not exceeding \$500 for the payment of damages caused to private property by Department motor vehicles; maintenance, repair, and operation of four passenger automobiles; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with

Investigations by legislative branch.

improper practices before the Department, its bureaus and offices; expense of translations, and not exceeding \$1,000 for contract stenographic reporting services; not exceeding \$700 for newspapers; \$12,500, exclusively for payment of awards pursuant to the Act of June 26, 1944 (Public Law 357); printing and binding; \$208,860; and, in addition thereto, sums transferred from other appropriations to this for stationery supplies as follows: General Land Office, \$6,500; Geological Survey, \$13,000; National Park Service, \$7,500; Bureau of Reclamation, \$8,400, any unexpended portion of which shall revert and be credited to the reclamation fund; Bureau of Mines, \$15,500; Grazing Service, \$6,000.

For deposit in the general fund of the Treasury for cost of penalty mail of the Department of the Interior, as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$315,000.

COMMISSION OF FINE ARTS

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U. S. C. 104), including personal services in the District of Columbia, printing and binding and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, \$6,880.

BONNEVILLE POWER ADMINISTRATION

Not to exceed \$3,487,110 of the unobligated balance of the appropriation "Construction, operation, and maintenance, Bonneville power transmission system", shall be available under the account for said appropriation in the fiscal year 1946 for expenses of marketing and operation of transmission facilities, and administrative costs in connection therewith, including \$20,850 for personal services in the District of Columbia, the purchase (not exceeding thirty), maintenance, and operation of passenger automobiles, and hire, maintenance, and operation of aircraft: *Provided*, That funds available for construction of transmission lines shall be available only for the construction of such lines as have been previously authorized by Congress.

UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

For the maintenance of the office of the United States High Commissioner to the Philippine Islands as authorized by subsection 4 of section 7 of the Act approved March 24, 1934 (48 U. S. C. 1232), including salaries and wages; rental, furnishings, equipment, maintenance, renovation, and repair of office quarters and living quarters for the High Commissioner; supplies and equipment; printing and binding; newspapers; traveling expenses, including for persons appointed hereunder within the United States and their families, actual expenses of travel and transportation of their household effects from their homes in the United States to the Philippine Islands, and return, utilizing Government vessels whenever practicable; purchase (one at not to exceed \$3,000 and two at \$1,500 each), operation, maintenance, and repair of passenger automobiles; and all other necessary expenses, \$278,900, of which not exceeding \$10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household; and the appropriations contained in the Interior Department Appropriation Act, 1945, and the First Deficiency

Awards for useful suggestions.
58 Stat. 360.
5 U. S. C., Supp. IV, § 500.
Additional sums for stationery supplies.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

36 Stat. 371.

Transmission lines.

48 Stat. 461.
48 U. S. C. § 1237 (4).

58 Stat. 466.
Act, p. 84.

Appropriation Act, 1945, for the United States High Commissioner to the Philippine Islands are hereby continued available for the same objects until June 30, 1946.

OFFICE OF FISHERY COORDINATION

Salaries and expenses: For expenses necessary to enable the Office of Fishery Coordination to carry out its functions and activities under Executive Order 9204, dated July 21, 1942, and such functions and activities as have been delegated to it by the Secretary pursuant to the authority delegated to him under Food Directive Numbered 2, issued by the Secretary of Agriculture on February 8, 1943 (8 F. R. 1777), as amended March 16, 1943 (8 F. R. 3280), including personal services in the District of Columbia; contract stenographic reporting services; the acceptance and utilization of voluntary and uncompensated services; maintenance, operation, repair, and hire of motor-propelled passenger-carrying vehicles; printing and binding; and the purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; \$212,500.

50 U. S. C., Supp. IV, app. § 601 note.

SOLID FUELS ADMINISTRATION FOR WAR

Salaries and expenses: For all necessary expenses of the Solid Fuels Administration for War in performing its functions as prescribed in Executive Order Numbered 9332 of April 19, 1943, including the employment, without regard to civil-service and classification laws, of a Deputy Administrator at not to exceed \$10,000 per annum and not to exceed twenty-eight technical employees; other personal services in the District of Columbia; printing and binding; traveling expenses, including attendance at meetings of organizations concerned with the purposes of this appropriation; reimbursement at not to exceed 3 cents per mile of employees for expenses incurred by them in official travel in privately owned automobiles within the limits of their official stations; contract stenographic reporting services; newspapers; office supplies; furniture and equipment; maintenance, repair, and operation of passenger-carrying automobiles; and the acceptance and utilization of voluntary and uncompensated services, \$3,600,000.

50 U. S. C., Supp. IV, app. § 601 note.

Deputy Administrator, etc.

SOUTHWESTERN POWER ADMINISTRATION

Salaries and expenses: For all necessary expenses of the Southwestern Power Administration in disposing of the electric power and energy from the Norfolk Dam and Denison Dam projects, in accordance with Executive Orders 9353, 9366, and 9373, including printing and binding, and the operation and maintenance of passenger-carrying motor vehicles, \$110,000.

Norfolk Dam and Denison Dam projects.

3 CFR, 1943 Supp., pp. 26, 35, 39.

The unobligated balance of the Public Works Administration allotment of \$500,000 made to the Department of the Interior, Southwestern Power Administration, under authority of section 201 of the Public Works Administration Appropriation Act of 1938, and continued available by the Second Deficiency Appropriation Act, 1944, until June 30, 1945, is hereby continued available to the said Power Administration until June 30, 1946, for the purpose of acquiring land and flowage rights made necessary by the increased elevation of the Grand River Dam and for expenses in connection with such acquisition.

Acquisition of land and flowage rights.

52 Stat. 816.

58 Stat. 602.

GRAZING SERVICE

Salaries and expenses: For carrying out the provisions of the Act of June 28, 1934, as amended (43 U. S. C. 8A), including examination and classification of lands with respect to grazing or agricultural utility, preparation of land classification maps and reports, fire prevention and the suppression or emergency prevention of fires on or threatening lands under the jurisdiction of the Grazing Service, contract stenographic reporting services, traveling and other necessary expenses, personal services in the District of Columbia, purchase (not to exceed twelve), operation, and maintenance of motor-propelled passenger-carrying vehicles, and printing and binding, \$943,970; for payment of a salary of \$5 per diem while actually employed and for the payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockmen, \$35,500; in all, \$979,470: *Provided*, That this appropriation shall be available for expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Grazing Service, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed, to the appropriation for "Salaries and expenses, Grazing Service", current at the time additional supplies, materials, or equipment are procured, from the appropriations chargeable with the cost or value of such supplies, materials, or equipment.

Fire fighting: For fighting and preventing fires on or threatening lands under Grazing Service administration, \$50,000, which amount shall also be available for meeting obligations of the preceding fiscal year.

Range improvements: For construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934, as amended (43 U. S. C. 8A), and not including contributions under section 9 of the Act of June 28, 1934, \$105,950: *Provided*, That expenditures hereunder shall not exceed 25 per centum of all moneys received from grazing districts under the provisions of said Act of June 28, 1934, as amended, during the fiscal years 1945 and 1946.

Leasing of grazing lands: For leasing State, county, or privately owned lands in accordance with the provisions of the Act of June 23, 1938 (52 Stat. 1033), \$7,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Act.

Appropriations herein made for the Grazing Service for "Salaries and expenses", "Range improvements", and "Fire fighting" shall be available for the hire, maintenance, and operation of aircraft.

GENERAL LAND OFFICE

Salaries: For personal services in the District of Columbia, \$735,070, including one clerk who shall be designated by the President to sign land patents.

General expenses: For traveling expenses of officers and employees, for employment of stenographers and other assistants, for production of maps and officials plats of surveys; for expenses of restoration to the public domain of lands in forest reserves and of lands temporarily withdrawn for forest-reserve purposes; for printing and binding; and for expenses of hearings or other proceedings held by order of the General Land Office to determine the character of lands, whether alleged fraudulent entries are of that character or have been made in

48 Stat. 1269.
43 U. S. C. §§ 315-315o-1.

Advisory committees of local stockmen.

Warehouse maintenance, etc.

Reimbursement.

48 Stat. 1273.
43 U. S. C. §§ 315i, 315h.

Limitation.

43 U. S. C. §§ 315m-1 to 315m-4.

43 U. S. C. § 315m-4.

Aircraft.

Post, p. 646.

Hearings, etc.

compliance with the law, and of hearings in disbarment proceedings, \$31,000.

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary, \$450,000, including purchase of one and operation and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation, fund, or special deposit.

Expenditures for surveys.

Salaries and expenses, branch of field examination: For salaries and expenses of field examinations, classification of lands, and investigations required in the administration and execution of the public land laws, and the protection of the public lands and their resources from trespass, including purchase of fifteen and operation and maintenance of passenger-carrying automobiles, \$354,695.

Salaries and expenses of land offices: For all necessary expenses incident to the operation and maintenance of district land offices and the disposal, supervision, and management of the public lands, including operation and maintenance of motor-propelled passenger-carrying vehicles, \$237,000: *Provided*, That no expenses chargeable to the Government shall be incurred by registers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office.

Post, p. 646.

Forest management and protection, public domain, Alaska: For the administration and management of forest resources, including the prevention and suppression of fires on the public domain in Alaska, including the use of airplanes by charter or otherwise, and the maintenance and operation of motor-propelled passenger-carrying vehicles, \$147,460.

Payments to States of 5 per centum of proceeds from sales of public lands: For payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, \$2,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Payments to States.

Revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon: For carrying out the provisions of title I of the Act of August 28, 1937 (50 Stat. 874), including fire protection and patrol on these and adjacent and intermingled public lands, through cooperative agreements with Federal, State, and county agencies, or otherwise, and including travel and other necessary expenses; and operation and maintenance of motor-propelled passenger-carrying vehicles, \$310,000: *Provided*, That such expenditures shall be reimbursed from the 25 per centum referred to in section c, title II, of the Act approved August 28, 1937, of the special fund designated the "Oregon and California Land Grant Fund" and section 4 of the Act approved May 24, 1939, of the special fund designated the "Coos Bay Wagon Road Grant Fund".

48 Stat. 1227.
31 U. S. C. § 725c.

Reimbursement.

50 Stat. 876.

53 Stat. 754.

Range improvements on public lands outside of grazing districts (receipt limitation): For construction, purchase, and maintenance of range improvements on the public lands subject to grazing leases

under the provisions of section 15 and pursuant to the provisions of section 10 of the Act of June 28, 1934, as amended (43 U. S. C. 8A), including operation and maintenance of motor-propelled passenger-carrying vehicles, \$46,430: *Provided*, That expenditures hereunder shall not exceed 25 per centum of all moneys received under the provisions of section 15 of said Act during the fiscal years 1945 and 1946.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (30 U. S. C. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), \$3,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fire protection and timber management, public domain, continental United States: For necessary expenses for the protection and preservation of timber and other growth on the public domain, pursuant to the Act of September 20, 1922 (16 U. S. C. 594), and for the promotion of sustained yield forest management, pursuant to the Act of March 29, 1944 (58 Stat. 132), not to exceed \$18,000 for personal services in the District of Columbia; and the purchase, operation, and maintenance of one passenger automobile; \$150,000.

BUREAU OF INDIAN AFFAIRS

SALARIES AND GENERAL EXPENSES

For departmental personal services, including such services in the District of Columbia, \$691,760.

For travel expenses of departmental employees of the Bureau of Indian Affairs; radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, District of Columbia, and Chicago, Illinois; rental of office equipment and the purchase of necessary supplies therefor; printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals; and other necessary expenses of the Indian Service for which no other appropriation is available, \$80,900.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, \$760,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, \$272,600.

For lease, purchase, construction (not to exceed \$1,500 for any one building), repair, and improvement of agency buildings, exclusive of hospital buildings, including the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, \$200,000.

Vehicles, Indian Service: Not to exceed \$450,000 of applicable

48 Stat. 1275, 1273.
43 U. S. C. §§ 315m,
315i.

Post, p. 646.

42 Stat. 1448.

41 Stat. 450.

48 Stat. 1227.
31 U. S. C. § 725c.
Post, p. 646.

42 Stat. 857.

16 U. S. C., Supp.
IV, §§ 583-583i.

Post, p. 647.

Purchase of goods
and supplies.

Maintenance of law
and order.

Lease, etc., of agen-
cy buildings.

appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and applicable appropriations may be used for the purchase of not to exceed one hundred motor-propelled passenger-carrying vehicles, and such vehicles may be used for the transportation of Indian school pupils.

Replacement of property destroyed by fire, flood, or storm: To meet possible emergencies not exceeding \$35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

INDIAN LANDS

The unexpended balance of the appropriation of \$25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49 Stat. 1542), is hereby continued available for the same purposes until June 30, 1946.

Restricted lands,
taxes, etc.
50 Stat. 573.

25 U. S. C. § 412a.

Purchase of improvements on lands, Havasupai Indian Reservation, Arizona: The unexpended balance of the appropriation under this head in the Interior Department Appropriation Act, 1945, is hereby continued available for the same purposes until June 30, 1946.

Havasupai Indian
Reservation, Ariz.

58 Stat. 470.

Purchase and lease of lands (tribal funds): For the purchase of land and improvements on land; lease of lands and water rights; and necessary expenses incident thereto, in not to exceed the following amounts:

Purchase and lease
of lands.

Arizona: Navajo, Arizona and New Mexico, \$20,000; Colorado: Southern Ute, \$30,000; Montana: Blackfeet, \$50,000; Flathead, \$25,000; Fort Peck, \$50,000; Nebraska: Santee, \$6,000; North and South Dakota: Standing Rock, \$6,000; Washington: Colville, \$50,000; in all, not to exceed \$237,000, to be paid from the funds held by the United States in trust for the respective tribes: *Provided*, That 5 per centum of the foregoing amounts shall be available interchangeably.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest and range fires, or taking or otherwise destroying timber, in violation of law on Indian lands, and the establishment of cooperative sustained yield

Timber preserva-
tion, etc.

58 Stat. 132.
16 U. S. C., Supp.
IV, §§ 583-583i.
Availability.

forest units pursuant to the Act of March 29, 1944 (Public Law 273), \$566,080: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Timber sales, etc., expenses.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands only from which such timber is sold, \$137,800, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413), from the proceeds of timber sales: *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in violation of law.

41 Stat. 415.

Rewards.

Suppression, etc., of forest fires.

For the suppression or emergency prevention of forest and range fires on or threatening Indian reservations, \$12,000, together with \$25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed \$50,000 of appropriations herein made for timber operations and forest and range administration shall be available upon the approval of the Secretary for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Report to Congress.

Geological Survey.
Transfer of funds.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the leasing of such lands for mining purposes, including purchase (not to exceed one), maintenance, repair, and operation of passenger-carrying vehicles, and not to exceed \$10,000 for personal services in the District of Columbia, \$94,200.

26 Stat. 794; 35 Stat. 783.

Development of agriculture and stock raising.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, \$600,000, of which not to exceed \$10,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed \$33,500 may be used for the operation and maintenance of a sheep breeding station on the Navajo Reservation, and not to exceed \$5,000 may be used for defraying the expenses of Indian fairs, including premiums for exhibits.

Navajo Reservation, sheep breeding station.

Advances for home construction, etc.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of land, seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, \$30,000, payable from tribal funds as follows: Colorado River, Arizona, \$30,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1945 are hereby continued available during the fiscal year 1946 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youth to enable them to take educational courses, including courses in nursing, home economics, forestry, agriculture, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to

Funds continued available.
58 Stat. 472.

Educational loans.

exceed eight years under such regulations as the Secretary may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1946 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved under regulations prescribed by the Secretary: *Provided further*, That enterprises operated under the authority contained in the foregoing proviso shall be governed by the regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for use under regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470).

To increase the revolving fund established for the purpose of making and administering loans to Indian chartered corporations in accordance with section 10 of the Act of June 18, 1934 (25 U. S. C. 470), and of making and administering loans to Indians and Indian organizations in accordance with the Acts of June 26, 1936 (25 U. S. C. 506), May 1, 1936 (25 U. S. C. 473a), and July 12, 1943 (57 Stat. 459), \$250,000, and not to exceed \$125,000 of the revolving fund established pursuant to said Acts, shall be available for all necessary expenses of administering loans to Indians from said fund and other funds, including not to exceed \$3,000 for printing and binding; and the authorization of \$600,000 in the Interior Department Appropriation Act, 1944, for loans from said revolving fund to individual Indians and Indian organizations otherwise ineligible to participate therein is hereby increased to \$750,000.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including expenses of exhibits, not to exceed \$2,500 for printing and binding, and other necessary expenses, \$31,740, of which not to exceed \$13,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding \$6,500 per annum.

The appropriation "Suppressing contagious diseases of livestock on Indian reservations" contained in the Third Supplemental National Defense Appropriation Act, 1942, is hereby continued available until June 30, 1946, for the same purposes, and for suppressing contagious diseases among livestock of Indians under the jurisdiction of the Pima Agency, Arizona.

DEVELOPMENT OF WATER SUPPLY

For the development, rehabilitation, repair, maintenance, and operation of domestic and stock water facilities on the Navajo Reservation in Arizona, New Mexico, and Utah, the Hopi Reservation in Arizona, the Papago Reservation in Arizona, and the several Pueblos in New Mexico, including the purchase and installation of pumping and other equipment, \$95,000.

IRRIGATION AND DRAINAGE

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian

Moneys reimbursed, availability.

Tribal enterprises.

48 Stat. 966.
25 U. S. C., Supp. IV, § 470a.
Advances.

Revolving loan fund.

48 Stat. 966.
25 U. S. C., Supp. IV, § 470a.
49 Stat. 1967, 1250.

Administrative expenses.

Increase of authorization.
57 Stat. 459.

Indian arts and crafts.

25 U. S. C. §§ 305-305e.

Salary limitation.

Reappropriation.

55 Stat. 826.

reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, \$255,000, reimbursable, together with \$51,100 operation and maintenance collections, from which latter amount expenditures for any one project shall not exceed the aggregate receipts from such project covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934:

48 Stat. 1227.
31 U. S. C. § 725c.

Miscellaneous projects, \$40,000; Arizona: Ak Chin, \$4,000; Chiu Chui, \$4,000; Fort Apache, \$4,500; San Carlos, \$5,000; Navajo, miscellaneous projects, Arizona and New Mexico, \$41,535; together with \$25,500 (Fruitlands, \$9,000; Ganado, \$1,500; Hogback, \$7,000; miscellaneous projects, \$8,000), collections; Hopi, miscellaneous projects, \$1,500; San Xavier, \$2,000; Truxton Canon, \$1,815; Salt River, \$3,400, together with \$2,600, collections; California: Mission, \$7,000, together with \$3,000 (Morongo, \$1,000; Pala and Rincon, \$1,000; miscellaneous projects, \$1,000), collections; Colorado: Southern Ute, \$8,000, together with \$8,000, collections; Montana: Tongue River, \$2,250, together with \$1,000, collections; Nevada: Pyramid Lake, \$3,500, together with \$500, collections; Walker River, \$4,500, together with \$1,500, collections; Western Shoshone, \$8,000, together with \$2,000, collections; New Mexico: Miscellaneous Pueblos, \$24,300; Mescalero, \$2,500; Oregon: Warm Springs, \$3,500; Washington: Colville, \$5,200, together with \$5,000, collections; Lummi diking project, \$500, together with \$2,000, collections; and for necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, \$78,000: *Provided*, That the foregoing amounts shall be available interchangeably in the discretion of the Secretary, for necessary expenditures for damages by floods and other unforeseen exigencies, but the amounts so interchanged shall not exceed in the aggregate 5 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Interchange of
amounts.

Apportionment of
costs.

San Carlos project,
Ariz.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, \$125,000 (operation and maintenance collections), and \$216,500 (power revenues), of which latter sum not to exceed \$20,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts of \$125,000 and \$216,500, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, \$341,500.

48 Stat. 1227.
31 U. S. C. § 725c.

Pima Indians, Ariz.
Subjugation and
cropping operations.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available not to exceed \$132,000 of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians.

Colorado River
Indian Reservation,
Ariz.

For improvement, operation, and maintenance of the irrigation and power systems on the Colorado River Indian Reservation, Arizona, \$10,500, reimbursable, together with \$31,450 (operation and main-

tenance collections) and \$44,200 (power revenues), from which amounts of \$31,450 and \$44,200, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, \$86,150.

48 Stat. 1227.
31 U. S. C. § 725c.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, \$11,500, reimbursable.

Yuma Reservation,
Calif.

For improvements, maintenance, and operation of the Fort Hall irrigation systems, Idaho, \$25,820, together with \$37,950, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall irrigation
systems, Idaho.

Supra.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, \$12,500, reimbursable, together with \$4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Res-
ervation, Mont.

Supra.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, \$7,940, reimbursable, together with \$7,700, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project,
Mont.

Supra.

For the improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana, \$10,300, reimbursable, together with \$15,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Blackfeet Indian
Reservation, Mont.

Supra.

For operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, \$5,500, reimbursable, together with \$128,400 (operation and maintenance collections) and \$116,400 (power revenues), from which amounts of \$128,400 and \$116,400, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, \$250,300.

Flathead Reserva-
tion, Mont.

Supra.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, \$4,500, reimbursable, together with \$44,500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Crow Reservation,
Mont.

Supra.

For the payment to the Tongue River Water Users' Association, Montana, or the State Water Conservation Board of Montana, in accordance with the provisions of the Act approved August 11, 1939 (53 Stat. 1411), \$9,750, reimbursable as provided in said Act.

Tongue River Water
Users' Association,
etc., Mont.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, \$2,881; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, \$5,565, to be immediately available; in all, \$8,446.

Paiute lands within
Newlands project,
Nev.

Middle Rio Grande
Conservancy District,
N. Mex.

For operation and maintenance assessments on Indian lands, and the buildings and grounds of the Albuquerque Indian School, within the Middle Rio Grande Conservancy District, New Mexico, \$5,086, of which amount \$3,948 shall be reimbursed in accordance with existing law.

Klamath Reserva-
tion, Oreg.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, Oregon, \$1,575, reimbursable, together with \$5,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Uncompahgre, etc.,
Utes, Utah.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), \$19,750, reimbursable, together with \$43,040 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.

Uintah project,
Utah.
25 U. S. C., Supp.
IV, § 389 note.

For payment of operation and maintenance assessments on certain lands within the Uintah Indian irrigation project as authorized by section 4 (a) of the Act of May 28, 1941 (55 Stat. 209), \$1,000.

Yakima Indian
Reservation, Wash.
Wapato system.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, \$1,000, reimbursable, together with \$184,100 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.
Reimbursement to
reclamation fund.

For reimbursement to the reclamation fund for stored water to irrigate Indian lands on the Yakima Indian Reservation, Washington, pursuant to the Act of July 1, 1940 (54 Stat. 707), \$20,000.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), \$11,000.

Irrigation charges,
Wapato project, Wash.

For reimbursement to the reclamation fund for water furnished the Wapato irrigation project, Yakima Reservation, Washington, for the fiscal years 1937 to 1946, under an agreement of March 31, 1921, \$336,750, from which amount payments shall not exceed the aggregate receipts covered into the Treasury as "Irrigation charges, Wapato-Satus project, Washington", pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934.

Supra.

Gila River, Ariz.
Settlement of water
rights claims.

For settlement of claims to water rights in the Gila River, Arizona, \$114,400, reimbursable, of which amount \$104,400 shall be paid to the Buckeye Irrigation Company and \$10,000 shall be paid to the Arlington Canal Company: *Provided*, That no part of the sum herein appropriated shall be paid until appropriate contracts shall have been executed by and between the Secretary of the Interior and the Buckeye Irrigation Company and the Arlington Canal Company: *Provided further*, That no part of the sum herein appropriated shall be paid until (a) an appropriate contract providing for repayment of the proportionate amount properly chargeable to non-Indian lands in the San Carlos Irrigation and Drainage District shall have been executed by the San Carlos Irrigation and Drainage District and approved by the Secretary of the Interior, and (b) an appropriate resolution shall have been adopted by the Gila River Pima-Maricopa Indian Community Council consenting to the charge of the proportionate amount

Execution of con-
tracts, etc.

of the sum herein appropriated as construction costs against all Indian lands within the San Carlos Indian irrigation project, subject to the provisions of the Act of July 1, 1932 (25 U. S. C. 386a).

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, \$18,000, reimbursable, together with \$34,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Arizona: Colorado River, \$87,500; Navajo, Arizona and New Mexico, \$50,000; Salt River, \$30,000;

California: Mission, \$10,000; Sacramento, \$10,000;

Montana: Flathead, \$65,000; Fort Belknap, \$6,250; Fort Peck, \$45,000;

Nevada: Carson, \$8,000; Western Shoshone, \$20,000; Pyramid Lake, \$50,000;

Wyoming: Wind River, \$20,000;

Miscellaneous garden tracts, \$50,000;

For surveys, investigations, and administrative expenses, including departmental personal services, and not to exceed \$2,500 for printing and binding, \$115,000;

In all, \$566,750, to be reimbursable in accordance with law, and to remain available until completion of the projects: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 10 per centum.

EDUCATION

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including apprentice teachers for reservation and nonreservation schools, educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, support and education of deaf, dumb, blind, physically handicapped, delinquent, or mentally deficient Indian children; for subsistence of pupils in boarding schools during summer months, for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such regulations as the Secretary may prescribe; not exceeding \$25,000 for cooperation with the State of Oklahoma for the construction and equipment of an Indian arts and crafts building at Anadarko, Oklahoma; and tuition and other assistance for Indian pupils attending public schools, and for the support of Indian museums at Rapid City, South Dakota, and Browning, Montana, and on the Fort Apache Reservation, Arizona, \$5,417,190: *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of

47 Stat. 564.
Wind River Reservation, Wyo.

48 Stat. 1227.
31 U. S. C. § 725c.

Construction, repair, etc., of designated projects.

Surveys, investigations, etc.

Interchange of appropriations.

Support of Indian schools.

Contracts.

Printing and binding.

such tuition and care of Indian pupils: *Provided further*, That not to exceed \$10,000 of this appropriation may be used for printing and binding (including illustrations) in authorized Indian-school printing plants: *Provided further*, That no part of any appropriation in this Act for the Bureau of Indian Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Travel expenses.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools, tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, delinquent, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than \$370,000: *Provided*, That formal contracts shall not be required for payment (which may be made from the date of admission) of such tuition and care of Indian pupils.

44 Stat. 560.

Contracts.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, \$1,500, payable from funds held in trust by the United States for the Osage Tribe.

St. Louis Mission Boarding School, Okla.

Loans for payment of tuition.

For loans to Indians for the payment of tuition and other expenses in recognized high schools and vocational and trade schools, and colleges and universities offering recognized vocational, trade, liberal arts, and professional courses, and for apprentice training in Federal, manufacturing, and other establishments, \$25,000: *Provided*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such regulations as the Secretary may prescribe.

Reimbursement.

Buildings at Indian schools.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, and including the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed \$1,500 for any one building) at Indian schools not otherwise provided for, \$310,000.

Nonreservation boarding schools. Support, etc., of Indian pupils.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts respectively:

Phoenix, Ariz.

Phoenix, Arizona: For five hundred pupils, including not to exceed \$2,500 for printing and issuing school paper, \$167,600; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, \$25,000; in all, \$192,600;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For four hundred pupils, including not to exceed \$2,000 for printing and issuing school paper, \$150,810; for pay of superintendent, drayage, and general repairs and improvements, \$23,500; in all, \$174,310;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For five hundred and twelve pupils, including not to exceed \$2,500 for printing and issuing school paper, \$188,300; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, \$25,000; in all, \$213,300;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred and twenty-five pupils, \$112,965; for pay of superintendent, drayage, and general repairs and improvements, \$15,000; in all, \$127,965;

Carson City, Nev.

Carson City, Nevada: For five hundred pupils, \$173,783; for pay of principal, drayage, and general repairs and improvements, \$20,000; in all, \$193,783;

Albuquerque, New Mexico: For three hundred and forty-five pupils, \$127,905; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, \$25,000; in all, \$152,905;

Santa Fe, New Mexico: For two hundred and seventy-five pupils, \$103,095; for drayage, and general repairs, and improvements, \$15,000; in all, \$118,095;

Wahpeton, North Dakota: For three hundred pupils, \$105,370; for pay of superintendent, drayage, and general repairs and improvements, \$13,000; in all, \$118,370;

Chilocco, Oklahoma: For four hundred pupils, including not to exceed \$2,000 for printing and issuing school paper, \$153,160; for pay of superintendent, drayage, and general repairs and improvements, \$25,000; in all, \$178,160;

Sequoyah Vocational School, near Tahlequah, Oklahoma: For three hundred pupils, \$104,080; for pay of superintendent, drayage, and general repairs and improvements, \$15,000; in all, \$119,080;

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, \$62,355; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$69,355;

Euclhee, Oklahoma: For one hundred and fifteen pupils, \$43,975; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$50,975;

Eufaula, Oklahoma: For one hundred and forty pupils, \$52,610; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$59,610;

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, \$65,655; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$72,655;

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, \$47,210; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$54,210;

Chemawa, Oregon: For four hundred and twenty-five pupils, including not to exceed \$1,000 for printing and issuing school paper, \$152,905; for pay of superintendent, drayage, and general repairs and improvements, \$20,000; in all, \$172,905;

Flandreau, South Dakota: For three hundred and fifteen pupils, \$119,475; for pay of superintendent, drayage, and general repairs and improvements, \$19,000; in all, \$138,475;

Pierre, South Dakota: For three hundred pupils, \$103,390; for pay of superintendent, drayage, and general repairs and improvements, \$15,000; in all, \$118,390;

In all, for above-named nonreservation boarding schools, not to exceed \$2,325,143: *Provided*, That 5 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 5 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools and for the repair of special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, \$355,000, to be expended in the discretion of the Secretary and under regulations to be prescribed by him: *Provided*, That not to exceed \$26,000 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blooded Indian communities, where there are not adequate white day schools available for their attendance.

Albuquerque, N. Mex.

Santa Fe, N. Mex.

Wahpeton, N. Dak.

Chilocco, Okla.

Sequoyah Vocational School, Tahlequah, Okla.

Carter Seminary, Okla.

Euclhee, Okla.

Eufaula, Okla.

Jones Academy, Okla.

Wheelock Academy, Okla.

Chemawa, Oreg.

Flandreau, S. Dak.

Pierre, S. Dak.

Interchange of amounts.

Report to Congress.

Tuition for Indian children at public schools, etc.

Salaries of certain public-school teachers.

Natives in Alaska.
Support, relief, etc.

Natives in Alaska: To enable the Secretary, in his discretion, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; repair and rental of school buildings; textbooks and industrial apparatus; pay and traveling expenses of employees; repair, equipment, maintenance, and operation of vessels; and all other necessary expenses which are not included under the above special heads, \$1,414,910, to be immediately available, and to remain available until June 30, 1947: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

Report to Congress.

CONSERVATION OF HEALTH

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, \$5,085,965: *Provided*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary and under such regulations as may be prescribed by him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

Clinical surveys and
general medical re-
search.

Contributions from
nonreservation board-
ing schools.

Collection of fees.

Medical relief in Alaska: To enable the Secretary in his discretion through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and traveling expenses of employees, and all other necessary miscellaneous expenses which are not included under the above special heads, \$844,150, to be available immediately, and to remain available until June 30, 1947.

GENERAL SUPPORT AND ADMINISTRATION

Administration.

Collection of fees.

For general administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, \$2,791,410: *Provided*, That in the discretion of the Secretary, and under such regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States.

Support, etc., of
needy Indians.

For general support and rehabilitation of needy Indians in the United States, \$375,000, of which amount not to exceed \$37,500 shall be available for administrative expenses incident thereto, including departmental personal services (not to exceed \$15,000), and not to

exceed \$1,000 shall be available for expenses of Indians participating in folk festivals.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, \$80,000, to be immediately available, and to remain available until June 30, 1947.

Expenses incident to fulfilling the Atoka agreement: For all necessary expenses in connection with negotiation of a contract (including holding of an election) with the Choctaw and Chickasaw Nations of Indians in Oklahoma for purchase by the United States of present right, title, and interest of such Indians in the land and mineral deposits reserved from allotment in accordance with the provisions of section 58 of the Act entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw Tribes of Indians and for other purposes", approved July 1, 1902, \$20,000; to remain available until expended; including \$2,000 for printing and binding, and \$5,000 for transfer to the Geological Survey for appraisal expenses.

Choctaw and Chickasaw Nations, Okla.

32 Stat. 654.

Administration of Indian tribal affairs (tribal funds): For expenses of administering the affairs and property of Indian tribes including pay and traveling expenses of employees, \$170,000, payable from funds held by the United States in trust for the particular tribe benefited; not to exceed \$50,000 for any one tribe.

Administration of tribal affairs, Seneca Nation of New York (tribal funds): For salary of a clerk and expenses incident to administering the leasing work of the Seneca Nation of New York, payable from funds deposited into the United States Treasury pursuant to the Act of February 28, 1901 (31 Stat. 819), \$2,800, of which not to exceed \$800 may be paid to the treasurer of the Seneca Nation to reimburse the nation for expenses incurred in connection with leasing work.

Seneca Nation, N. Y.

Support of Klamath Agency, Oregon (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Klamath Agency, payable from funds held by the United States in trust for the Klamath Tribe of Indians, Oregon, \$206,530, of which not to exceed \$4,500 shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary, and for relief, including cash grants.

Klamath Agency, Oreg.

Support of Makah Indians, Taholah Agency, Washington (tribal funds): For general support of Indians and administration of Indian property of the Makah Tribe under the jurisdiction of the Taholah Agency, Washington, including the purchase of land, buildings and other improvements, title to which shall be taken in the name of the United States in trust for the Makah Indians; payment to the tribe for reimbursement of expenditures made in the purchase of buildings and improvements; and the relief of Indians, including cash grants, \$83,600, payable from funds held by the United States in trust for the Makah Tribe of Indians.

Makah Indians, Taholah Agency, Wash.

Support of Menominee Agency and pay of tribal officers, Wisconsin (tribal funds): For general support of Indians and administration of Indian property under the jurisdiction of the Menominee Agency, Wisconsin, payable from funds held by the United States in trust for the Menominee Tribe of Indians, Wisconsin, \$99,985, including \$30,000 for relief of Indians in need of assistance, including cash grants, and \$5,200 for the compensation and expenses of an attorney or firm of attorneys employed by the tribe under a contract approved by the Secretary: *Provided*, That not to exceed \$8,000 shall be available from the funds of the Menominee Indians for the

Menominee Agency, Wis.

Salaries, etc., of tribal officers.

payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee advisory council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs.

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, \$75,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

41 U. S. C. § 5.
18 U. S. C. §§ 744a-
744h.

Five Civilized
Tribes, Okla.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, not to exceed \$5,000 for improvement of Choctaw buildings and grounds, and for salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries of \$3,000 each for the said governor, said chief, and said mining trustee, chief of the Creek Nation at \$1,200 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed \$2,500 each.

Limitation.

Osage Agency, Okla.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of the superintendent of the agency and of necessary employees, and pay of tribal officers, including the employment of a tribal attorney at the rate of \$4,500 per annum to be appointed with the approval of the Osage Tribal Council under a contract to be entered into between said tribal attorney and the Osage Tribal Council, which contract shall be approved by the Secretary of the Interior; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and repair and operation of automobiles, \$177,140, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That of the said sum herein appropriated \$7,500 is hereby made available for traveling and other expenses of members of the Osage Tribal Council, business committees, or other tribal organizations, when engaged on business of the tribe, including supplies and equipment, not to exceed \$6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs.

Traveling, etc., ex-
penses.

Expenses of tribal
councils, etc.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed \$6 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, when duly authorized or approved in advance by the Commissioner of Indian Affairs, except that the Shoshone and Arapahoe Tribes of Wyoming may not exceed \$8 per diem and when in the District of Columbia or Chicago, Illinois, \$10 per diem as heretofore provided, \$25,000, payable from funds on

deposit to the credit of the particular tribe interested: *Provided*, That no part of this appropriation, or of any other appropriation contained in this Act, shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in the District of Columbia or Chicago, Illinois, for more than an eight-day period, unless the Secretary shall in writing approve a longer period.

Restriction on use of funds.

Compensation and expenses of an attorney, Colorado River Tribe, Arizona (tribal funds): For compensation and expenses of an attorney employed by the Colorado River Tribe of Indians, Arizona, under contract to be approved by the Secretary of the Interior, \$1,500, payable from funds on deposit to the credit of the tribe.

Colorado River Tribe, Ariz., attorney.

Compensation and expenses of an attorney, Ute Tribe, Utah (tribal funds): For compensation and expenses of an attorney employed by the Ute Tribe of Indians of the Uintah and Ouray Reservation, Utah, under a contract approved by the Secretary of the Interior on November 18, 1943, \$4,500, payable from funds on deposit to the credit of the tribe.

Ute Tribe, Utah, attorney.

Expenses of attorneys, Colville Tribe, Washington (tribal funds): For expenses of attorney or attorneys employed by the Colville Tribe of Indians of the Colville Reservation, Washington, under a contract approved by the Secretary on October 10, 1944, \$2,000, payable from funds on deposit in the Treasury to the credit of said tribe of Indians.

Colville Tribe, Wash., attorneys.

Expenses of attorneys, Quinalt Tribe, Washington (tribal funds): Not to exceed \$8,000 of the funds on deposit to the credit of the Quinalt Indians, Washington, is hereby made available until expended for expenses incurred by the attorney of record incident to the prosecution of the suit by said tribe against the United States as authorized by the Act of February 12, 1925 (43 Stat. 886): *Provided*, That claims for such expenses shall be itemized and supported by proper vouchers and shall be paid only upon the approval of the Secretary of the Interior: *Provided further*, That any payments made hereunder shall be deducted from any amount which may hereafter be decreed by the Court of Claims to the attorney for expenses in connection with the suit on behalf of the Quinalt Indians.

Quinalt Tribe, Wash., attorneys.

Compensation and expenses of an attorney or attorneys, Shoshone Tribe of Indians, Wyoming (tribal funds): For compensation and expenses of an attorney or attorneys employed by the Shoshone Indian Tribe under a contract approved by the Secretary of the Interior on January 20, 1945, \$20,000, or so much thereof as may be necessary, payable from funds on deposit in the Treasury to the credit of such tribe; and the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by said contract.

Shoshone Tribe, Wyo., attorneys.

ROADS AND BRIDGES

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, and that portion of the State highway in New Mexico between Gallup, New Mexico, and Window Rock, Arizona, serving the Navajo Reservation, \$20,000, reimbursable, as authorized by the Act of May 28, 1941.

Gallup-Shiprock Highway, N. Mex.

55 Stat. 207.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Act of May 26, 1928 (25 U. S. C. 318a), as supplemented and amended, \$900,000, to remain available until expended: *Provided*, That not to exceed \$13,500 of the foregoing amount may be expended for departmental personal

Reservation roads.

45 Stat. 750.

services: *Provided further*, That not to exceed \$15,000 of this appropriation shall be available for repair of structures for housing road materials, supplies, equipment, and quarters for road crews.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y. For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), \$6,000.

Six Nations, N. Y. For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), \$4,500.

Choctaws, Okla. For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), \$3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$320; in all, \$10,520.

Pawnees, Okla. For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), \$30,000.

Indians of Sioux reservations. For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, \$150,000.

Interest on trust funds, payments. For payment of accrued and accruing interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, \$725,000.

Availability of funds for purchase of supplies, etc. Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including non-reservation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

Travel expenses, etc. Appropriations made for the Indian Service for the fiscal year 1946 shall be available for travel expenses; the purchase of ice, and the purchase of rubber boots for official use of employees.

Availability of designated appropriations. The following appropriations herein made for the Indian Service shall be available for hire, maintenance, and operation of aircraft: "Administration of Indian forests"; "Suppressing forest fires on Indian reservations"; "Education of natives of Alaska"; "Medical relief of natives of Alaska"; and "Reindeer service, Alaska".

Post, p. 647 et seq.

BUREAU OF RECLAMATION

Post, p. 648.

32 Stat. 388.
43 U. S. C. §§ 391, 411.
Administrative provisions: Sums appropriated in this Act for the Bureau of Reclamation shall be available for all expenditures authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures are authorized, including personal services in the District of Columbia; telegraph, telephone, and other communication service; disseminating useful information, photographing and making photographic prints, and completing and dis-

tributing material, including recordings; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; lithographing, engraving, printing, and binding; purchase of ice; purchase of rubber boots for official use by employees; purchase (not to exceed two hundred and eighty), maintenance, and operation of horse-drawn and motor-propelled passenger vehicles; hire, maintenance, and operation of aircraft with funds provided for "General investigations" and the "Missouri River Basin", and all sums appropriated in this Act to such Bureau shall be available for such hire, maintenance, and operation to meet unforeseen emergencies due to fire, flood, or storm; contract stenographic reporting services; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary; payment of rewards, when specifically authorized by the Secretary, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and are in arrears for more than twelve months in the payment of any charges due from said lands to the United States.

The following sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (43 U. S. C. 391, 411), and therein designated "the reclamation fund", to be available immediately:

Parker Dam power project, Arizona-California: Not to exceed \$420,000 from power and other revenues shall be available for operation and maintenance;

Yuma project, Arizona-California: For operation and maintenance, \$67,500: *Provided*, That not to exceed \$25,000 from the power revenues shall be available for the operation and maintenance of the commercial system;

Central Valley project, California: Not to exceed \$400,000 from power revenues shall be available for the operation and maintenance of the power system;

Colorado-Big Thompson project, Colorado: Not to exceed \$140,000 from power revenues shall be available for the operation and maintenance of the power system;

Boise project, Idaho: For operation and maintenance, \$106,000;

Minidoka project, Idaho: For operation and maintenance, reserved works, \$16,500: *Provided*, That not to exceed \$54,000 from the power revenues shall be available for the operation of the commercial system;

North Platte project, Nebraska-Wyoming: Not to exceed \$89,400 from the power revenues shall be available for the operation and maintenance of the commercial system; and not to exceed \$6,000 from power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (43 U. S. C. 501), shall be available for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water;

Vehicles.

Property damages.

Rewards.

Restriction on use of funds.

Sums from reclamation fund.

Post, p. 647.

32 Stat. 388.

Projects.

Parker Dam, Ariz.-Calif.

Yuma, Ariz.-Calif.

Central Valley, Calif.

Colorado-Big Thompson, Colo.

Boise, Idaho.

Minidoka, Idaho.

North Platte, Nebr.-Wyo.

43 Stat. 703.

Rio Grande, N. Mex.-Tex.

Rio Grande project, New Mexico-Texas: Not to exceed \$80,700 from power revenues shall be available for the operation and maintenance of the power system;

Owyhee, Oreg.

Owyhee project, Oregon: For operation and maintenance, \$200,000;

Klamath, Oreg.-Calif.

Klamath project, Oregon-California: For operation and maintenance, \$121,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Columbia Basin, Wash.

Columbia Basin project, Washington: Not to exceed \$900,000 of the moneys deposited in the special account pursuant to section 4 of Executive Order Numbered 8526 shall be transferred to the reclamation fund to be available for operation, maintenance, and replacements, including operation and maintenance of camp and other facilities turned over by construction contractors, and similar facilities and the furnishing of services related thereto, and the payment to the school district or school districts serving Mason City and Coulee Dam, Washington, as reimbursement for instruction during the 1945-1946 school year in the schools operated by said district or districts of each pupil who is a dependent of any employee of the United States living in or in the vicinity of Coulee Dam, in the sum of \$25 per semester per pupil in average daily attendance at said schools, payable after the term of instruction in any semester has been completed, under regulations prescribed by the Secretary;

3 CFR, Cum. Supp., p. 705.

Reimbursement of school districts.

Yakima, Wash.

Yakima project, Washington: For operation and maintenance, \$243,500: *Provided*, That not to exceed \$25,000 from power revenues shall be available for operation and maintenance of the power system;

Kendrick, Wyo.

Kendrick project, Wyoming: Not to exceed \$140,000 from the power revenues shall be available for the operation and maintenance of the power system;

Riverton, Wyo:

Riverton project, Wyoming: For operation and maintenance, \$67,750: *Provided*, That not to exceed \$45,000 from the power revenues shall be available for the operation and maintenance of the commercial system;

Shoshone, Wyo.

Shoshone project, Wyoming: For operation and maintenance, Willwood division, \$14,800: *Provided*, That not to exceed \$50,000 from the power revenues shall be available for the operation and maintenance of the commercial system;

Limitation of expenditures.

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1946, on any reclamation project appropriated for herein under the reclamation fund, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1946 exceed the whole amount in the reclamation fund for the fiscal year;

Interchange of appropriations.

Interchange of appropriations: Ten per centum of the foregoing amounts shall be available interchangeably for expenditures on the reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions, an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary;

Construction of designated projects.

Construction: For continuation of construction of the following projects, and for general investigations and salaries and expenses (other than project offices) in not to exceed the following amounts, all to be reimbursable under the reclamation law, to remain available

until expended for carrying out projects (including the construction of transmission lines) or investigations previously or herein authorized by Congress:

Salaries and expenses (other than project offices): For expenses necessary during the fiscal year 1946, including personal services in the District of Columbia, in the administration and performance by other than project offices of Bureau of Reclamation functions, \$3,000,000; to be available for the purposes, among others, specified under the head "Operation and maintenance administration", Bureau of Reclamation, in the Department of the Interior Appropriation Act, 1945, and reimbursable (1) as to expenditures for operation and maintenance administration to the same extent as is provided under said head, and (2) as to other expenditures to the extent provided by subsection O of section 4 of the Act of December 5, 1924 (43 U. S. C. 377): *Provided*, That in addition to the foregoing amount there shall be available for expenditure under this appropriation any sums transferred thereto for work performed or to be performed for the benefit of specific projects or undertakings for which other funds or appropriations are available: *Provided further*, That the unobligated balances on June 30, 1945, of appropriations heretofore made under the "Reclamation fund, special fund, construction, administrative expenses", and under the "General fund, construction, administrative expenses", shall no longer remain available for obligation after June 30, 1945;

88 Stat. 487.

Ante, p. 54.

58 Stat. 490.

Projects.

Projects: Gila project, Arizona, \$550,000, from which expenditures may be made for land leveling, construction of farm ditches on units of public lands, production of soil-building crops, and the preparation of raw public lands for irrigation farming, any such expenditures to be charged into the construction costs to be repayable by the lands benefited, and any sums received from the sale of crops or otherwise as a result of these operations to be credited to such construction costs;

Colorado-Big Thompson project, Colorado, \$800,000;

Palisades project, Idaho, \$450,000;

Sun River project, Montana, \$60,000;

Hungry Horse project, Montana, for work preliminary to construction, as authorized by section 1 of the Act of June 5, 1944 (Public Law 329), \$200,000;

58 Stat. 270.
43 U. S. C., Supp.
IV, § 593a.

Deschutes project, Oregon, \$450,000;

Provo River project, Utah, \$2,000,000;

Shoshone project, Wyoming, Willwood division, \$23,500;

General investigations: For engineering and economic investigations of proposed Federal reclamation projects and surveys, investigations, and other activities relating to reconstruction, rehabilitation, extensions, or financial adjustments of existing projects, and studies of water conservation and development plans, such investigations, surveys, and studies to be carried on by said Bureau either independently, or in cooperation with State agencies and other Federal agencies, including the Corps of Engineers, and the Federal Power Commission, \$2,250,000, which may be used to execute detailed surveys, and to prepare construction plans and specifications: *Provided*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigations;

General investigations.

Total, construction, from reclamation fund, \$9,783,500.

Total, from reclamation fund, \$10,620,550.

Boulder Canyon project: Not to exceed \$1,050,000 shall be available from power and other revenues for operation, maintenance, and replacements of the dam, power plant, and other facilities, of the

Boulder Canyon project.

Boulder Canyon project, and payment to the Boulder City School District as reimbursement for instruction during the 1945-1946 school year in the schools operated by said district of each pupil who is a dependent of any employee of the United States, living in or in the immediate vicinity of Boulder City, in the sum of \$45 per semester per pupil in average daily attendance at said schools, payable after the term of instruction in any semester has been completed, under regulations to be prescribed by the Secretary.

COLORADO RIVER DAM FUND

Post, p. 648.

Acquisition of lands.

Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures including distribution and drainage systems) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A); for land leveling, construction of farm ditches on units of public lands, production of soil-building crops, and other necessary expenses in the preparation of raw public lands for irrigation farming, any such expenditures to be charged into the construction costs to be repayable by the lands benefited, and any sums received from the sale of crops or otherwise as a result of these operations to be credited to such construction costs, to be immediately available, and to remain available until advanced to the Colorado River dam fund, \$3,000,000.

45 Stat. 1057.
43 U. S. C. §§ 617-617t.
Preparation of raw public lands.

COLORADO RIVER DEVELOPMENT FUND

Post, p. 648.

43 U. S. C. § 618a.

Colorado River development fund (expenditure account): For continuation and extension of studies and investigations by the Bureau of Reclamation for the formulation of a comprehensive plan for the utilization of waters of the Colorado River system, \$150,250, and for investigations of projects for such utilization in the four States of the upper division, \$349,750, as authorized by section 2 of the Boulder Canyon Project Adjustment Act, approved July 19, 1940 (54 Stat. 774); in all, \$500,000 from the Colorado River Development Fund (holding account), to remain available until expended.

Post, p. 647.

GENERAL FUND, CONSTRUCTION

Construction of designated projects.

For continuation of construction of the following projects in not to exceed the following amounts to be immediately available, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress, and to be reimbursable under the reclamation law:

Davis Dam project, Arizona-Nevada: The appropriation heretofore made for this project shall be available for construction of the Davis-Parker substation and interconnecting transmission line;

Central Valley project, California, \$4,500,000;

San Luis Valley project, Colorado, \$450,000;

Boise project, Idaho, Anderson Ranch, \$3,000,000;

Tucumcari project, New Mexico, \$2,000,000;

Lugert-Altus project, Oklahoma, \$1,000,000;

Columbia Basin project, Washington: For continuation of construction and for other purposes authorized by the Columbia Basin Project Act of March 10, 1943 (57 Stat. 14), \$6,000,000;

Yakima project, Washington, Roza division, \$325,000;

Total, general fund, construction, \$17,275,000.

16 U. S. C., Supp. IV, § 835 note.

WATER CONSERVATION AND UTILIZATION PROJECTS

The appropriations of \$64,000 and \$1,700,000 in the Interior Department Appropriation Acts, 1944 and 1945, respectively, for the construction of water conservation and utilization projects and small reservoirs, including the limitations for surveys, investigations, and administrative expenses in connection therewith are hereby continued available until June 30, 1947.

57 Stat. 477; 58 Stat. 491.

Fort Peck project, Montana: For construction of transmission lines, substations, and other facilities as may be required by the Bureau of Reclamation, as authorized by the Act of May 18, 1938 (16 U. S. C. 833), \$155,800, to be immediately available and to remain available until June 30, 1947.

Fort Peck project, Mont. Post, p. 648. 52 Stat. 403.

MISSOURI RIVER BASIN

Missouri River Basin (reimbursable): For the partial accomplishment of the works to be undertaken by the Secretary of the Interior, pursuant to section 9 of the Act of December 22, 1944 (Public Law 534), \$3,200,000, to remain available until June 30, 1947: *Provided*, That this appropriation shall be expended, either independently or through or in cooperation with existing Federal and State agencies, only for detailed surveys, preparation of plans and specifications and the performance of other work, preliminary to construction of the initial stages, and for the continuation by the Bureau of Reclamation of investigations on the general plan of development.

Post, p. 648.

58 Stat. 891.

Expenditure restriction.

COLORADO RIVER FRONT WORK AND LEVEE SYSTEM

To defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California, and to defray the cost of other necessary protection works along the Colorado River between said Yuma project and Boulder Dam, as authorized by the Act of July 1, 1940 (54 Stat. 708), to be immediately available, \$112,500, which, together with the appropriation for this purpose in the Interior Department Appropriation Act, 1945, shall remain available until June 30, 1947, and of which not to exceed \$95,000 may be expended for the purchase of lands subject to seepage or overflow and improvements thereon: *Provided*, That the expenditure of any moneys for the purchase of said lands and improvements or for remedial or other necessary works for the protection of public or private property in or near the city of Needles, California, shall not be deemed a recognition of any obligation or liability whatsoever on the part of the United States: *Provided further*, That any moneys received by the United States as reimbursement in accordance with contracts heretofore entered into under the authority of the Act of December 21, 1928 (45 Stat. 1057), as amended, and ratified by the Act of August 30, 1935 (49 Stat. 1028), for work in or near said city of Needles, shall be covered into the Treasury as miscellaneous receipts.

58 Stat. 480.

Works in or near Needles, Calif.

Reimbursements.

43 U. S. C. §§ 617-617t.

GEOLOGICAL SURVEY

For all salaries and expenses necessary for the work of the Geological Survey, including personal services in the District of Columbia; purchase (not to exceed thirty), hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles and the purchase (not to exceed one), hire, maintenance, and operation of aircraft for field use; and exchange of unserviceable and worn-out passenger-carrying and freight-carrying vehicles as part payment for new freight-carrying vehicles; and purchase (not to exceed \$10,000) of office furniture and equipment for use in the District of Columbia

General expenses.

in addition to that which may be purchased from the appropriation for contingent expenses of the Department; as follows:

Salaries and expenses: For personal services in the District of Columbia, and other expenses, \$208,160;

Topographic surveys.
Post, p. 648.

Topographic surveys: For topographic surveys in the United States, Alaska, the Virgin Islands, and Puerto Rico, \$2,146,560, of which not to exceed \$356,000 may be expended for personal services in the

Cooperation with States, etc.

District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: *Provided further*, That \$263,000 of this amount shall be available only for such cooperation with States or municipalities;

Amount available.

Post, p. 648.

Geologic surveys: For geologic surveys in the United States and chemical and physical researches relative thereto, \$1,187,500, of which not to exceed \$466,000 may be expended for personal services in the District of Columbia;

Strategic and critical minerals.

Strategic and critical minerals (national defense): For scientific and economic investigations of strategic and critical minerals in the United States or its Territories or insular possessions, \$325,000, of which not to exceed \$80,000 may be expended for personal services in the District of Columbia;

Mineral resources of Alaska: For investigation of the mineral resources of Alaska, \$157,500, to be available immediately, of which not to exceed \$60,000 may be expended for personal services in the District of Columbia;

Gaging streams.
Post, p. 648.

Gaging streams: For gaging streams and determining the water supply of the United States, investigating underground currents and artesian wells and methods of utilizing the water resources, \$1,795,800, of which not to exceed \$10,000 may be expended for acquiring lands at gaging stations, and not to exceed \$200,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: *Provided further*, That \$1,300,000 of this amount shall be available only for such cooperation with States or municipalities;

Cooperation with States.

Limitation.

Post, p. 649.

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary; and for performance of work for the Federal Power Commission, \$213,400, of which not to exceed \$60,000 may be expended for personal services in the District of Columbia;

Printing and binding, and so forth: For printing and binding, \$101,500; for preparation of illustrations, \$27,840; and for engraving and printing geologic and topographic maps, \$275,000; in all, \$404,340;

Mineral leasing.
38 Stat. 742; 40 Stat.
297; 41 Stat. 437, 1363.

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921

(48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves, and for necessary related operations; and for every expense incident thereto, including supplies, equipment, expenses of travel, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, \$475,500, of which not to exceed \$68,000 may be expended for personal services in the District of Columbia;

Cooperative advance: To enable the Geological Survey to meet obligations incurred by it arising from cooperative work pending reimbursement from cooperating agencies; \$400,000, which amount shall be returned to the Treasury not later than six months after the close of the fiscal year 1946 out of reimbursements received from cooperating agencies;

During the fiscal year 1946 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations within the scope of the functions of the Geological Survey may, with the approval of the Secretary, transfer to the Geological Survey such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended: *Provided*, That not to exceed 5 per centum of any of the appropriations for the Geological Survey may be transferred to any other of such appropriations, but no appropriation shall be increased more than 5 per centum thereby. Any such transfer shall be reported to Congress in the annual Budget;

Cooperative work on scientific, etc., investigations.
Transfer of funds.

Interchange of amounts.

Report to Congress.

In all, salaries and expenses, Geological Survey, \$7,313,760.

BUREAU OF MINES

Salaries and expenses: For salaries and expenses necessary for the general administration of the Bureau of Mines, including \$70,300 for personal services in the District of Columbia, and \$85,000 for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals, \$165,700.

Operating mine-rescue cars and stations and investigation of mine accidents: For salaries and expenses necessary for the investigation and improvement of mine-rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other investigations pertinent to the mining industry; including the construction of temporary buildings; equipment and supplies; travel expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; purchase not exceeding one, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles; purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, rubber boots, aprons; and not to exceed \$70,000 for personal services in the District of Columbia, \$762,400, of which not to exceed \$500 may be expended for the purchase and bestowal of trophies in connection with mine-rescue and first-aid contests.

Vehicles.

Personal services.

Coal-mine inspections and investigations: For all salaries and expenses necessary to enable the Bureau of Mines to perform the duties imposed upon it by the Act of May 7, 1941 (55 Stat. 177); including supplies and equipment; traveling expenses; not to exceed \$81,000 for personal services in the District of Columbia; purchase in the District of Columbia and elsewhere of furniture and equipment, stationery

30 U. S. C., Supp. IV, §§ 4f-4g.

Vehicles.

and supplies; purchase (not to exceed one), operation, maintenance, and repair of motor-propelled trucks and passenger-carrying vehicles for official use and in transporting employees between their homes and temporary locations where they may be employed and purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; travel, and other incidental expenses of employees in attendance at meetings and conferences held for promoting safety and health in the coal-mining industry; \$1,004,860.

Enforcement of Federal Explosives Act: For all necessary expenses of the Bureau of Mines in performing the duties imposed upon it by the Federal Explosives Act, including not to exceed \$16,000 for personal services in the District of Columbia; newspapers; not to exceed \$500 for printing and binding; contract stenographic reporting services; supplies and equipment; traveling expenses; maintenance, repair, and operation of passenger-carrying automobiles; purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; purchase in the District of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; \$100,000: *Provided*, That the Secretary, through the Director of the Bureau of Mines, is hereby authorized to carry out projects hereunder in cooperation with other departments or agencies of the Federal Government, the District of Columbia, States, Territories, insular possessions, with other organizations or individuals, and with foreign countries and the political subdivisions thereof.

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and, upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia; and special wearing apparel and equipment for protection of employees while employed; \$320,000, of which not to exceed \$83,750 may be expended for personal services in the District of Columbia.

Anthracite investigations: For all expenses necessary to conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of anthracite coals; including purchase of special wearing apparel and equipment for the protection of employees while engaged in their work; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; operation, maintenance, and repair of passenger-carrying automobiles; and not to exceed \$6,500 for personal services in the District of Columbia, \$66,000.

Synthetic liquid fuels: For all expenses, without regard to section 3709, Revised Statutes, necessary to carry into effect the Act authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal, oil shales, agricultural and forestry products, and so forth, approved April 5, 1944 (Public, Numbered 290), including construction and acquirement of camp and laboratory buildings and equipment, personal services in the District of Columbia (not exceeding \$90,000); not to exceed \$50,000 for temporary employment of engineers, architects, or firms or corporations thereof, by contract or otherwise, without regard to civil-service

55 Stat. 863.
50 U. S. C., Supp.
IV, §§ 121-142.

Ante, p. 319.
Cooperation with
other agencies.

Recommendations
to Government agen-
cies.

Anthracite investi-
gations.

Ante, p. 319.

Synthetic liquid
fuels.
41 U. S. C. § 5.

58 Stat. 190.
50 U. S. C., Supp.
IV, §§ 321-325.

and classification laws; purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; purchase (not exceeding five), maintenance, and operation of passenger-carrying automobiles; printing and binding; and purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior", \$7,000,000, to remain available until expended: *Provided*, That these funds may be utilized to provide transportation between the proposed plants and related facilities and communities that provide adequate living accommodations of persons engaged in the operation and maintenance of these plants; and for transportation to and from schools of pupils who are dependents of such persons, which transportation shall be by methods which the Office of Defense Transportation shall find to be most advantageous and efficient: *Provided further*, That pursuant to agreements approved by the Secretary and the Office of Defense Transportation, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of these plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared: *Provided further*, That, in addition to the amount herein appropriated, the Secretary of the Interior is hereby authorized to enter into contracts for additional work not exceeding a total of \$15,000,000 during the period covered by the aforesaid Act, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for the construction and operation of demonstration plants to produce synthetic liquid fuels shall be considered available for the purpose of discharging the obligations so created.

Mineral mining investigations: For scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, and economy in the mining, quarrying, metallurgical, and other mineral industries; including all equipment, supplies, expenses of travel, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles, and not to exceed \$30,000 for personal services in the District of Columbia, \$382,700: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party.

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, and for every other expense incident thereto, including supplies, equipment, newspapers, expenses of travel, purchase, not to exceed one, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, purchase of laboratory gloves, goggles, rubber boots, and aprons, \$579,000, of which not to exceed \$45,000 may be expended for personal services in the District of Columbia.

Mining experiment stations: For personal services, purchase of laboratory gloves, goggles, rubber boots, and aprons, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act of March 3, 1915 (30 U. S. C. 8), \$962,200, of which not to exceed \$23,000 may be expended for personal services in the District of Columbia.

Ante, p. 319.

Transportation.

Pooling of equipment.

Contract authorizations.

Mineral mining investigations.

Oil and gas investigations.

Mining experiment stations.

38 Stat. 959.
30 U. S. C., Supp.
IV, § 8 note.

Buildings and grounds, Pittsburgh and Bruceton, Pa.

Buildings and grounds, Pittsburgh, Pennsylvania: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, the purchase of one and operation, maintenance, and repair of passenger automobiles, and all other expenses requisite for and incident thereto, including not to exceed \$10,000 for additions and improvements, \$143,450.

Economics of mineral industries: For investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; purchase of furniture and equipment; stationery and supplies; newspapers; traveling expenses; operation, maintenance, and repair of motor-propelled passenger-carrying vehicles; and for all other necessary expenses not included in the foregoing, \$515,000, of which not to exceed \$397,500 may be expended for personal services in the District of Columbia.

Steel production. Investigation of raw material resources. 41 U. S. C. § 5.

Investigation of raw-material resources for steel production (national defense): For all expenses, without regard to section 3709, Revised Statutes, necessary to enable the Bureau of Mines to develop individual deposits of minerals useful in the steel industry the existence of which is known, and concerning which preliminary geological or other reports are available from State mineral agencies, previous investigations of the Bureau of Mines, or other sources; to conduct geophysical surveys, surface and subsurface exploration on such deposits; to conduct laboratory, pilot plant, and demonstration-plant tests to establish methods for utilizing more fully the products of such deposits; including the purchase or lease of land or buildings; mineralogical explorations for and development of sources of ferrous, nonferrous, or nonmetallic minerals useful in alloying or coating by plating or otherwise of iron and steel to reduce or eliminate corrosion, and the research and development of commercial processes therefor; construction of buildings to house laboratories, pilot plants, or demonstration plants; procurement of necessary materials, ores, and equipment; travel expenses; operation, maintenance, and repair of passenger-carrying automobiles; not to exceed \$75,000 for temporary employment of engineers, architects, or firms or corporations thereof, by contract or otherwise, without regard to civil-service and classification laws, necessary to carry out the provisions of this appropriation; printing and binding; purchase in the District of Columbia or elsewhere of furniture and equipment, and purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; purchase in the district of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; and not to exceed \$40,000 for personal services in the District of Columbia, \$1,250,000: *Provided*, That the Secretary, acting through the Director of the Bureau of Mines, is hereby authorized to accept buildings, equipment, and other contributions from public or private sources and to carry out the projects in cooperation with other agencies, Federal, State, or private.

Temporary employment.

Ante, p. 319.

Contributions.

Helium plants. Construction and equipment.

Construction and equipment of helium plants: The unobligated balance of the funds appropriated under this head in the Interior Department Appropriation Act, 1943, as supplemented in the Second Supplemental National Defense Appropriation Act, 1943, is hereby

continued available until June 30, 1946, and the limitation on the amount available for personal services in the District of Columbia from the entire amount appropriated under this head is hereby increased from \$100,000 to \$110,000.

Manganese beneficiation pilot plants and research (national defense): For all necessary expenses, without regard to section 3709, Revised Statutes, of investigations and development of methods of beneficiating and smelting domestic manganese ores, including ore dressing, hydrometallurgy, pyrometallurgy, and for the production of metallic manganese by electrolytic or other methods, including all necessary preliminary and supplemental laboratory research; maintenance and operation of pilot plants; procurement of necessary materials and ores for metallurgical tests; supplies and equipment; travel expenses; personal services in the District of Columbia (not to exceed \$16,000); printing and binding (not to exceed \$1,000); purchase in the District of Columbia and elsewhere of furniture and equipment, stationery and supplies; operation, maintenance, and repair of motor-propelled passenger-carrying vehicles; purchase of special wearing apparel or equipment for the protection of employees while engaged in their work, \$450,000: *Provided*, That the Secretary, acting through the Director of the Bureau of Mines, is hereby authorized to accept buildings, equipment, and other contributions from public or private sources offering to cooperate in carrying out the purpose of this appropriation, and to operate such plants in cooperation with other departments or agencies of the Federal Government, States, and State agencies, and other organizations.

Production of alumina from low-grade bauxite, aluminum clays and alunite (national defense): For all expenses necessary, without regard to section 3709, Revised Statutes, to the conduct of investigations and research on processes for production of alumina from siliceous bauxites, aluminum clays and alunite, including all necessary laboratory research; maintenance and operation of small sub-commercial plants; procurement of necessary materials and ores; construction and equipment of buildings to house testing and sub-commercial plant units; not to exceed \$30,000 for temporary employment of engineers, architects, or firms or corporations thereof, by contract or otherwise, without regard to the civil-service and classification laws, that are necessary to design and construct the buildings and plant units; purchase of supplies and equipment; travel expenses; not to exceed \$29,200 for personal services in the District of Columbia; purchase of furniture and equipment, stationery and supplies; purchase of special wearing apparel or equipment for protection of employees engaged in their work, \$650,000.

Investigation of bauxite and alunite ores and aluminum clay deposits (national defense): For all necessary expenses, without regard to section 3709, Revised Statutes, of investigations, including laboratory research and procurement of materials therefor, concerning the extent, mode of occurrence, and quality of bauxite and alunite ores and aluminum clays in order to determine domestic sources or supply; to explore and develop on public lands and, with the consent of owners, on private lands, deposits of such ores and clays, including geologic studies and geophysical prospecting; construction, maintenance, and repair of necessary camp buildings and mining structures and appurtenances; including not to exceed \$40,000 for personal services in the District of Columbia; operation, maintenance, and repair of motor-propelled passenger-carrying vehicles; printing and binding; purchase of such wearing apparel and equipment as may be required for the protection of employees while engaged in their work; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior", \$500,000.

Manganese beneficiation pilot plants and research.
41 U. S. C. § 5.

Contributions.

Alumina. Production from low-grade bauxite, etc.
41 U. S. C. § 5.

Temporary employment.

Personal services.

41 U. S. C. § 5.

Amf., p. 319.

Magnesium pilot plants and research.
41 U. S. C. § 5.

Magnesium pilot plants and research (national defense): For all necessary expenses, without regard to section 3709, Revised Statutes, for the conduct of investigations and development of methods for the recovery of magnesium from domestic raw materials, including naturally occurring brines, salt deposits, dolomite, magnesite, and brucite, by hydrometallurgy, direct reduction, and electrolytic methods, including laboratory research; maintenance and operation of pilot plants; procurement of necessary materials and ores for metallurgical tests; purchase or lease of land; construction and equipment of buildings to house pilot plants, including not to exceed \$30,000 for temporary employment of engineers, architects, or firms, or corporations thereof, by contract or otherwise, without regard to the civil-service and classification laws necessary to design and construct the buildings and pilot plants; supplies and equipment; travel expenses; not to exceed \$15,500 for personal services in the District of Columbia; not to exceed \$750 for printing and binding; purchase in the District of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; special wearing apparel and equipment for protection of employees while employed; and the operation, maintenance, and repair of passenger-carrying automobiles; \$400,000: *Provided*, That the Secretary, through the Director of the Bureau of Mines, is authorized to accept buildings, equipment, and other contributions from public or private sources for the purposes hereof, and to operate such plants in cooperation with other agencies, Federal, State, or private.

Ante, p. 319.

Contributions.

Investigation of deposits of critical and essential minerals.
41 U. S. C. § 5.

Investigation of deposits of critical and essential minerals in the United States and its possessions (national defense): For all necessary expenses, without regard to section 3709, Revised Statutes, of investigating deposits of critical and essential minerals in the United States and its possessions, including laboratory research; preliminary examination and surface and subsurface exploration; supplies and equipment; travel expenses; not to exceed \$55,000 for personal services in the District of Columbia; not to exceed \$3,000 for printing and binding; purchase in the District of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; purchase, not to exceed one, operation, maintenance, and repair of passenger-carrying automobiles; special wearing apparel and equipment for the protection of employees while employed; \$2,100,000: *Provided*, That the Secretary, through the Director of the Bureau of Mines, is authorized to accept lands, buildings, equipment, and other contributions from public or private sources for the purposes hereof, and to carry out such projects in cooperation with other agencies, Federal, State, or private.

Ante, p. 319.

Contributions.

Helium utilization and research.

Helium utilization and research: For all expenses necessary to conduct inquiries and scientific and technologic investigations concerning resources, production, repurification, storage, and utilization of helium, independently or in cooperation with other agencies, public or private; including purchase of one and operation, maintenance, and repair of passenger automobiles; purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; \$78,400, including not to exceed \$5,000 for personal services in the District of Columbia.

Ante, p. 319.

Helium production and investigations.
Transfer of funds.
Post, p. 393.

Helium production and investigations: The sums made available for the fiscal year 1946 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1,

1945, for operation and maintenance of the plants for the production of helium for military and naval purposes, including laboratory gloves, goggles, rubber boots, and aprons; purchase, not to exceed three, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, books of reference and periodicals; the purchase in the District of Columbia and elsewhere of items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior" (not exceeding \$5,000); and all other necessary expenses, and including \$42,000 for personal services in the District of Columbia in addition to which sums the Bureau of Mines may use for helium-plant operations in the fiscal year 1946 the unobligated balance of funds transferred to it for such operations, in the fiscal year 1945: *Provided*, That section 3709, Revised Statutes, shall not be construed to apply to this appropriation, or to the appropriation for development and operation of helium properties (special fund) in section 3 (c) of the Act of September 1, 1937 (50 U. S. C. 164): *Provided further*, That funds available for the production of helium and the development of helium properties may be utilized to provide transportation between helium plants and related facilities and communities that provide adequate living accommodations of persons engaged in the operation and maintenance of helium plants; and for transportation to and from schools of pupils who are dependents of such persons which transportation shall be by methods which the Office of Defense Transportation shall find to be most advantageous and efficient: *Provided further*, That pursuant to agreements approved by the Secretary and the Office of Defense Transportation, the transportation equipment available to the Bureau of Mines may be pooled with that of school districts and other local or Federal agencies for use in transporting persons engaged in operation and maintenance of helium plants, pupils who are dependents of such persons, and other pupils, and in the interest of economy the expenses of operating such equipment may be shared.

During the fiscal year 1946 the head of any department or independent establishment of the Government having funds available for scientific investigations within the scope of the functions of the Bureau of Mines may, with the approval of the Secretary, transfer to the Bureau such sums as may be necessary therefor, which sums so transferred may be expended for the same objects and in the same manner as sums appropriated herein may be expended.

The Federal Security Administrator may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines.

The Bureau of Mines is hereby authorized, during the fiscal year 1946, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated from funds appropriated to the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

The following appropriations herein made to the Bureau of Mines shall be available for the hire, maintenance, and operation of aircraft: "Operating rescue cars and stations and investigation of accidents"; "Investigation of raw-material resources for steel production (national defense)"; and "Investigations of deposits of critical and essential minerals in the United States and its possessions (national defense)".

Ante, p. 319.

41 U. S. C. § 5.

50 Stat. 886.
Transportation.

Pooling of equipment.

Scientific investigations.

Details from Public Health Service.

Sale of products of pilot plants.

Aircraft.

NATIONAL PARK SERVICE

Salaries and expenses: For expenses, including personal services in the District of Columbia, necessary for the general administration of the National Park Service, including \$25,000 for printing and binding, \$468,890.

Regional offices: For salaries and expenses of regional offices necessary in the administration, protection, maintenance, and improvement of the national park system, \$323,000.

National parks: For administration, protection, maintenance, and improvement of national parks, including necessary protection of the area of federally owned land in the custody of the National Park Service known as the Ocean Strip and Queets Corridor, adjacent to Olympic National Park, Washington; necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of Glacier National Park, Montana, and the international boundary; repair and maintenance of approximately two and seventy-seven one-hundredths miles of road leading from United States Highway 187 to the north entrance of Grand Teton National Park, Wyoming; not to exceed \$1,000 for the maintenance of approach roads through the Lassen National Forest leading to Lassen Volcanic National Park, California; maintenance and repair of the Generals Highway between the boundaries of Sequoia National Park, California, and the Grant Grove section of Kings Canyon National Park, California; maintenance of approximately two and one-fourth miles of roads comprising those portions of the Fresno-Kings Canyon approach road, Park Ridge Lookout Road, and Ash Mountain-Advance truck trail, necessary to the administration and protection of the Sequoia and Kings Canyon National Parks; not exceeding \$15,500 for maintenance of the roads in the national forests leading out of Yellowstone National Park, Wyoming, Idaho, and Montana; and not exceeding \$2,000 for maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetch Hetchy Road near Mather Station, Yosemite National Park, California, and necessary expenses of a comprehensive study of the problems relating to the use and enjoyment of Yosemite National Park and the preservation of its natural features, \$1,925,675, including \$30,000 for the acquisition of the Ovington properties within the Olympic National Park.

National monuments: For administration, protection, maintenance, improvement, and preservation of national monuments, and not exceeding \$308 for right-of-way easements across privately owned railroad lands necessary for supplying water to the Statue of Liberty National Monument, \$411,900.

National historical parks and memorials: For administration, protection, maintenance, and improvement, including the maintenance of structures on the former Cape Hatteras Light Station Reservation within the Cape Hatteras National Seashore Recreational Area project, \$160,000.

National military parks, battlefields, and cemeteries: For administration, protection, maintenance, and improvement, including the maintenance and repair of the approach road to the Custer Battlefield National Cemetery and the road connecting the said cemetery with the Reno Monument site, Montana, \$249,038.

Boulder Dam National Recreational Area, Arizona and Nevada: For administration, protection, improvement, and maintenance of the recreational activities of the Boulder Dam National Recreational Area and any lands that may be added thereto by Presidential or other authority, \$68,512.

Lake Texoma Recreational Area, Texas and Oklahoma: For administration, protection, improvement, and maintenance in cooperation with the Chief of Engineers of the War Department of recreational areas devoted to recreational use within the Denison Dam and Reservoir projects, \$40,000.

Emergency reconstruction and fighting forest fires: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in areas under the jurisdiction of the National Park Service that are damaged or destroyed by flood, fire, storm, or other unavoidable causes, and for fighting or emergency prevention of forest fires in areas administered by the National Park Service, or fires that endanger such areas, including lands in process of condemnation for national park or monument purposes, \$30,000, together with not to exceed \$100,000 to be transferred upon the approval of the Secretary from the various appropriations for national parks and national monuments herein contained, any such diversions of appropriations to be reported to Congress in the annual Budget: *Provided*, That the allotment of these funds to the various areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary only after the obligation for the expenditure has been incurred.

Forest protection and fire prevention: For control and prevention of spread of forest insects and tree diseases and for fire-prevention measures, including necessary local transportation and subsistence in kind of persons selected for employment or as cooperators, serving without other compensation while attending fire-protection training camps in connection with the fire-control programs of the National Park Service, \$213,100.

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 5 per centum of the foregoing amounts shall be available interchangeably and any such diversion of funds shall be reported to Congress in the annual Budget: *Provided further*, That no part of the foregoing appropriations for the National Park Service shall be available for the payment of the salaries or expenses of any employee of the National Park Service assigned to duties, except as to inspection and audit, in connection with the Jefferson National Expansion Memorial in Saint Louis, Missouri.

Investigation and purchase of water rights: The unexpended balance of funds available for this purpose for the fiscal year 1945 is continued available for the same purpose during the fiscal year 1946.

Recreational demonstration areas: For administration, protection, operation, and maintenance of recreational demonstration areas, \$115,000.

Salaries and expenses, National Capital parks: For administration, protection, maintenance, and improvement of the Arlington Memorial Bridge, George Washington Memorial Parkway, monuments and memorials, Lee Mansion, Battleground National Cemetery, Chopawamsic Recreational Area, Chesapeake and Ohio Canal, Federal parks in the District of Columbia, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat. 482), including the pay and allowances in accordance with the provisions of the Act of May 27, 1924, as amended, of the police force for the George Washington Memorial Parkway, purchase of revolvers and ammunition, purchase, cleaning, and repair of uniforms for police, guards, and elevator conductors, and equipment, per diem employees at rates of pay approved by the Director not exceeding current rates for similar services in the District of Columbia, stenographic reporting service, traveling expenses and carfare, and leather and rubber articles for the protection of public property and employees, \$400,000.

Transfer of funds.

Report to Congress.

Accounting.

Interchange of amounts.

Jefferson National Expansion Memorial, St. Louis, Mo.

National Capital parks.

D. C. Code §§ 8-102
note, 8-106 note.
43 Stat. 174.
D. C. Code § 4-201
et seq.
Police force, George Washington Memorial Parkway.

Educational lectures, etc.

Appropriations herein made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein and vicinity; for the services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary may designate; and for travel expenses of employees attending Government camps for training in forest-fire prevention and suppression and the Federal Bureau of Investigation National Police Academy, and attending Federal, State, or municipal schools for training in building fire prevention and suppression.

Telephones in Government-owned residences, etc.

Appropriations herein made for the National Park Service shall be available for the installation and operation of telephones in Government-owned residences, apartments, or quarters, occupied by employees of the National Park Service.

Automobiles.

Appropriations available to the National Park Service shall be available for the purchase, not to exceed five, maintenance and operation of passenger-carrying automobiles.

Aircraft.

Appropriations herein made under the National Park Service for "National parks" and "National monuments" shall be available for the hire, maintenance, and operation of aircraft.

FISH AND WILDLIFE SERVICE

For salaries and expenses, including traveling expenses, necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

SALARIES AND EXPENSES

General administrative expenses: For general administrative purposes, including personal services in the District of Columbia, \$206,190, of which sum \$27,000 shall be available for printing and binding, including the purchase of reprints of scientific and technical articles published in periodicals and journals and the publication of bulletins which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of the bulletins to be delivered to or sent out under addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they may direct.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, including the erection of necessary buildings and other structures; propagation and distribution of food fishes and fresh-water mussels; development, recommendation, and application of means, including the construction of devices, to assure natural propagation and maximum survival of hatchery and other fishes; purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, \$1,100,000.

Operation and maintenance of fish screens: For operation and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission, \$30,000.

Investigations respecting food fishes: For investigations and studies into the cause of the decrease of food fishes, and other aquatic and

plant resources, in connection therewith, and of means of securing a maximum sustained yield from such resources; and maintenance, repair, improvement, equipment, and operation of fishery-experiment and biological stations, \$511,800.

Commercial fisheries: For collection and compilation of fishery statistics and related information; conducting investigations and studies of methods and means of capture, preservation, utilization, and distribution of fish and aquatic plants and products thereof, including investigation, study and research with respect to the utilization of packed sardines and the development of methods and procedures which should be employed in improving the quality and appearance of packed sardines; maintenance, repair, alteration, improvement, equipment, and operation of laboratories and vessels; and enforcing the applicable provisions of the Act authorizing associations of producers of aquatic products (15 U. S. C. 521); including contract stenographic reporting services, \$328,000.

Fishery market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, information on the fishery industry, market supply and demand, commercial movement, location, disposition, and market prices of fishery products, \$105,700.

Alaska fisheries: For protecting the seal, sea otter, and other fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; construction, improvement, repair, and alteration of buildings and roads, and subsistence of employees while on said islands; purchase of one, operation, and maintenance of airplanes; and contract stenographic reporting service, \$624,700, of which \$100,000 shall be available immediately.

Enforcement of Black Bass and Whaling Treaty Acts: For enforcement of the Act of July 2, 1930, and the Act of May 1, 1936 (16 U. S. C. 851-856, 901-915), \$18,000.

Fur-resources investigations: For investigations, experiments, and demonstrations in connection with the production and utilization of animals the pelts of which are used commercially for fur, \$115,500.

Biological investigations: For biological investigations, including the relations, habits, geographic distribution, and migration of animals and plants, and the preparation of maps of the life zones, and including \$36,200 for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (16 U. S. C. 581d); for investigations, experiments, and demonstrations, independently or in cooperation with other agencies or individuals, in developing and applying methods for the control of damage to agricultural and horticultural crops by birds, and for investigations of the wildlife resources of the Territory of Alaska, \$181,550.

Control of predatory animals and injurious rodents: For investigations and demonstrations in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game, and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals as authorized by law (7 U. S. C. 426), including not to exceed \$3,000 for the purchase of printed bags, tags, and labels; and for repairs, additions, and installations in and about the grounds and buildings of the game-management supply depot and laboratory at Pocatello, Idaho, including purchase, transportation, and handling of supplies and materials for distribution from said depot to other projects, in accordance with the provisions of the Act approved June 24, 1936 (16 U. S. C. 667), \$875,000.

Protection of migratory birds: For the enforcement of the Migratory Bird Treaty Act of July 3, 1918, as amended, to carry into effect

Packed sardines.

48 Stat. 1213.

46 Stat. 845.
49 Stat. 1246.

45 Stat. 701.

Post, p. 640.

46 Stat. 1468.
7 U. S. C., Supp.
IV, § 426 note.Pocatello, Idaho, de-
pot and laboratory.

49 Stat. 1913.

40 Stat. 755.
16 U. S. C., Supp.
IV, § 704 note.

54 Stat. 250.
16 U. S. C. §§ 668-
668d.

35 Stat. 1137.

31 Stat. 187.
Securing informa-
tion of law viola-
tions.

43 Stat. 739.
48 U. S. C., Supp.
IV, §§ 192-211.

the treaty with Great Britain and the convention between the United States and the United Mexican States (16 U. S. C. 703-711); for cooperation with local authorities in the protection of migratory birds, including necessary investigations; for the enforcement of the Act for the protection of the bald eagle (16 U. S. C. 668c); for the enforcement of sections 241-244 of the Act approved March 4, 1909, as amended (18 U. S. C. 391-394), and for the enforcement of section 1 of the Act approved May 25, 1900 (16 U. S. C. 701), including necessary investigations, \$300,000, of which not to exceed \$10,000 may be expended in the discretion of the Secretary for the purpose of securing information concerning violations of the laws for the enforcement of which this appropriation is made available.

Enforcement of Alaska game law: For the enforcement of the Act of January 13, 1925, as amended (48 U. S. C. 192-211); purchase of two, operation, and maintenance of airplanes, \$142,585.

Maintenance of mammal and bird reservations: For the administration, protection, and maintenance of mammal and bird reservations and the maintenance and protection of game introduced into suitable localities on public lands, under supervision of the Fish and Wildlife Service, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, and other improvements necessary for economical administration; for the purchase, capture, and transportation of game for national reservations; and for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, \$625,200, and in addition thereto \$40,000 of the unexpended balance for special improvements on the Wichita Mountain Wildlife Refuge for the fiscal year 1944 is continued available for the fiscal year 1946.

Migratory bird conservation refuges: For carrying into effect the Migratory Bird Conservation Act, as amended (16 U. S. C. 715-715r), \$55,100.

In all, salaries and expenses, \$5,219,325.

MIGRATORY BIRD CONSERVATION FUND

48 Stat. 451.
16 U. S. C. § 718d.

For carrying into effect the provisions of section 4 of the Act of March 16, 1934, as amended (16 U. S. C. 718-718h), an amount equal to the sum received during the fiscal year 1946 from the proceeds from the sale of stamps, to be warranted monthly; and in addition thereto an amount equal to the unobligated balance on June 30, 1945, of the total of the proceeds received from the sale of stamps prior to July 1, 1945.

FEDERAL AID IN WILDLIFE RESTORATION

50 Stat. 917.
16 U. S. C., Supp.
IV, § 669g-1.

For carrying out the provisions of the Act of September 2, 1937, as amended (16 U. S. C. 669-669j), \$1,000,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury under the provisions of said Act.

Total, Fish and Wildlife Service, \$6,219,325, and in addition thereto, funds made available under the Migratory Bird Conservation Fund, of which amounts not to exceed \$704,828 may be expended for departmental personal services, including such services in the District of Columbia. Funds available for the work of the Fish and Wildlife Service shall be available for the purchase of seventy-two motor-propelled passenger-carrying vehicles and for the maintenance, repair, and operation of such vehicles; hire, maintenance, and operation of aircraft; the installation and operation of telephones in Government-owned residences, apartments, or quarters occupied by employees of the Fish and Wildlife Service; providing by purchase,

construction, or otherwise, facilities incident to such public recreational uses of wildlife refuges as are not inconsistent with the primary purposes of such refuges; newspapers (not to exceed \$100), rubber boots, oilskins, first-aid outfits; plans and specifications for vessels, or for contract personal services for the preparation thereof; and rations for officers and crews of vessels; and for the expenditure from appropriations available for the purchase of lands of not to exceed \$1 for each option to purchase any tract of land. Reimbursements for the cost of supplies and materials and the transportation and handling thereof issued from central warehouses authorized to be established by the Act of June 24, 1936 (16 U. S. C. 667), may be credited to the appropriation current at the time supplies and materials are allotted, assigned, or issued, or at the time such reimbursements are received. Not to exceed 5 per centum of the foregoing amounts for expenses of the Fish and Wildlife Service shall be available interchangeably for expenditure on the objects included within the general expenses of said Service, but no more than 5 per centum shall be added to any one item or appropriation. In addition to the airplanes authorized for purchase in the foregoing items, the Fish and Wildlife Service may acquire not to exceed ten surplus airplanes from any disposal agency of the Government without reimbursement or transfer of funds.

Reimbursements.

49 Stat. 1913.

Interchange of amounts.

Airplanes.

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

For expenses of the offices of the Governor and the Secretary, including salaries of the Governor and Secretary; clerk hire; travel expenses; printing and binding; maintenance, repair, and preservation of Governor's house and grounds; purchase of equipment; maintenance, operation, and repair of one motor-propelled passenger-carrying vehicle for the use of the Governor; stationery, lights, water, and fuel, \$44,000, to be expended under the direction of the Governor.

For the establishment and maintenance of public schools, Territory of Alaska, \$50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Public schools.

48 Stat. 1227.
31 U. S. C. § 725c.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation and travel expenses of medical supervisor, transportation, burial, and other expenses, \$290,000: *Provided*, That authority is granted to the Secretary to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, for the care and maintenance of Alaskan insane patients during the fiscal year 1946: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary shall, as soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

Payments to Sanitarium Company, Portland, Oreg.

Return of inmates not residents of Alaska.

For the construction, repair, and maintenance of roads, tramways, bridges, and trails, Territory of Alaska, \$152,500, to be available until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Construction of roads, bridges, etc.

48 Stat. 1227.
31 U. S. C. § 725c.

For the construction, repair, and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of the Act approved June 30, 1932 (48 U. S. C. 321a-321c), including printing and binding, \$1,038,900, to be immediately available.

47 Stat. 446.
48 U. S. C. §§ 321a-327.

Richardson Highway.

Richardson Highway: For continuation of construction of Richardson Highway, Alaska, \$1,250,000, to be immediately available.

Alaska Railroad.

The Alaska Railroad: All amounts received by the Alaska Railroad during the fiscal year 1946 shall be available, and continue available until expended, for every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; maintenance and operation of lodges, camps, and transportation facilities for the accommodation of visitors to Mount McKinley National Park, including the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles as authorized by the Act of March 29, 1940 (54 Stat. 80); stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding \$100 in value; payment of amounts due connecting lines; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to be reimbursed as therein provided: *Provided*, That not to exceed \$6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1946, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than \$7,500: *Provided further*, That not to exceed \$12,500 of such fund shall be available for printing and binding.

Mount McKinley National Park.

16 U. S. C. § 353a.
Damage claims.

39 Stat. 750.
5 U. S. C., Supp. IV, § 793.
Post, p. 503 *et seq.*
Personal services.

Printing and binding.

Aircraft.

The following appropriations herein made shall be available for the hire, maintenance, and operation of aircraft: "Salaries and expenses, Governor and Secretary, Territory of Alaska"; "Construction and maintenance of roads, bridges, and trails, Alaska"; "Reconstruction and improvement of Richardson Highway, Alaska"; and "Alaska Railroad appropriated fund".

TERRITORY OF HAWAII

For expenses of the offices of the Governor and the Secretary, including salaries of the Governor, the Secretary (\$5,800), and the private secretary to the Governor (\$3,875); for printing and binding; travel expenses of the Governor; and \$935 for temporary clerk hire; \$22,700, to be expended by the Governor.

Post, p. 650.

GOVERNMENT OF THE VIRGIN ISLANDS

Salaries.
39 Stat. 1132; 49 Stat. 1813.
Miscellaneous expenses.

For salaries of the Governor and employees incident to the execution of the Acts of March 3, 1917 (48 U. S. C. 1391), and June 22, 1936 (48 U. S. C. 1405v), traveling expenses of officers and employees, printing and binding; repair, preservation and care of Federal build-

ings and furniture, purchase of equipment, stationery, lights, water, and other necessary miscellaneous expenses, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed \$4,000 for personal services, household equipment and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix, \$196,450, to be expended by and under the supervision and direction of the Governor: *Provided*, That the executive assistant to the Governor and the legal counsel shall be appointed by the Governor.

For salaries and expenses of the agricultural station in the Virgin Islands, including technical personnel, clerks, and other persons; scientific investigations of plants and plant industries, and diseases of animals; demonstrations in practical farming; official traveling expenses; fixtures, apparatus, and supplies; clearing and fencing of land; and other necessary expenses; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, \$36,600, to be expended by and under the supervision and direction of the Governor.

Agricultural station.

PUERTO RICO

To enable the Division of Territories and Island Possessions to continue collection and administration of moneys due the United States on account of loans made under the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57), and to make compositions and adjustments in any loan heretofore made, as authorized by Public Resolutions Numbered 59 (49 Stat. 926) and 60 (49 Stat. 928), Seventy-fourth Congress, approved August 27, 1935, not to exceed \$26,350 of any unobligated balances of appropriations made by authority of those joint resolutions, including repayment of principal and payments of interest on such loans, is hereby made available for administrative expenses during the fiscal year 1946.

SEC. 2. Appropriations herein made for field work shall be available for the hire, with or without personal services, of boats, work animals and animal-drawn and motor-propelled vehicles and equipment.

Hire of work animals, etc.

SEC. 3. Appropriations herein made shall be available for the purchase, maintenance, operation, and repair of vehicles generally known as quarter-ton or half-ton pick-up trucks and as station wagons without such vehicles being considered as passenger-carrying vehicles: *Provided*, That appropriations herein made available for the purchase of passenger-carrying motor vehicles shall be available only for the purchase of used or Federal surplus motor vehicles.

Pick-up trucks, etc.

SEC. 4. Notwithstanding any provision of law to the contrary, aliens may be employed during the fiscal year 1946 in the field service of the Department for periods of not more than thirty days in cases of emergency caused by fire, flood, storm, act of God, or sabotage.

Employment of aliens.

SEC. 5. Appropriations herein made for the following bureaus and offices shall be available for expenses of attendance of officers and employees at meetings or conventions of members of societies or associations concerned with their work in not to exceed the amounts indicated: Office of the Secretary, \$400; Grazing Service, \$300; Petroleum Conservation Division, \$100; General Land Office, \$300; Bureau of Indian Affairs, \$2,000; Bureau of Reclamation, \$2,000; Geological Survey, \$1,250; Bureau of Mines, \$4,000; National Park Service, \$1,000; Fish and Wildlife Service, \$2,000; and soil and moisture conservation operations (all bureaus), \$1,000.

Attendance at meetings, etc.

SEC. 6. Appropriations available for expenses of travel of officers and employees of the Department shall be available for traveling expenses of new appointees from Seattle, Washington, or from any point within Alaska, to their posts of duty in Alaska, and return.

Alaska.
Travel expenses of new appointees.

Persons advocating
overthrow of U. S.
Government.

Affidavit.

Penalty.

Exception.

Communication
services.

Purchase of law-
books, etc.

Limitations.

Jackson Hole National
Monument.

57 Stat. 731.

Delegation of pow-
er, etc.

Short title.

SEC. 7. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony, and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year and a day, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That in cases of emergency, caused by fire, flood, storm, act of God, or sabotage, persons may be employed for periods of not more than thirty days and be paid salaries and wages without the necessity of inquiring into their membership in any organization.

SEC. 8. Not to exceed a total of \$80,000 of the appropriations contained in this Act shall be available for expenditure for long distance telephone tolls, and not to exceed a total of \$70,000 shall be available for expenditure for telegrams and cablegrams, and the savings effected thereby in the items "communication services", as set forth in the Budget estimates submitted for such appropriations shall not be diverted to other use and shall be covered into the Treasury as miscellaneous receipts.

SEC. 9. Appropriations herein made shall be available for the purchase and exchange of lawbooks, books of reference, and periodicals, and for expenses incurred in completing broken sets, for use at the seat of government, and payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members: *Provided*, That expenditures for the foregoing purposes for the following bureaus and offices shall not exceed the following amounts: Office of the Secretary, \$2,250; Petroleum Conservation Division, \$350; Division of Geography, \$300; Grazing Service (including headquarters at Salt Lake City), \$625; General Land Office, \$1,000; Bureau of Indian Affairs (including headquarters at Chicago), \$500; Bureau of Reclamation, \$2,500; Geological Survey, \$6,000; Bureau of Mines, \$1,250; National Park Service (including headquarters at Chicago), \$1,250; and Soil and Moisture Conservation Operations (all bureaus), \$1,000.

SEC. 10. No part of any appropriation contained in this Act shall be used directly or indirectly by way of wages, salaries, per diem or otherwise, for the performance of any new administrative function or the enforcement or issuance of any rule or regulation occasioned by the establishment of the Jackson Hole National Monument as described in Executive Proclamation Numbered 2578, dated March 15, 1943.

SEC. 11. During the fiscal year 1946, the Secretary may delegate to the Under Secretary and the Assistant Secretaries the power to authorize changes in official stations of officers and employees and the payment of expenses of travel and transportation of household goods in connection with such change of official stations.

SEC. 12. This Act may be cited as the "Interior Department Appropriation Act, 1946".

Approved July 3, 1945.

[CHAPTER 263]

AN ACT

Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1946, and for other purposes.

July 3, 1945
[H. R. 3199]
[Public Law 124]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1946, namely:

Labor-Federal Security Appropriation Act, 1946.

TITLE I—DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

Department of Labor Appropriation Act, 1946.
Post, p. 650.

Salaries: For personal services in the District of Columbia, \$395,691.

Salaries and expenses, Office of Secretary (national defense): For expenses necessary for the administration of the Davis-Bacon Act and Executive orders dealing with premium pay in war industries and for the work of the Wage Adjustment Board, pertaining to building construction contracts financed by Federal funds, including personal services in the District of Columbia, contract stenographic reporting services, and other items otherwise properly chargeable to the appropriations under the Department of Labor for contingent expenses, travel expenses, and printing and binding, \$63,000.

46 Stat. 1494.
40 U. S. C. §§ 276a-276a-6; Supp. IV, § 276a-5 note.

Salaries and expenses, Office of the Solicitor: For personal services in the District of Columbia and elsewhere, and for other necessary expenses in the field, including contract stenographic reporting services, \$714,177.

Contingent expenses: For expenses of the offices and bureaus of the Department, for which appropriations for expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloths, file cases, towels, ice, brooms, soap, sponges, laundry, not exceeding \$1,000 for streetcar fares; purchase, maintenance, and repair of motorcycles and motortrucks; maintenance, operation, and repair of four motor-propelled passenger-carrying vehicles; examination of estimates for appropriations in the field; freight and express charges; commercial and labor-reporting services; postage to foreign countries, telegraph and telephone service; purchase and exchange of lawbooks, books of reference, newspapers, and periodicals and, when authorized by the Secretary of Labor, dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding \$8,000; contract stenographic services; and teletype service and tolls (not to exceed \$1,100); \$167,502.

Post, p. 650.

Traveling expenses: For traveling expenses under the Department of Labor, \$1,058,200: *Provided*, That all funds transferred to the Department of Labor from any other department or agency under section 601 of the Act of June 30, 1932, as amended (31 U. S. C. 686), and available for travel, and all funds appropriated for traveling expenses under this title, shall be available to reimburse employees at not to exceed 3 cents per mile for expenses of travel performed by them in privately owned automobiles within the limits of their official stations in the field.

Post, p. 650.

47 Stat. 417.
31 U. S. C., Supp. IV, § 686.

Printing and binding: For printing and binding for the Department of Labor, \$294,790.

For deposit in the general fund of the Treasury for cost of penalty mail of the Department of Labor as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$104,850.

Salaries and expenses, Division of Labor Standards: For salaries and other expenses, including purchase and distribution of reports, and of material for informational exhibits, in connection with the promotion of health, safety, employment stabilization, and amicable industrial relations for labor and industry, \$145,763.

Salaries and expenses, safety and health program (national defense): For all expenses necessary to enable the Secretary of Labor to conduct a program of safety and health among employees engaged in national defense industries, including personal services in the District of Columbia and elsewhere, and other items otherwise properly chargeable to the appropriations under the Department of Labor for contingent expenses, traveling expenses, and printing and binding, \$149,215.

Attendance at conferences.

The appropriation under this title for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Division of Labor Standards when called by the Division with the written approval of the Secretary of Labor, and shall be available also in an amount not to exceed \$2,000 for expenses of attendance at meetings related to the work of the Division of Labor Standards when incurred on the written authority of the Secretary of Labor.

Commissioners of Conciliation: For expenses necessary to enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (5 U. S. C. 611), including newspapers, books of reference, and periodicals, and not to exceed \$78,000 for personal services in the District of Columbia, \$445,300.

57 Stat. 738.
5 U. S. C. § 619.

Commissioners of Conciliation (national defense): For all expenses necessary to enable the Secretary of Labor to perform conciliation services in situations growing out of employment in industries under the national defense program, including personal services in the District of Columbia and elsewhere, and other items otherwise properly chargeable to the appropriations under the Department of Labor for contingent expenses, traveling expenses, and printing and binding, \$1,786,200.

Attendance at meetings.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed \$2,000 for expenses of attendance at meetings, conferences, or conventions concerned with labor and industrial relations when incurred on the written authority of the Secretary of Labor.

BUREAU OF LABOR STATISTICS

Post, p. 650.

Salaries and expenses: For personal services including temporary statistical clerks, stenographers, and typists in the District of Columbia, and including also experts and temporary assistants for field service outside of the District of Columbia; purchase of periodicals, documents, envelopes, price quotations, and reports and materials for reports and bulletins of said Bureau; \$1,104,560, of which amount not to exceed \$995,000 may be expended for the salary of the Commissioner and other personal services in the District of Columbia.

Attendance at meetings.

The appropriation in this title for traveling expenses shall be available, in an amount not to exceed \$2,000, for expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor.

Salaries and expenses (national defense): For all expenses necessary to enable the Secretary of Labor, through the Bureau of Labor

Statistics, in relation to the national security and defense, to perform the functions authorized by the Act of June 13, 1888, and other Acts (29 U. S. C. 1); to conduct studies relative to problems connected with labor likely to arise upon the termination of the existing emergent conditions in connection with defense activities throughout the United States, such expenses to include personal services in the District of Columbia and elsewhere, and other items otherwise properly chargeable to the appropriations under the Department of Labor for contingent expenses, traveling expenses, and printing and binding, and not to exceed \$15,000 for the temporary employment of experts without regard to the civil-service and classification laws; \$2,356,876: *Provided*, That not to exceed \$585,913 shall be used for a cost of living study and report.

25 Stat. 182,
29 U. S. C., Supp.
IV, § 1.

Temporary employ-
ment of experts.

CHILDREN'S BUREAU

Salaries and expenses: For expenses of investigating and reporting upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality; personal services, including experts and temporary assistants; purchase of reports and material for the publications of the Children's Bureau and for reprints from State, city, and private publications for distribution when said reprints can be procured more cheaply than they can be printed by the Government, and other necessary expenses; \$338,306, of which amount not to exceed \$330,200 may be expended for personal services in the District of Columbia.

Salaries and expenses, child labor provisions, Fair Labor Standards Act: For all authorized and necessary expenses of the Children's Bureau in performing the duties imposed upon it by the Fair Labor Standards Act of 1938, including personal services in the District of Columbia and elsewhere; supplies; services; equipment; newspapers, books of reference, and periodicals; and reimbursement to State and local agencies and their employees for services rendered, as authorized by section 11 of said Act; \$220,339.

52 Stat. 1060.
29 U. S. C. §§ 201-
219; Supp. IV, § 202
et seq.

Salaries and expenses, maternal and child welfare: For all authorized and necessary administrative expenses of the Children's Bureau in performing the duties imposed upon it by title V of the Social Security Act, approved August 14, 1935, as amended, including personal services, in the District of Columbia and elsewhere; supplies; services; equipment; newspapers, books of reference, and periodicals; \$379,365: *Provided*, That no part of any appropriation contained in this title shall be used to promulgate or carry out any instruction, order, or regulation relating to the care of obstetrical cases which discriminates between persons licensed under State law to practice obstetrics: *Provided further*, That the foregoing proviso shall not be so construed as to prevent any patient from having the services of any practitioner of her own choice, paid for out of this fund, so long as State laws are complied with: *Provided further*, That any State plan which provides standards for professional obstetrical services in accordance with the laws of the State shall be approved by the Chief of the Children's Bureau.

49 Stat. 629.
42 U. S. C. §§ 701-
731.

Care of obstetrical
cases.

Salaries and expenses, emergency maternity and infant care (national defense): For necessary expenses of the Children's Bureau in performing the duties imposed upon it in carrying out the program for emergency maternity and infant care, including personal services in the District of Columbia and elsewhere, and other items otherwise chargeable to the appropriations of the Department of Labor for contingent expenses, traveling expenses, and printing and binding, \$38,000.

Grants to States for emergency maternity and infant care (national defense): For grants to States, including Alaska, Hawaii, Puerto Rico, and the District of Columbia, to provide, in addition to similar services otherwise available, medical, nursing, and hospital maternity and infant care for wives and infants of enlisted men of the fourth, fifth, sixth, and seventh grades in the armed forces of the United States and of Army aviation cadets, under allotments by the Secretary of Labor and plans developed and administered by State health agencies and approved by the Chief of the Children's Bureau, \$44,189,500, of which not more than 2½ per centum may be allotted to the States for administrative expenses from the date of this Act on the basis of need as determined by the Chief of the Children's Bureau.

Grants to States for maternal and child-health services: For grants to States for the purpose of enabling each State to extend and improve services for promoting the health of mothers and children, as authorized in title V, part 1, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 701), as amended, \$5,820,000: *Provided*, That any allotment to a State pursuant to section 502 (b) shall not be included in computing for the purposes of subsections (a) and (b) of section 504 an amount expended or estimated to be expended by the State.

Grants to States for services for crippled children: For the purpose of enabling each State to extend and improve services for crippled children, as authorized in title V, part 2, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 711), as amended, \$3,870,000.

Grants to States for child-welfare services: For grants to States for the purpose of enabling the United States, through the Children's Bureau, to cooperate with State public-welfare agencies in establishing, extending, and strengthening public-welfare services for the care of homeless or neglected children, or children in danger of becoming delinquent, as authorized in title V, part 3, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 721), as amended, \$1,510,000.

In the administration of title V of the Social Security Act, as amended, for the fiscal year 1946, payments to the States for any quarter of the fiscal year 1946 under parts 1, 2, and 3 may be made with respect to any State plan approved under such respective parts by the Chief of the Children's Bureau prior to or during such quarter, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan is submitted to the Chief of the Children's Bureau for approval.

The appropriation in this title for traveling expenses shall be available, in an amount not to exceed \$11,000, for expenses of attendance of cooperating officials and consultants at conferences concerned with the administration of work of the Children's Bureau under the Fair Labor Standards Act and under title V, parts 1, 2, and 3, of the Social Security Act, as amended, when called by the Children's Bureau with the written approval of the Secretary of Labor, and shall be available also, in an amount not to exceed \$6,000, for expenses of attendance at meetings related to the work of the Children's Bureau when incurred on the written authority of the Secretary of Labor.

WOMEN'S BUREAU

Salaries and expenses: For carrying out the provisions of the Act entitled "An Act to establish in the Department of Labor a bureau to be known as the Women's Bureau", approved June 5, 1920 (29 U. S. C. 11-16), including personal services in the District of Columbia; purchase of material for reports and educational exhibits; \$172,580.

49 Stat. 629.

49 Stat. 629, 630.

42 U. S. C. §§ 702, 704.

49 Stat. 631.

49 Stat. 633.

Payments with respect to State plans.

49 Stat. 629.

42 U. S. C. §§ 701-721.

Attendance at meetings.

52 Stat. 1060.

29 U. S. C. §§ 201-219; Supp. IV, § 202

et seq.

49 Stat. 629.

42 U. S. C. §§ 701-721.

721.

41 Stat. 987.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed \$2,500 for expenses of attendance at meetings concerned with the work of the Women's Bureau when incurred on the written authority of the Secretary of Labor.

Attendance at meetings.

WAGE AND HOUR DIVISION

Salaries: For personal services for the Wage and Hour Division necessary in performing the duties imposed by the Fair Labor Standards Act of 1938 and by the Act to provide conditions for the purchase of supplies and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), including reimbursement to State, Federal, and local agencies and their employees for services rendered, \$3,543,470, of which amount not to exceed \$615,000 may be expended for departmental salaries.

52 Stat. 1060.
29 U. S. C. §§ 201-219; Supp. IV, § 202 *et seq.*
49 Stat. 2036.
41 U. S. C. §§ 35-45; Supp. IV, §§ 35, 40.

Miscellaneous expenses (other than salaries): For necessary expenses, other than salaries, of the Wage and Hour Division in performing the duties imposed by the Fair Labor Standards Act of 1938 and by the Act to provide conditions for the purchase of supplies and the making of contracts by the United States, approved June 30, 1936 (41 U. S. C. 38), including stenographic reporting services by contract or otherwise, purchase of one and maintenance, repair, and operation outside the District of Columbia, of two motor-propelled passenger-carrying vehicles, lawbooks, books of reference, periodicals, manuscripts and special reports, newspapers, and reimbursement to State, Federal, and local agencies and their employees for services rendered, \$261,200.

52 Stat. 1060.
29 U. S. C. §§ 201-219; Supp. IV, § 202 *et seq.*

49 Stat. 2036.
41 U. S. C. §§ 35-45; Supp. IV, §§ 35, 40.

The Secretary of Labor may allot or transfer, with the approval of the Bureau of the Budget, funds from the foregoing appropriations for the Wage and Hour Division to any other bureau or office of the Department of Labor to enable such bureau or office to perform services for the Wage and Hour Division.

Allotment or transfer of funds.

The appropriation in this title for traveling expenses shall be available in an amount not to exceed \$4,750 for expenses of attendance at meetings concerned with the work of the Wage and Hour Division when incurred on the written authority of the Secretary of Labor.

Attendance at meetings.

This title may be cited as the "Department of Labor Appropriation Act, 1946".

Citation of title.

TITLE II—FEDERAL SECURITY AGENCY

AMERICAN PRINTING HOUSE FOR THE BLIND

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the Act approved February 8, 1927 (20 U. S. C. 101), \$115,000.

Federal Security Agency Appropriation Act, 1946.
Post, p. 636 *et seq.*

44 Stat. 1060.
20 U. S. C., Supp. IV, § 101.

COLUMBIA INSTITUTION FOR THE DEAF

For support of the Columbia Institution for the Deaf, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, \$167,000.

Post, p. 636.

FOOD AND DRUG ADMINISTRATION

For all necessary expenses of the Food and Drug Administration in carrying out the investigations, including collecting, reporting, and illustrating the results thereof, and performing the functions

52 Stat. 1040.
21 U. S. C., Supp.
IV, § 321c et seq.
Post, pp. 463, 464.
29 Stat. 604.
44 Stat. 1101.
44 Stat. 1406.
42 Stat. 1486.

Post, p. 636.

required to carry into effect the provisions of the Federal Food, Drug, and Cosmetic Act (21 U. S. C. 301-392); the Tea Importation Act (21 U. S. C. 41-50); the Import Milk Act (21 U. S. C. 141-149); the Federal Caustic Poison Act (15 U. S. C. 401-411); and the Filled Milk Act (21 U. S. C. 61-64); as follows:

Enforcement operations: To enable the Federal Security Administrator to carry into effect the provisions of the above statutes, including personal services in the District of Columbia (not exceeding \$680,000) and elsewhere; purchase (not to exceed thirty-five), operation, maintenance, and repair of motor-propelled and horse-drawn passenger-carrying vehicles; purchase of chemicals, apparatus, and scientific equipment; contract stenographic reporting services; books of reference and periodicals, \$2,641,000.

Salaries, sea-food inspectors: For salaries of sea-food inspectors designated in accordance with the provisions of section 702A of the Federal Food, Drug, and Cosmetic Act, \$40,000.

General administration: For general administration, including personal services in the District of Columbia, \$98,000.

48 Stat. 1204; 57 Stat.
500.
21 U. S. C., Supp.
IV, § 372a.

FREEDMEN'S HOSPITAL

Salaries and expenses: For all expenses necessary for the operation and maintenance of Freedmen's Hospital, including repairs to buildings; travel; operation and maintenance of passenger-carrying automobiles; purchase of cotton or duck suits for the use of internes, and cotton or duck uniforms or aprons for cooks, maids, and attendants, and laundering thereof; for expenses of attendance at meetings of a technical nature, pertaining to hospital administration and medical advancement, when authorized by the Federal Security Administrator; not to exceed \$250 for the purchase of books, periodicals, and newspapers; not to exceed \$2,000 for the special instruction of student nurses; and not to exceed \$540,750 for personal services; \$796,750, of which \$102,000 shall be transferred to the Federal Works Agency for repairs, alterations, and improvements to the buildings and grounds of the Hospital, and \$2,750 shall be transferred to the appropriation "Salaries and miscellaneous expenses, Public Health Service", for the procurement of stationery and supplies: *Provided*, That hereafter the amounts to be charged the District of Columbia and other establishments of the Government for the treatment of patients for which they are responsible shall be calculated on the basis of a per diem rate recommended annually in advance by the Federal Board of Hospitalization and approved by the President.

Post, p. 371.

Amounts chargeable
to D. C., etc.

HOWARD UNIVERSITY

Post, p. 636.

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, \$724,000.

Expenses, Howard University: For necessary expenses, including equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, \$187,000.

OFFICE OF EDUCATION

Further development of vocational education: For carrying out the provisions of sections 1, 2, and 3 of the Act approved June 8, 1936 (20 U. S. C. 15h-j), \$14,200,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed \$14,483,000 for the fiscal year 1946, as authorized by the Act approved June 8, 1936.

49 Stat. 1488.

For extending to the Territory of Hawaii the benefits of the Act approved February 23, 1917 (20 U. S. C. 11-18), in accordance with the provisions of the Act approved March 10, 1924 (20 U. S. C. 29), \$30,000.

For extending to Puerto Rico the benefits of the Act approved February 23, 1917 (20 U. S. C. 11-18), in accordance with the provisions of the Act approved March 3, 1931 (20 U. S. C. 11-18, 30; 29 U. S. C. 31-35), \$105,000.

Further endowment of colleges of agriculture and the mechanic arts: For carrying out the provisions of section 22 of the Act approved June 29, 1935 (7 U. S. C. 343d), \$2,480,000.

Library service: For making surveys, studies, investigations, and reports regarding public, school, college, university, and other libraries; fostering coordination of public and school library service; coordinating library service on the national level with other forms of adult education; developing library participation in Federal projects; fostering Nation-wide coordination of research materials among the more scholarly libraries, inter-State library cooperation, and the development of public, school, and other library service throughout the country, and for the administrative expenses incident to performing these duties, including salaries of such assistants, experts, clerks, and other employees in the District of Columbia and elsewhere, as the Commissioner of Education may deem necessary, purchase of miscellaneous supplies, equipment, stationery, postage on foreign mail, books of reference, lawbooks, and periodicals, and all other necessary expenses, \$20,965.

Services for the blind: For all necessary expenses, including personal services in the District of Columbia, for carrying out the provisions of the Act to authorize the operations of stands in Federal buildings by blind persons and to enlarge the economic opportunities of the blind, approved June 20, 1936 (20 U. S. C., ch. 6A), \$20,125.

Salaries: For personal services in the District of Columbia, \$386,955.

General expenses: For general expenses of the Office of Education, including lawbooks, books of reference, and periodicals; and for the operation, maintenance, and repair of one passenger-carrying automobile; purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same, \$39,650.

Salaries and expenses: For carrying out the provisions of section 7 of the Act approved February 23, 1917, as amended by the Act of October 6, 1917 (20 U. S. C. 15), and of section 4 of the Act approved June 8, 1936 (49 Stat. 1488), \$367,423.

The appropriation in this title for traveling expenses shall be available for actual transportation and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes without other compensation from the United States, in an advisory capacity to the Commissioner of Education, in an amount not exceeding \$25,000.

Salaries and expenses (national defense): For all expenses necessary to enable the Office of Education to liquidate the program provided for during prior fiscal years under the head Education and Training, Defense Workers (national defense), including personal services in the District of Columbia, traveling expenses, and printing and binding, \$384,900: *Provided*, That equipment purchased during prior fiscal years from appropriations under the heading "Education and Training, Defense Workers (national defense)", in accordance with proposals submitted by educational agencies and approved by the

Hawaii.
39 Stat. 929.
20 U. S. C. §§ 11-15,
16-28.
43 Stat. 18.

Puerto Rico.
39 Stat. 929.
20 U. S. C. §§ 11-15,
16-28.
46 Stat. 1489.
29 U. S. C. § 45a.

49 Stat. 439.

49 Stat. 1559.

39 Stat. 933; 40 Stat.
345.

20 U. S. C. § 15k.

Persons serving in
an advisory capacity.

Commissioner, shall remain the property of the agency designated in the proposal and approved by the Commissioner to purchase and to hold title to such equipment, and that the supplies authorized by the Commissioner to be purchased shall remain the property of the agency authorized to purchase such supplies: *Provided further*, That no school or school system shall be required to surrender possession or use of any property or equipment which it is using in its educational or training programs.

The Commissioner may delegate to any officer in the Office of Education any of his powers or duties hereunder.

Delegation of powers or duties.

Post, pp. 636, 637.

PUBLIC HEALTH SERVICE

For necessary expenses in carrying out the functions of the Public Health Service in accordance with the Act of July 1, 1944 (Public Law 410) (hereinafter referred to as the Act), and other Acts, including (with the exception of the appropriation "Pay, and so forth, commissioned officers, Public Health Service") personal services in the District of Columbia; maintenance, repair, and operation of passenger automobiles; purchase of reports, documents, and other material for publication and of reprints from State, city, and private publications; lawbooks, books of reference, and periodicals, for use at the seat of government and elsewhere; contract stenographic services without regard to section 3709 of the Revised Statutes or the civil-service or classification laws; preparation and display of posters and exhibits by contract or otherwise; packing, unpacking, crating, uncrating, drayage, and transportation of personal effects of commissioned officers and transportation of their dependents on change of station; increased allowances to reserve officers for foreign service and transporting in Government-owned automotive equipment, to and from school, children of personnel who have quarters for themselves and their families at isolated stations; as follows:

58 Stat. 682.
42 U. S. C., Supp.
IV, §§ 201-236.

41 U. S. C. § 5.

Venereal diseases: To carry out the purposes of sections 314 (a) and 363 of the Act with respect to venereal diseases, including the purchase of two passenger automobiles, \$11,949,000.

58 Stat. 693, 704.
42 U. S. C., Supp.
IV, §§ 246 (a), 266.
Post, p. 636.

41 U. S. C. § 5.

Venereal diseases (national defense): For the operation and maintenance of centers for the diagnosis, treatment, support, and clothing of persons afflicted with venereal diseases, including travel; printing and binding; transportation and subsistence of such persons and their attendants to and from the place of treatment or allowance in lieu thereof; diagnosis and treatment (including emergency treatment for other illnesses) of such persons through contracts with physicians and hospitals and other appropriate institutions without regard to section 3709 of the Revised Statutes; fees for case finding and referral to such centers of voluntary patients; reasonable expenses of preparing remains or burial of deceased patients; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; recreational supplies and equipment; leasing of facilities and repair and alteration of Government-owned or leased facilities without regard to section 3709 of the Revised Statutes and section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a); purchase of twenty passenger automobiles; and for grants of money, services, supplies, equipment, and use of facilities to States, as defined in the Act, and with the approval of the respective State health authorities, to counties, health districts, and other political subdivisions of the States, for the foregoing purposes, in such amounts and upon such terms and conditions as the Surgeon General may determine; \$4,644,000: *Provided*, That the Administrator of the Federal Works Agency

41 U. S. C. § 5.

47 Stat. 412.

Transfer of equipment from F. W. A. to F. S. A.

shall, without transfer of funds by the Federal Security Agency, transfer to the Federal Security Agency all records, equipment, furnishings, and supplies under the jurisdiction of the Federal Works Agency which have been used primarily in the treatment of venereal diseases: *Provided further*, That funds may be transferred with the approval of the Bureau of the Budget to this appropriation from the appropriation "Control of venereal diseases, Public Health Service", in an amount not exceeding \$356,000, and shall be consolidated with this appropriation and the whole administered and accounted for as one fund.

Tuberculosis: To carry out the purposes of section 314 (b) of the Act, \$6,047,000.

Assistance to States, general: To carry out the purposes of section 314 (c) of the Act, \$11,467,000.

Communicable diseases: To carry out those provisions of sections 311 and 361 of the Act relating to the prevention and suppression of communicable diseases, the interstate transmission and spread thereof, and the enforcement of any applicable quarantine laws, including the purchase of one passenger automobile, \$1,040,000.

Industrial hygiene: For field investigations and demonstrations in industrial hygiene, \$134,000.

Health and sanitation activities, war and defense areas (national defense): To carry out the purposes of section 604 of the Act, and the development and prosecution of a program for the control of communicable diseases, including travel; printing and binding; the purchase of twenty-five passenger automobiles; and the purchase of oils, larvicides, and other diluents, without regard to section 3709 of the Revised Statutes; \$2,615,000.

Malaria and diseases of tropical origin (national defense): To carry out the provisions of sections 311 and 604 of the Act with respect to the control of malaria and diseases of tropical origin, including travel; printing and binding; the purchase of forty-five passenger automobiles; hire, maintenance, and operation of aircraft; and the purchase of oils, larvicides, and other diluents, without regard to section 3709 of the Revised Statutes; \$10,897,000.

Hospitals and medical care: For carrying out the purposes of section 301 with respect to mental diseases, and sections 302, 321, 322, 324, 326, 331, 332, 341, 343, 344, 502, 504, and 610 of the Act, and Executive Order 9079, dated February 26, 1942, including minor repairs and maintenance; purchase of fifteen passenger automobiles, including one ambulance; transportation to their homes in the continental United States of recovered indigent leper patients; court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane; expenses of preparing and transporting remains, or reasonable burial expenses, for any patient dying in hospital; firearms and ammunition; travel; reimbursement to the working capital fund for articles or services furnished by the industrial activities; expenses incurred in pursuing, identifying, and returning escaped prisoners, including rewards for their capture; purchase and exchange of farm products and livestock; not to exceed \$500 for newspapers; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; transportation and subsistence allowance, within continental United States, of any narcotic addict voluntarily admitted and discharged as cured; reimbursement to employees for the cost of repair or replacement (where the damage exceeds \$2 and does not exceed \$100) of personal belongings damaged or destroyed by patients while employees were in line

Transfer of funds.

58 Stat. 693.
42 U. S. C., Supp.
IV, § 246 (b).

58 Stat. 694.
42 U. S. C., Supp.
IV, § 246 (c).

58 Stat. 693, 703.
42 U. S. C., Supp.
IV, §§ 243, 264.

58 Stat. 712.
42 U. S. C., Supp.
IV, § 201 note.

41 U. S. C. § 5.

58 Stat. 693, 712.
42 U. S. C., Supp.
IV, §§ 243, 201 note.

41 U. S. C. § 5.

Post, p. 636.
58 Stat. 691-714.
42 U. S. C., Supp.
IV, §§ 241, 242, 248,
249, 251, 253, 256-257,
259, 260, 220, 222, 249
note; 14 U. S. C., Supp.,
IV, § 381 note; 33 U.
S. C., Supp. IV, § 763a.
24 U. S. C., Supp.
IV, note prec. § 191.

of duty; and tobacco for patients; \$15,501,300, of which not to exceed \$115,514 shall be available for the furnishing by the Public Health Service to and at the request of any Federal department or independent establishment, including Government-owned corporations, of coordinating and consultative services with respect to methods and standards for operating emergency health facilities in such department or establishment, including in-service training of such emergency health facility personnel, and for providing employees of such agencies (1) tuberculosis and psychiatric examinations, and (2) health and nutrition instruction through lectures and demonstrations: *Provided*, That this appropriation shall be available for the expenses incurred in furnishing medical and hospital treatment, including dental care, to active-duty personnel of the Navy and Marine Corps in Marine hospitals and out-patient offices.

Certain Navy and Marine Corps personnel. Medical, etc., treatment.

Post, p. 637.

Foreign quarantine service: For the medical inspection of aliens, the maintenance and ordinary expenses of United States quarantine stations and supplementary activities abroad, and the care and treatment of quarantine detainees in private or other public hospitals when facilities of the Public Health Service are not available, including the purchase of not to exceed three motor-propelled passenger-carrying vehicles; \$1,254,000.

Post, p. 637.

National Institute of Health, operating expenses: For the activities of the National Institute of Health, not otherwise provided for, including the regulation and preparation of biologic products; the purchase of two passenger automobiles; the purchase, repair, and cleaning of uniforms for the guard force; and maintenance of buildings; \$1,688,000, of which \$100,000 shall be available for grants-in-aid in accordance with the provisions of Public Law 410, section 301 (d).

National Cancer Institute, operating expenses: To carry out the purposes of title IV of the Act, \$490,000.

Commissioned officers, pay, and so forth: For pay, uniforms and subsistence allowances, increased allowances for foreign service and commutation of quarters for not to exceed nine hundred and two regular active commissioned officers; for retired pay of regular and reserve commissioned officers; and for six months' death gratuity pay and burial payments for regular commissioned officers, \$4,586,200: *Provided*, That for purposes of pay and pay period the officers appointed to grades above that of senior assistant pursuant to authority contained in the First Supplemental Appropriation Act, 1945, under the heading "Tuberculosis" shall be considered as having had on the date of appointment service equal to that of the junior officer of the grade to which appointed.

Training for nurses (national defense): For carrying out the purposes of the Act of June 15, 1943 (Public Law 74, Seventy-eighth Congress, as amended), \$59,957,000, of which not to exceed \$788,255 shall be available for administrative expenses, including printing and binding; and travel: *Provided*, That this appropriation is hereby made available for transfer to and consolidation with appropriations of Saint Elizabeths and Freedmen's Hospitals, in such amounts as may be deemed necessary by the Federal Security Administrator, to cover the cost of items furnished to student nurses in training under plans approved for such hospitals in accordance with the Act of June 15, 1943 (Public Law 74), as amended.

Service and supply fund: For the establishment of a service and supply fund, \$250,000, without fiscal year limitation, for the payment of salaries, travel, and other expenses necessary to the maintenance and operation of (1) a supply service for the purchase, storage, handling, issuance, packing, or shipping of stationery, supplies,

58 Stat. 692.
42 U. S. C., Supp.
IV, § 241 (d).
58 Stat. 707.
42 U. S. C., Supp.
IV, §§ 231-236.

58 Stat. 857.

57 Stat. 153.
50 U. S. C., Supp.
IV, app. §§ 1451-1462.

Transfer of funds.

materials, equipment, and blank forms, for which stocks may be maintained to meet, in whole or in part, requirements of the Public Health Service and requisitions of other Government offices, and (2) such other services as the Surgeon General, with the approval of the Administrator of the Federal Security Agency, determines may be performed more advantageously as central services; said fund to be reimbursed from applicable appropriations or funds available when services are performed or stock furnished on the basis of rates which shall include estimated or actual charges for personal services, materials, equipment (including maintenance, repairs, and depreciation), and other expenses.

Salaries and miscellaneous expenses: For the divisions and offices of the office of the Surgeon General and for miscellaneous and contingent expenses of the Public Health Service not appropriated for elsewhere, including the supervision of sanitary engineering and dental operations of the Public Health Service; maintenance and operation of the water and sanitary investigations station at Cincinnati, Ohio; collecting and compiling mortality, morbidity, and vital statistics; preparing information, articles, and publications related to public health; conducting studies and demonstrations in public health methods; nominal compensation of collaborating epidemiologists and others; purchase of two passenger automobiles; and allowances for living quarters, including fuel, heat, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118 (a)); \$1,178,000.

Station at Cincinnati, Ohio.

46 Stat. 818.

Post-war planning: To enable the Surgeon General, either independently or in cooperation with public and private agencies, including individuals, to plan post-war health and health facilities construction programs, \$317,000.

SAINT ELIZABETHS HOSPITAL

Salaries and expenses: For support, clothing, and treatment in Saint Elizabeths Hospital of persons who have become insane since their entry into the armed forces of the United States, insane beneficiaries of the Bureau of Indian Affairs, insane beneficiaries of the United States Employees' Compensation Commission, and all other insane persons whose admission to the hospital is authorized by law, including reimbursement to employees for the cost of repair or replacement (where the damage exceeds \$2 and does not exceed \$100) of personal belongings damaged or destroyed by patients while employees were in line of duty; travel expenses; printing and binding; and not exceeding \$3,000 for maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed \$185,000 for repairs and improvements to buildings and grounds, and not to exceed \$15,000 for furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties, \$2,861,000, including cooperation with organizations or individuals in scientific research into the nature, causes, prevention, and treatment of mental illness, and including maintenance and operation of necessary facilities for feeding employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding \$1,500 of this sum may be expended in the removal of patients to their friends; for expenses of attendance at meetings of a technical nature, pertaining to hospital administration and medical advancement, when authorized by the Federal Security Administrator; not exceeding \$1,500 for the purchase of such books, periodicals, and newspapers as may be required for the purposes of the hospital and for the medical library, and not exceeding \$1,500 for the actual and necessary expenses incurred in the apprehension and

Return of inmates
not Federal charges.

Mail facilities.

Payments for care of
designated patients.

Accounting.

return to the hospital of escaped patients: *Provided*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates who are not or who cease to be properly chargeable to Federal maintenance in the institution and in returning them to such places of residence: *Provided further*, That not exceeding \$200 additional may be paid to two employees to provide mail facilities for patients in the hospital: *Provided further*, That during the fiscal year 1946 the District of Columbia, or any branch of the Government requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the Superintendent upon his written request, either in advance or at the end of each month, such amounts as shall be calculated by the Superintendent to be due for such care on the basis of a per diem rate recommended annually in advance by the Federal Board of Hospitalization and approved by the President and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments of such bills paid for in advance on the basis of such calculations shall be made monthly or quarterly, as may be agreed upon by the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury Department of the appropriation made for the care and maintenance of the patients at Saint Elizabeths Hospital for the year in which the support, clothing, and treatment is provided, and be subject to requisition upon the approval of the Superintendent of Saint Elizabeths Hospital.

Construction and equipment: For construction and equipment, in the grounds of the hospital, of a building for the housing, care, and treatment of mentally sick patients, including construction and equipment, preparation of plans and specifications, advertising, and supervision of construction, to remain available until expended, \$1,900,000: *Provided*, That this amount may be transferred, upon the request of the Federal Security Administrator, to the Public Buildings Administration, Federal Works Agency.

For an additional amount for building for storeroom, and so forth, Saint Elizabeths Hospital, Federal Security Agency, including the objects specified under the appropriation for this purpose in the Federal Security Agency Appropriation Act, 1942, to remain available until expended, \$681,665: *Provided*, That this amount, together with the amounts appropriated for this purpose in the Federal Security Agency Appropriation Acts of 1942 and 1945, may be transferred upon the request of the Federal Security Administrator, to the Public Buildings Administration, Federal Works Agency.

SOCIAL SECURITY BOARD

Ante, p. 236.

Grants to States for old-age assistance, aid to dependent children, and aid to the blind: For grants to States for assistance to aged needy individuals, needy dependent children, and needy individuals who are blind, as authorized in titles I, IV, and X, respectively, of the Social Security Act approved August 14, 1935, as amended, \$431,000,000, of which sum such amount as may be necessary shall be available for grants under such titles I, IV, and X, respectively, for any period in the fiscal year 1945 subsequent to March 31, 1945: *Provided*, That payments to States for the fourth quarter of the fiscal year 1945 and for any quarter in the fiscal year 1946 under such titles I, IV, and X, respectively, may be made with respect to any State plan approved

49 Stat. 620, 627, 645.
42 U. S. C. §§ 301-
306, 601-606, 1201-1206.

Payments with re-
spect to State plans.

55 Stat. 493; 58 Stat.
561.

55 Stat. 493.
Transfer of funds.

Storeroom, etc.

Transfer of funds.

under such titles I, IV, or X, respectively, by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Salaries, Bureau of Public Assistance: For personal services in the Bureau of Public Assistance in the District of Columbia and elsewhere, \$815,000.

Grants to States for unemployment compensation administration: For grants to States for unemployment compensation administration, as authorized in title III of the Social Security Act, approved August 14, 1935, as amended, \$32,000,000, of which such amounts as may be agreed upon by the Board and the Postmaster General shall be used for the payment, in such manner as said parties may jointly determine, of postage for the transmission of official mail matter in connection with the unemployment compensation administration of States receiving grants herefrom.

Salaries, Bureau of Employment Security: For personal services in the Bureau of Employment Security in the District of Columbia and elsewhere, \$642,474.

Salaries, Bureau of Old-Age and Survivors Insurance: For personal services in the Bureau of Old-Age and Survivors Insurance in the District of Columbia and elsewhere, \$15,750,000.

Salaries, offices of the Social Security Board: For personal services in the District of Columbia and elsewhere of the Social Security Board and its several offices and bureaus, not otherwise appropriated for herein, \$2,928,000, including the salary of an executive director at the rate of \$9,500 per year.

Miscellaneous expenses, Social Security Board: For all expenses, not otherwise appropriated for, necessary to enable the Social Security Board to carry into effect the provisions of the Social Security Act as amended (42 U. S. C. 301-1305), including public instruction and information, and the procurement of information relating to the death of individuals entitled to benefits, receiving benefits, or upon whose death some other individual may become entitled to benefits, under title II of said Act, from proper State and local officials, including officials of the District of Columbia, Alaska, and Hawaii or individuals designated by such State and local officials, and as authorized by the Administrator for personal services on a piece-work basis or otherwise in connection with the procurement of such information without regard to section 3709 of the Revised Statutes and the civil-service and classification laws, which expenses shall include reproducing and photographic equipment; periodicals; purchase and exchange of lawbooks and books of reference; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payments for which may be made in advance; alterations and repairs; purchase (not exceeding three), operation, maintenance, and repair of passenger-carrying automobiles; \$2,735,000.

If during the fiscal year 1945 or 1946 functions are transferred by the Federal Security Administrator from or between any of the said offices or bureaus, the Administrator may transfer from or between the appropriations herein made for salaries for the Social Security Board the amounts necessary for personal services in connection with the functions so transferred.

Not to exceed 5 per centum of any of the foregoing appropriations for salaries for the Social Security Board may, subject to the approval of the Director of the Bureau of the Budget, be transferred by the Administrator to any other of such appropriations, but no appropriation may be increased more than 5 per centum thereby.

Ante, p. 236; *post*, p. 637.

49 Stat. 626.
42 U. S. C. §§ 501-503.

Post, p. 637.

Post, p. 637.

Executive director.

Post, p. 637.

49 Stat. 620.
42 U. S. C. §§ 301-1307; Supp. IV, ch. 7.
Post, pp. 648, 671.

49 Stat. 622.
42 U. S. C. §§ 401-409; Supp. IV, §§ 401, 409.
Post, pp. 648, 671.

41 U. S. C. § 5.

Transfer of functions; amounts for personal services.

Transfer of funds.

Withholding of moneys from State agencies.

None of the moneys appropriated by this Act to the Social Security Board or to the Children's Bureau of the Department of Labor for grants-in-aid of State agencies to cover, in whole or in part, the cost of operation of said agencies, including the salaries and expenses of officers and employees of said agencies, shall be withheld from the said agencies of any States which have established by legislative enactment and have in operation a merit system and classification and compensation plan covering the selection, tenure in office, and compensation of their employees, because of any disapproval of their personnel or the manner of their selection by the agencies of the said States, or the rates of pay of said officers or employees.

OFFICE OF VOCATIONAL REHABILITATION

41 Stat. 735.
29 U. S. C., Supp.
IV, §§ 31-41.

For payments, for carrying out the provisions of the Vocational Rehabilitation Act, as amended, to States (including Alaska, Hawaii, and Puerto Rico) which have submitted and had approved by the Federal Security Administrator State plans for vocational rehabilitation, as authorized by and in accordance with said Act, including payments, in accordance with regulations of the Administrator, for one-half of necessary expenditures for the acquisition of vending stands or other equipment in accordance with section 3 (a) (3) (C) of said Act for the use of blind persons, such stands or other equipment to be controlled by the State agency, \$8,258,900, of which not to exceed \$102,900 shall be available to the Federal Security Administrator for providing rehabilitation services to disabled residents of the District of Columbia, as authorized by section 6 of said Act, which latter amount shall be available for administrative expenses in connection with such rehabilitation in the District of Columbia, including printing and binding, and travel and subsistence: *Provided*, That not to exceed 15 per centum of the appropriation shall be used for administrative purposes: *And provided further*, That section 3709 of the Revised Statutes shall not apply to any purchase made or service rendered hereunder when the aggregate amount involved does not exceed \$400.

57 Stat. 378.
29 U. S. C., Supp.
IV, § 33 (a) (3) (C).

57 Stat. 378.
29 U. S. C., Supp.
IV, § 36.

41 U. S. C. § 5.

For general administrative expenses in carrying out the provisions of the Vocational Rehabilitation Act, as amended, including personal services in the District of Columbia and elsewhere and not to exceed \$3,000 for temporary employment of specialists in the fields of medicine and surgery, by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; expenses incident to courses of instruction, tuition, and books for Federal and State personnel detailed to attend courses of instruction authorized by section 7 of said Act; purchase of reprints of scientific and technical articles published in periodicals and journals; and purchase and exchange of books of reference and periodicals; and purchase and distribution of educational films (not to exceed \$30,000); \$427,988.

41 U. S. C. § 5.

57 Stat. 378.
29 U. S. C., Supp.
IV, § 37.

OFFICE OF THE ADMINISTRATOR

CCC and NYA,
liquidation expenses.
Post, p. 375.

Salaries, Office of the Administrator, including personal services in the District of Columbia, \$174,000, of which \$8,180 is for personal services incident to the liquidation of the Civilian Conservation Corps in accordance with the applicable provisions under the head "Civilian Conservation Corps" in the Federal Security Agency Appropriation Act, 1944, and the National Youth Administration in accordance with the applicable provisions under the head "National Youth Administration" in the Federal Security Agency Appropriation Act, 1945: *Provided*, That the salary of the Administrator shall be at the rate

57 Stat. 498.
16 U. S. C., Supp.
IV, § 584 note.

58 Stat. 564.
15 U. S. C., Supp.
IV, ch. 16 note.

of \$12,000 per annum so long as the incumbent thereof is Chairman of the War Manpower Commission: *Provided further*, That of the sum herein appropriated the Administrator may expend not to exceed \$10,000 for temporary employment of persons, by contract or otherwise, for special services determined necessary by the Administrator, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws.

41 U. S. C. § 5.

Community War Services: For all expenses necessary to enable the Federal Security Administrator to carry out the functions transferred from the Offices of Defense Health and Welfare Services by Executive Order 9338, dated April 29, 1943, including personal services in the District of Columbia and elsewhere; not to exceed \$15,000 for the temporary employment of persons by contract or otherwise without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; acceptance and utilization of voluntary and uncompensated services; printing and binding; maintenance, operation, and repair of passenger-carrying motor-propelled vehicles; and traveling expenses, including expenses, when specifically authorized by the Administrator, of attendance at meetings concerned with the purposes of this appropriation; \$450,000.

50 U. S. C., Supp. IV, app. § 601 note.

41 U. S. C. § 5.

Temporary aid to enemy aliens and other restricted persons: For expenses necessary to enable the Federal Security Administrator to provide temporary aid, not to extend beyond the duration of the existing war and six months thereafter, to enemy aliens and other persons excluded from areas designated pursuant to authority contained in Proclamations 2525 of December 7, 1941, and 2526 and 2527 of December 8, 1941, and Executive Order 9066 of February 19, 1942, or whose normal means of livelihood has been interrupted by reasons of restrictions imposed by the Attorney General or any law or order authorizing the removal of persons whose presence may be deemed dangerous to the United States, and to the dependents of any of such persons, \$61,000: *Provided*, That not to exceed \$2,000,000 of the funds may be transferred with the approval of the Bureau of the Budget to this appropriation from the appropriation "Salaries and expenses, War Relocation Authority", and shall be consolidated with this appropriation and the whole administered and accounted for as one fund: *Provided further*, That the Administrator may make expenditures from this appropriation, by advances or grants of funds or otherwise, to such Federal or other agencies as he may designate, expenditures by such other agencies to be without regard to section 3709 of the Revised Statutes or the civil-service and classification laws.

55 Stat. 1700, 1705, 1707.
3 CFR. Cum. Supp., p. 1092.

Transfer of funds.

Post, p. 455.

41 U. S. C. § 5.

Salaries, Division of Personnel Management, including personal services in the District of Columbia, \$95,000.

Salaries, Division of Service Operations, including personal services in the District of Columbia, \$220,000.

Salaries, Office of the General Counsel, including personal services in the District of Columbia, \$528,000.

Post, p. 638.

Miscellaneous expenses, Office of Administrator: For miscellaneous expenses of the Office of the Administrator in the District of Columbia and elsewhere (except printing and binding) including \$500 for the liquidation of the Civilian Conservation Corps in accordance with the applicable provisions under the head "Civilian Conservation Corps" in the Federal Security Agency Appropriation Act, 1944, and the National Youth Administration in accordance with the applicable provisions under the head "National Youth Administration" in the Federal Security Agency Appropriation Act, 1945; examination of estimates for appropriations in the field; purchase and exchange of lawbooks, other books of reference, and periodicals; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for

Ante, p. 374.

57 Stat. 498.
16 U. S. C., Supp. IV, § 584 note.58 Stat. 564.
15 U. S. C., Supp. IV, ch. 16 note.

Transfer of funds.

which may be made in advance; and operation, maintenance, and repair of motor-propelled passenger-carrying vehicles, \$69,000: *Provided*, That the Administrator may transfer to this appropriation from appropriations of the constituent organizations of the Federal Security Agency such sums as may be necessary to finance the purchase of duplicating materials required in performance of duplicating work for such constituent organizations, unused portions of which sums may, at any time, be retransferred by the Administrator to the original appropriations.

Post, p. 638.

Traveling expenses, Federal Security Agency: For traveling expenses (not appropriated for elsewhere) for the Federal Security Agency and all bureaus, boards, and constituent organizations thereof, including expenses, when specifically authorized by the Federal Security Administrator, of attendance at meetings concerned with the work of the Federal Security Agency (not to exceed \$1,500 for the Office of the Administrator); and reimbursement, at not to exceed 3 cents per mile, for travel performed by employees of the Federal Security Agency in privately owned automobiles and within the limits of their official stations, when engaged in the investigation of claims or the furnishing or securing of information concerning claims or wage records under title II of the Social Security Act, as amended (42 U. S. C. 401-409), \$2,108,550: *Provided*, That all receipts from non-Federal agencies representing reimbursement for subsistence and other expenses of travel of employees of the Office of Education performing advisory functions to said agencies shall be deposited in the Treasury of the United States to the credit of this appropriation.

49 Stat. 622.
42 U. S. C., Supp.
IV, §§ 401, 409.
Post, pp. 643, 671.
Deposit of reim-
bursement receipts.

Post, p. 638.

Printing and binding, Federal Security Agency: For printing and binding (not appropriated for elsewhere) for the Federal Security Agency and all bureaus, boards, and constituent organizations thereof, including the purchase of reprints of scientific and technical articles published in periodicals and journals, \$890,400, of which \$514,000 shall be solely for printed forms, tabulating cards, and tabulating forms in the Bureau of Old-Age and Survivors Insurance.

Penalty mail.
58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

For deposit in the general fund of the Treasury for cost of penalty mail of the Federal Security Agency as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$470,934.

Transfer of funds.
63 Stat. 561, 1423;
54 Stat. 1231.
5 U. S. C. §§ 133-
133t note; Supp. IV,
§ 133t.

In order that the Administrator may effectuate reorganization plans submitted and approved pursuant to the Reorganization Act of 1939, he may transfer to the foregoing appropriations under this title from funds available for administrative expenses of the constituent units of the Federal Security Agency such sums as represent a consolidation in the Office of the Administrator of any of the administrative functions of said constituent units: *Provided*, That no such transfer of funds shall be made unless the consolidation of administrative functions will result in a reduction of administrative salary and other expenses and such reduction is accompanied by savings in funds appropriated to the Federal Security Agency, which savings shall not be expended for any other purpose but shall be impounded and returned to the Treasury.

Transfer of funds.

The Secretary of the Treasury is authorized to transfer to the constituent organizations of the Federal Security Agency from appropriations for traveling expenses and printing and binding, Federal Security Agency, such amounts as the Administrator may request; amounts so transferred shall be set up on the books of the Treasury under suitable titles and shall be available for the same purposes and subject to the same limitations as the appropriations from which transferred: *Provided*, That balances of any amounts so transferred,

or any part of such balances shall, upon request of the Administrator, be retransferred to the appropriations for traveling expenses and printing and binding, Federal Security Agency.

This title may be cited as the "Federal Security Agency Appropriation Act, 1946".

Citation of title.

TITLE III—EMPLOYEES' COMPENSATION COMMISSION

Salaries and expenses: For all necessary administrative expenses of the United States Employees' Compensation Commission, including personal services and rent in the District of Columbia; lawbooks, books of reference, periodicals; fees and mileage of witnesses, including experts; contract stenographic reporting services; maintenance and repair of passenger automobiles; printing and binding, not to exceed \$22,400; and not to exceed \$13,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944; \$1,387,000, together with the unobligated balance of the amount of \$272,480 available for administrative expenses under the appropriation "Employees' compensation fund, relief", fiscal year 1945: *Provided*, That section 3709, Revised Statutes, shall not apply to any purchase or service outside continental United States when the aggregate amount involved does not exceed \$500.

Employees' Compensation Commission Appropriation Act, 1946.
Post, p. 635.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.
58 Stat. 567.

41 U. S. C. § 5.

Employees' compensation fund: For the payment of compensation and other benefits and expenses (except administrative expenses and except wage accruals authorized by the Act of December 2, 1942, as amended) authorized by law and accruing during the fiscal year 1946 or in any prior fiscal year, including payments to other Federal agencies for medical and hospital services pursuant to agreement approved by the Commission; the advancement of costs for enforcement of recoveries in third party cases; rehabilitation expenses, including fees or other payments to other agencies of the United States and public or private agencies, including individuals, for services or facilities rendered or furnished pursuant to agreement approved by the Commission; the furnishing of medical and hospital services and supplies, treatment, and funeral and burial expenses, including transportation and other expenses incidental to such services, treatment, and burial, to such enrollees of the Civilian Conservation Corps as were certified by the Director of such Corps as receiving hospital services and treatment at Government expense on June 30, 1943, and who are not otherwise entitled thereto as civilian employees of the United States, and the limitations and authority of the Act of September 7, 1916, as amended (5 U. S. C. 796), shall apply in providing such services, treatment, and expenses in such cases; \$13,575,000, together with the unexpended balance of the appropriation "Employees' compensation fund, relief", fiscal year 1945, except the amount therein available for administrative expenses.

56 Stat. 1028.
42 U. S. C., Supp. IV, §§ 1701-1717.

39 Stat. 742.
5 U. S. C. §§ 751-791,
793; Supp. IV, § 751
et seq.
Post, p. 503 *et seq.*

Wage accruals: For the payment of wage accruals authorized by the Act of December 2, 1942, as amended (42 U. S. C. 1701), \$3,000,000, to remain available until expended.

Post, p. 635.
56 Stat. 1028.
42 U. S. C., Supp. IV, §§ 1701-1717.

This title may be cited as the "Employees' Compensation Commission Appropriation Act, 1946".

Citation of title.

TITLE IV—NATIONAL LABOR RELATIONS BOARD

Salaries: For three Board members of the National Labor Relations Board and other personal services of the Board in the District of Columbia and elsewhere necessary in performing the duties authorized by law, \$1,780,000.

National Labor Relations Board Appropriation Act, 1946.
Post, p. 640.

Miscellaneous expenses: For all necessary expenses, other than salaries, of the National Labor Relations Board in performing duties

Post, p. 640.

authorized by law, including repairs and alterations; contract stenographic reporting services; reimbursement to employees, at not to exceed 3 cents per mile, for expenses of travel performed by them in privately owned automobiles within the limits of their official stations in the field; lawbooks; books of reference; and periodicals; \$464,000.

Post, p. 640.

For deposit in the general fund of the Treasury for cost of penalty mail of the National Labor Relations Board as required by section 2 of the Act of June 28, 1944, Public Law 364, \$15,930.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Printing and binding: For printing and binding for the National Labor Relations Board, \$210,000.

Labor disputes.

Salaries and expenses (national defense): For all expenses necessary to enable the National Labor Relations Board to perform the duties authorized by law in connection with disputes involving labor in industries under the national defense program, including personal services in the District of Columbia and elsewhere, and other items otherwise properly chargeable to appropriations of the National Labor Relations Board for miscellaneous expenses and printing and binding, \$473,000.

Unfiled complaint cases.

No part of the funds appropriated in this title shall be used in any way in connection with a complaint case arising over an agreement, or a renewal thereof, between management and labor which has been in existence for three months or longer without complaint being filed by an employee or employees of such plant: *Provided*, That, hereafter, notice of such agreement or a renewal thereof shall have been posted in the plant affected for said period of three months, said notice containing information as to the location at an accessible place of such agreement where said agreement shall be open for inspection by any interested person: *Provided further*, That these limitations shall not apply to agreements with labor organizations formed in violation of section 158, paragraph 2, title 29, United States Code.

49 Stat. 452.

Post, p. 640.

Salaries and expenses: For all expenses necessary to enable the National Labor Relations Board to perform the duties imposed upon it by the War Labor Disputes Act (50 U. S. C. App. 1501-11), including personal services in the District of Columbia and elsewhere, and other items otherwise properly chargeable to appropriations of the National Labor Relations Board for miscellaneous expenses and printing and binding, \$192,500.

57 Stat. 163.
50 U. S. C., Supp.
IV, app. §§ 1501-1511.

Citation of title.

This title may be cited as the "National Labor Relations Board Appropriation Act, 1946".

National Mediation Board Appropriation Act, 1946.

TITLE V—NATIONAL MEDIATION BOARD

Salaries and expenses: For three members of the Board, and for other authorized expenditures of the National Mediation Board in performing the duties imposed by law, including contract stenographic reporting services; supplies and equipment; not to exceed \$200 for books of reference, and periodicals, \$243,300, of which amount not to exceed \$176,950 may be expended for personal services in the District of Columbia.

For deposit in the general fund of the Treasury for cost of penalty mail of the National Mediation Board and the National Railroad Adjustment Board as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$700.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Post, p. 641.

44 Stat. 582, 586.

Arbitration, emergency, and emergency panel boards: For necessary expenses of arbitration boards established under section 7 of the Railway Labor Act (45 U. S. C. 157), emergency boards appointed by the President pursuant to section 10 of said Act (45 U. S. C. 160), and boards appointed from the National Railway Labor Panel under Executive Order 9172, including compensation of members and employees of such boards in the District of Columbia

3 CFR, Cum. Supp., p. 1164.

and elsewhere; personal services in the District of Columbia to enable the Chairman of the Railway Labor Panel to perform his functions under Executive Order 9299; necessary transportation expenses of Board members to and from their homes or regular places of business, and \$6 per diem in lieu of subsistence on such days as they are actually engaged in performance of the duties of said boards; printing and binding of awards and proceedings and testimony relating thereto; contract stenographic reporting services; rent of quarters when suitable quarters cannot be supplied in any Federal building, \$100,000.

Printing and binding: For all printing and binding for the National Mediation Board, \$2,500.

45 U. S. C., Supp. IV, § 156 note.

NATIONAL RAILROAD ADJUSTMENT BOARD

Salaries and expenses: For authorized expenditures of the National Railroad Adjustment Board, in performing the duties imposed by law, including contract stenographic reporting services and supplies and equipment, \$252,400, of which \$65,000 shall be available only for compensation not in excess of \$50 per day and expenses of referees, and not more than \$123,680 for other personal services.

Printing and binding: For all printing and binding for the National Railroad Adjustment Board, \$17,500.

This title may be cited as the "National Mediation Board Appropriation Act, 1946".

Citation of title.

TITLE VI—RAILROAD RETIREMENT BOARD

Salaries: For personal services in the District of Columbia and elsewhere necessary in performing the duties imposed by law, \$1,700,000.

Miscellaneous expenses (other than salaries): For all necessary expenditures, other than salaries and printing and binding, of the Railroad Retirement Board in performing the duties imposed by law, including rent in the District of Columbia and elsewhere; traveling expenses, including not to exceed \$1,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the Board; repairs and alterations; contract stenographic reporting services; supplies and equipment (including photographic equipment); not to exceed \$5,000 for lawbooks, books of reference, periodicals; and for payment in advance when authorized by the Board for library membership in organizations which issue publications to members only or to members at a price lower than to the general public; and operation, maintenance, and repair of motor-propelled passenger-carrying vehicles; \$435,000.

Printing and binding: For printing and binding for the Railroad Retirement Board, \$33,000.

For deposit in the general fund of the Treasury for cost of penalty mail of the Railroad Retirement Board as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$54,000.

Railroad retirement account: For an amount sufficient as an annual premium for the payments required under the Railroad Retirement Act, approved August 29, 1935, and the Railroad Retirement Act, approved June 24, 1937, and authorized to be appropriated to the railroad retirement account established under section 15 (a) of the latter Act, \$291,913,000, of which \$50,681,000 shall be immediately available: *Provided*, That such total amount shall be available until expended for making payments required under said retirement Acts, and the amount not required for current payments shall be invested

Railroad Retirement Board Appropriation Act, 1946.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

49 Stat. 967; 50 Stat. 307.
45 U. S. C. §§ 215-228; Supp. IV, §§ 215-228 *et seq.*
50 Stat. 316.
45 U. S. C. § 228c.

by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937.

Citation of title.

This title may be cited as the "Railroad Retirement Board Appropriation Act, 1946".

War Manpower
Commission Approp-
riation Act, 1946.
Post, pp. 482, 486, 650.

TITLE VII—EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

WAR MANPOWER COMMISSION

General administration: For all necessary expenses for the general administration of the War Manpower Commission, including one Deputy Chairman and one Executive Director at \$9,000 each per annum; not to exceed \$10,000 for the employment of aliens; not to exceed \$200,000 for printing and binding; and not to exceed \$1,116,666 for travel expenses; in all \$11,732,000, of which \$1,235,410 shall be for use in carrying into effect the provisions of title IV (except section 602) of the Servicemen's Readjustment Act of 1944.

58 Stat. 293.
38 U. S. C., Supp.
IV, §§ 695-695f.

PENALTY MAIL COSTS

For deposit in the general fund of the Treasury for cost of penalty mail of the War Manpower Commission, as required by section 2 of the Act of June 28, 1944 (Public Law 364), \$531,000.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

APPRENTICE TRAINING SERVICE

Apprentice training service: For all expenses necessary to enable the Chairman of the War Manpower Commission to conduct a program of encouraging apprentice training, including printing and binding (not to exceed \$12,500), and travel expenses (not to exceed \$93,900), \$550,000.

Post, p. 650.

Apprentice training service (national defense): For all expenses necessary to enable the Chairman of the War Manpower Commission to conduct a program of encouraging apprentice training in national defense industries, including printing and binding (not to exceed \$4,500), and travel expenses (not to exceed \$56,000), \$450,000.

EMPLOYMENT OFFICE FACILITIES AND SERVICES

Employment office facilities and services: For all necessary expenses of the War Manpower Commission in connection with the operation and maintenance of employment office facilities and services, and the performance of functions, duties, and powers relating to employment service transferred to the War Manpower Commission by Executive Order 9247, including the recruitment and placement of individuals for work or training in occupations essential to the war effort, and for carrying into effect section 602 of the Servicemen's Readjustment Act of 1944; such expenses to include contract janitorial services, at not to exceed \$300 for any individual; reimbursement, at not to exceed 3 cents per mile, for official travel performed by employees in privately owned automobiles within the limits of their official station; printing and binding (not to exceed \$119,500); travel expenses (not to exceed \$2,372,400); and rent in the District of Columbia: *Provided*, That payment of salaries may be made to employees while taking annual and sick leave based upon unused leave accrued under State regulations found by the Social Security Board to conform to the requirements of title III of the Social Security Act, as amended, and on the basis of State employment which had been financed in whole or in part from grants under title III of

50 U. S. C., Supp.
IV, app. § 601 note.

58 Stat. 294.
38 U. S. C., Supp.
IV, § 695b.

Payments to em-
ployees for designated
leave.

49 Stat. 626.
42 U. S. C. §§ 501-
503.

said Act, including payment for accrued leave to be substituted for leave without pay taken between January 1, 1942, and June 30, 1942, which payment shall not exceed in any case the amount payable for such purposes under Federal laws with respect to the maximum accumulation of such leave: *Provided further*, That the Chairman of the War Manpower Commission may transfer funds from this appropriation to the Social Security Board for "grants to States for unemployment compensation administration" as authorized in title III of the Social Security Act, as amended, to meet costs incurred by States in making available to the War Manpower Commission premises, equipment, supplies, facilities, and services, needed by the Commission in the operation and maintenance of employment office facilities and services, any sum so transferred and not expended in accordance with this proviso to be retransferred to this appropriation, \$54,091,363, of which \$7,791,134 shall be for use in carrying into effect the provisions of title IV, section 602, of the Servicemen's Readjustment Act of 1944: *Provided further*, That pending the return to State control after the war emergency of the Employment Service facilities, property and personnel loaned by the States to the United States Employment Service, no portion of the sum herein appropriated shall be expended by any Federal agency for any salary, to any individual engaged in employment-service duties in any position within any local or field or State office, which substantially exceeds the salary which would apply to such position and individual if the relevant State merit system applied and if State operation of such office had continued without interruption: *Provided further*, That the Employment Service facilities, property and personnel loaned by the States to the United States Employment Service, shall be returned to the States not later than three months after the termination of hostilities in the war with Japan as determined by Presidential proclamation or by concurrent resolution of Congress: *Provided further*, That no portion of the sum herein appropriated shall be expended by any Federal agency for the salary of any person who is engaged for more than half of the time, as determined by the State director of unemployment compensation, in the administration of the State unemployment compensation act, including claims taking but excluding registration for work.

Training Within Industry Service, War Manpower Commission (national defense): For all expenses necessary to enable the Chairman of the War Manpower Commission to promote and facilitate on-the-job training and maximum utilization of workers by industries and activities essential to the war by affording training to supervisory personnel; including the final liquidation of the service by December 31, 1945, including the temporary employment of persons by contract or otherwise without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; reimbursement, at not to exceed 3 cents per mile, for official travel performed by employees in privately owned automobiles within the limits of their official stations; printing and binding (not to exceed \$3,500); and travel expenses (not to exceed \$200,000); \$600,000.

Migration of workers: To enable the War Manpower Commission to provide, in accordance with regulations prescribed by the Chairman of said Commission for the temporary migration of workers from foreign countries within the Western Hemisphere (pursuant to agreements between the United States and such foreign countries), for employment in the continental United States with industries and services essential to the war effort, including the transportation of such workers from points outside the United States to points of entry

Transfer of funds.

49 Stat. 626.
42 U. S. C. §§ 501-503.

58 Stat. 294.
38 U. S. C., Supp. IV § 695b.
Salary restriction.

Return of employment facilities, etc., to States.

Restriction on use of funds.

Liquidation of service.

41 U. S. C. § 5.

or reception centers in the United States and return (including transportation from place of employment in the United States to reception centers or point of departure from the United States in any case of default by an employer to provide such transportation to a worker, in which event the employer shall be liable to the United States for the cost thereof); cost of temporary maintenance of workers in reception centers in foreign countries and in the United States, including transportation of workers in connection therewith when necessary; reasonable subsistence and emergency medical care of such workers from the time of reporting for transportation to the United States or return to the country of origin until arrival at the destination; necessary assistance to meet emergency health and welfare problems while in the United States, when such assistance is not otherwise available to such persons; expenses (not to exceed \$125 in any one case) of preparation of remains and burial of workers dying in the United States; and guaranties of employment while in the United States to the extent agreed upon with the foreign country from which the workers are imported; \$800,000, of which not to exceed \$91,000 shall be available for all administrative expenses necessary for the foregoing, including payment for the rental of office space and utility services outside the continental United States without regard to section 3648, Revised Statutes (31 U. S. C. 529); not to exceed \$20,000 for temporary employment of administrative personnel outside continental United States; not to exceed \$2,000 for printing and binding outside continental United States without regard to section 3709 of the Revised Statutes and section 11 of the Act of March 1, 1919 (44 U. S. C. 111); and not to exceed \$18,800 for travel expenses: *Provided*, That no transportation of workers shall be allowed hereunder unless the employer and the worker have entered into a contract for employment approved by said Chairman or his designee, and unless said Chairman certifies that reasonably adequate use is being made of local labor supply: *Provided further*, That this appropriation shall remain available after June 30, 1946, for the purpose of fulfilling guaranties and other obligations theretofore incurred with respect to such foreign workers and for all other purposes connected with the protection and ultimate return of any workers theretofore transported: *Provided further*, That no part of this appropriation shall be available for the recruitment or transportation of workers for employment in agriculture (Act of June 28, 1944, Public Law 373): *Provided*, That no part of the funds herein appropriated shall be available for any transportation of railroad workers.

Burial expenses.

41 U. S. C. § 5.
40 Stat. 1270.

Transportation of workers.

Fulfillment of obligations to workers.

Farm labor.

58 Stat. 547, 572.
Railroad workers.

Applicability of provisions.
Post, pp. 482, 486.

Citation of title.

SEC. 702. The general provisions under the caption "Executive Office of the President—Office for Emergency Management", contained in the National War Agencies Appropriation Act, 1946, and applicable to the constituent agencies of the Office for Emergency Management contained therein and the general provisions in such Act applicable to all agencies therein shall be applicable in the same manner to the War Manpower Commission and the appropriations therefor contained in this title.

SEC. 703. This title may be cited as the "War Manpower Commission Appropriation Act, 1946".

TITLE VIII—GENERAL PROVISIONS

SEC. 801. No part of any appropriation contained in this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

SEC. 802. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or

Senate disapproval of nomination.

Persons advocating overthrow of U. S. Government.

who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Affidavit.

Penalty.

SEC. 803. No part of any appropriation for training of defense workers contained in this Act shall be available for obligation for a period longer than sixty days after cessation of hostilities in the present war.

Training of defense workers.

SEC. 804. Appropriations herein made available for the purchase of passenger-carrying vehicles shall be available only for the purchase of used or Federal surplus motor vehicles.

Vehicles.

SEC. 805. This Act may be cited as the "Labor-Federal Security Appropriation Act, 1946".

Short title.

Approved July 3, 1945.

[CHAPTER 264]

AN ACT

To amend section 204 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, to increase the amount authorized to be appropriated therein, and for other purposes.

July 3, 1945
[H. R. 3278]
[Public Law 125]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 204 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is amended by striking out "\$500,000,000" and inserting in lieu thereof "\$530,000,000".

Defense public works.
55 Stat. 363.
42 U. S. C., Supp. IV, § 1534.

SEC. 2. The last proviso of the Act entitled "An Act to authorize the appropriation of an additional \$200,000,000 to carry out the provisions of title II of the Act entitled 'An Act to expedite the provision of housing in connection with national defense, and for other purposes', approved October 14, 1940, as amended", approved July 15, 1943, is amended to read as follows: "*Provided further*, That (a) none of the funds authorized herein shall be used to acquire public works already operated by public or private agencies, except where funds are allotted for substantial additions or improvements to such public works and with the consent of the owners thereof, and (b) the total amount allocated for contributions to public and private agencies for the maintenance and operation of public works after July 1, 1943, shall not exceed \$120,000,000".

Acquisition of public works; maintenance.

57 Stat. 565.
42 U. S. C., Supp. IV, § 1534 and note.

SEC. 3. The paragraph under the head "War public works (community facilities)" in the First Deficiency Appropriation Act, 1945, is amended by striking out "June 30, 1945" and inserting in lieu thereof "June 30, 1946".

War public works.
Anze, p. 80.

Approved July 3, 1945.

[CHAPTER 265]

AN ACT

Making appropriations for the Military Establishment for the fiscal year ending June 30, 1946, and for other purposes.

July 3, 1945

[H. R. 3550]

[Public Law 126]

Military Appropriation Act, 1946.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Military Establishment for the fiscal year ending June 30, 1946, and for other purposes namely :

MILITARY ACTIVITIES

OFFICE OF THE SECRETARY OF WAR

CONTINGENCIES OF THE ARMY

For all emergencies and extraordinary expenses arising in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, including personal services, the purchase of lawbooks, books of reference, subscriptions to newspapers and periodicals; the actual and necessary expenses or per diem in lieu thereof, as may be determined and approved by the Secretary of War, of military and civilian personnel in and under the Military Establishment on special duty in foreign countries; and for examination of estimates of appropriations and of military activities in the field, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government, and payments from this appropriation may, in the discretion of the Secretary of War, be made on his certificate that the expenditures were necessary for confidential military purposes; \$100.

Special duty in foreign countries.

EXPEDITING PRODUCTION

Expediting production of equipment and supplies for national defense: To enable the Secretary of War, without reference to sections 3709 and 1136, as amended, Revised Statutes, to expedite the production of equipment and supplies for the Army for emergency national-defense purposes, including all of the objects and purposes specified under each of the appropriations available to the War Department during the fiscal year 1946, for procurement or production of equipment or supplies, for erection of structures, or for acquisition of land; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel in connection with the production of equipment and material and the use and operation thereof; and for any other purposes which in the discretion of the Secretary of War are desirable in expediting production for military purposes; \$100: *Provided*, That expenditures from any appropriation under this heading may be made without securing the specific approval of the projects by the President.

41 U. S. C. § 5; 10 U. S. C. § 1339.

Expenditures without Presidential approval.

GENERAL STAFF CORPS

CONTINGENT FUND, CHIEF OF STAFF

Emergent military uses.

For such emergent military uses as the Chief of Staff may determine to be necessary, to be expended at his discretion, notwithstanding any other provision of law, \$100, and any advances made from this fund to meet emergency requirements to which any other military

appropriation would be legally applicable may, with the approval of the Secretary of War, be reimbursed from such appropriations when sufficient funds are found to remain therein, such reimbursed amounts to be available for the purposes of this appropriation.

FIELD EXERCISES

For expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, and including pay and travel of temporary employees and officers and enlisted men of the National Guard and the Organized Reserves, not otherwise provided for, allowances for enlisted men for quarters and rations, troop movements and travel of personnel of the Regular Army, in connection with special field exercises, including special combat training for small units, movement of matériel, maintenance and operation of structures and utilities, rental of land or purchase of options to rent land without reference to section 3648, Revised Statutes, use or repair of private property, and any other requisite supplies and services, and for settlement of claims resulting from such exercises, under the provisions of the Act of July 3, 1943 (31 U. S. C. 223b), \$100.

Participation by National Guard, etc.

31 U. S. C. § 529.

57 Stat. 372.
31 U. S. C., Supp. IV, §§ 215-217 notes, 222a, 222b, 223b, 223c.
Ante, p. 225.

ARMY WAR COLLEGE

For expenses of the Army War College, being for the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers; newspapers and periodicals; maps, police utensils; employment of temporary, technical, or special services, and expenses of special lectures; purchase, repair, and cleaning of uniforms for guards; pay of employees; and for all other necessary expenses; \$111,800.

ADJUTANT GENERAL'S DEPARTMENT

COMMAND AND GENERAL STAFF SCHOOL, FORT LEAVENWORTH, KANSAS

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, special, and clerical services; expenses of special lectures; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kansas; \$165,000.

FINANCE DEPARTMENT

FINANCE SERVICE, ARMY

Post, p. 403.

Pay of the Army: For pay and allowances of the Army of the United States, including pay of Reserve officers and officers of the National Guard of the United States ordered to active duty under the provisions of section 37a and the fourth paragraph of section 38 of the National Defense Act, as amended; pay of civilian employees at military headquarters; allowances for quarters for enlisted men on duty where public quarters are not available; interest on soldiers' deposits; payment of life insurance premiums authorized by law; payment of exchange fees and exchange losses incurred by disbursing officers or their agents; payments to military and civilian personnel in and under the Military Establishment due to the appreciation of foreign currencies as provided by the Act of March 26, 1934, as amended (5 U. S. C. 118c), and for every object and purpose specified therein; repayment of amounts determined by the Secretary of War, or officers designated by him, to have been erroneously collected from military and civilian personnel in and under the Military Establishment; and losses in the accounts of Army disbursing officers in

Reserve and National Guard officers.

41 Stat. 776; 49 Stat. 391.
10 U. S. C. §§ 361, 364, 369; 32 U. S. C. § 81c.

48 Stat. 466.

58 Stat. 800.
31 U. S. C., Supp.
IV, § 95a.
Aerial flights by
nonflying officers.

"Flying officer."

47 Stat. 406.

Officer owning
mount.

35 Stat. 108.
Citizenship.

Use of receipts from
sales, etc.

Restriction on re-
clamation of certain
payments.

Conscientious objec-
tors.

Retired officers en-
gaged in selling sup-
plies to Army.

Officers, etc., en-
gaged with certain
service publications.

accordance with the Act of December 13, 1944 (Public Law 476); \$6,086,815,000: *Provided*, That the appropriations contained in this Act shall not be available for increased pay for making aerial flights by nonflying officers at a rate in excess of \$720 per annum, which shall be the legal maximum rate as to such officers, and such nonflying officers shall be entitled to such rate of increase by performing three or more flights within each ninety-day period, pursuant to orders of competent authority, without regard to the duration of such flight or flights: *Provided further*, That, during the continuance of the present war and for six months after the termination thereof, a flying officer as defined under existing law shall include flight surgeons, and commissioned officers or warrant officers while undergoing flying training: *Provided further*, That section 212 of the Act of June 30, 1932 (5 U. S. C. 59a), shall not apply to retired military personnel on duty at the United States Soldiers' Home: *Provided further*, That during the fiscal year ending June 30, 1946, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (10 U. S. C. 803): *Provided further*, That provisions of law prohibiting the payment of any person not a citizen of the United States shall not apply to military and civilian personnel in and under the Military Establishment: *Provided further*, That without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations and retirement deductions, may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts: *Provided further*, That no collection or reclamation shall be made by the United States on account of any money paid to assignees, transferees, or allottees, or to others for them, under assignments, transfers, or allotments of pay and allowances made under authority of law where liability might exist with respect to such assignments, transfers, or allotments, or the use of such moneys, because of the death of the assignor, transferor, or allotter: *Provided further*, That no appropriation contained in this Act shall be used for any expense pertaining to (1) the instruction, education, or training of class IV-E conscientious objectors in colleges, (2) the service of such conscientious objectors outside the United States, its Territories and possessions, (3) the transportation of such conscientious objectors to or from any college or any such service, or (4) the compensation of military or civilian personnel performing any services with respect to the matters set forth in (1), (2), or (3) above after the enactment of this Act, except any services which may be necessary promptly to terminate any such class IV-E conscientious-objector college or foreign-service projects existing on the date of the enactment of this Act.

No payment shall be made from money appropriated in this Act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Army or the War Department, any war materials or supplies;

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership

and which carries paid advertising of firms doing business with the War Department: *Provided, however,* That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War;

Travel of the Army: For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers, contract surgeons, and others whose rank, pay and allowances are assimilated to officers; the cost of a compartment or such other accommodations as may be authorized by the Secretary of War for security purposes when secret documents are transported by officer messenger, or when valuable War Department property is transported as hand baggage by personnel of the Military Establishment; transportation of troops; transportation, or reimbursement therefor, of cadets, enrolled members of the Medical Department, enlisted men, recruits, recruiting parties, applicants for enlistment between places of acceptance for enlistment and recruiting stations, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, and dependents of civilian and military personnel; all necessary expenses of travel, under such regulations and restrictions as the Secretary of War may prescribe, of military personnel who have served outside the continental limits of the United States or in Alaska, to places in the United States, its Territories and possessions, whether on leave or duty status, for purposes connected with redeployment or reassignment, or for the purpose of recuperation, rehabilitation and recovery; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; transportation of persons discharged for fraudulent enlistment; monetary allowances for liquid coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to civilian employees and civilian witnesses before courts martial; for rental of camp sites and the local procurement of communication service, fuel, light, water service, and other necessary supplies and services incident to individual or troop movements, including transportation of organizational equipment and impedimenta; and for transportation of authorized baggage of military and civilian personnel, including packing and unpacking; \$720,000,000: *Provided,* That other appropriations for the Military Establishment shall be charged with such amounts as may be required for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for Engineer Service, Army, the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriations "Special Field

Travel charges
against other appro-
priations.

Exercises", "Inter-American Relations, War Department", and "Air Corps, Army"; *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed \$15,000 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of War, such attendance would be of benefit in the conduct of the work of the War Department: *Provided further*, That appropriations available for travel of personnel of the Military Establishment or employees under the War Department which are current at the date of relief from duty station of such personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriations in connection with the travel enjoined, including travel of dependents and transportation of authorized baggage and household effects of such personnel, regardless of the dates of arrival at destination of the persons so traveling;

Attendance at meetings.
39 Stat. 199.
32 U. S. C. §§ 21, 22,
49.

Personnel traveling under orders.

Personnel outside U. S.
Moving of dependents and effects.

During the fiscal year 1946 the dependents and household effects of such military and civilian personnel (without regard to rank or grade) in and under the Military Establishment on duty at stations outside the continental limits of the United States, or in Alaska, as may be determined upon by the Secretary of War, may, prior or subsequent to the issuance of orders for the relief of such personnel from their stations, or subsequent to the discharge or release of such military personnel from active military service, be moved (including packing and unpacking of household effects) from such stations outside the continental limits of the United States, or in Alaska, to such locations as may be designated by such personnel, by the use of either Government or commercial means of transportation, and later from such locations to the duty stations to which such personnel may be ordered, and current appropriations of the Military Establishment available for travel and transportation may be used for this purpose, the decision of the Secretary of War to be final as to the dependency of any individual sought to be affected by this provision except as to travel performed subsequent to arrival in the United States: *Provided further*, That the Secretary of War, in prescribing per diem rates of allowance in accordance with law for officers and warrant officers of the Army of the United States traveling on official business and away from their designated posts of duty, is hereby authorized to prescribe such per diem rates of allowance, whether or not orders are given to such officers for travel to be performed repeatedly between two or more places in the same vicinity, and without regard to the length of time away from their designated posts of duty under such orders, and also the actual and necessary expenses or per diem in lieu thereof as he may determine and approve for military and civilian personnel in and under the Military Establishment on special duty in foreign countries;

Per diem rates of allowance.

Personnel on special duty in foreign countries.

Expenses of courts martial: For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, \$600,000;

Apprehension of deserters: For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for expenses

incident to confinement of military prisoners in nonmilitary facilities; for a donation of \$10 to each prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge; and for a donation of not to exceed \$10 to each person discharged for fraudulent enlistment as authorized by law; \$174,000;

Finance service: For compensation of clerks and other employees of the Finance Department, \$41,300,000;

Claims for damage to or loss or destruction of property, or personal injury, or death: For payment of claims under the provisions of the Act approved July 3, 1943 (31 U. S. C. 223b), not otherwise provided for, \$2,500,000;

Claims of military and civilian personnel of the War Department for destruction of private property: For the payment of claims for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of the Military Personnel Claims Act of 1945, \$1,750,000;

In all, Finance Service, Army, \$6,853,139,000, to be accounted for as one fund.

QUARTERMASTER CORPS

QUARTERMASTER SERVICE, ARMY

Welfare of enlisted men: For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, including expenses for the entertainment and instruction of enlisted personnel, \$53,000,000: *Provided*, That this appropriation shall be available for the instruction of officers on the same basis as enlisted men: *Provided further*, That no appropriation contained in this Act shall be available for payment to or expenditure on account of any civilian personnel employed outside continental United States to paint or otherwise reproduce war scenes except by means of photography, or to paint portraits, or for payment to or expenditure on account of any military personnel within continental United States who engage in decorative art projects or painting portraits to the exclusion of regular military duties;

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war, and general prisoners at posts; ice for issue to organizations of enlisted men and for cooling drinking water at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty. For payment of the regulation allowance of commutation in lieu of rations for enlisted men,

Claims.

57 Stat. 372.
31 U. S. C., Supp.
IV, §§ 215-217 notes,
222a, 222b, 223b, 223c.
Ante, p. 225.

Ante, p. 225.

Recreational facilities, etc.

Instruction of officers.

Painting, etc., of war scenes or portraits.

Purchase of subsistence supplies.

Army Transport Service.

Sales to officers, etc.

Payments.

applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for subsistence of supernumeraries necessitated by war conditions; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, \$2,940,000,000:

Prizes. *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for the procurement of any article of food or clothing not grown or produced in the United States or its possessions, except to the extent that the Secretary of War shall determine that articles of food or clothing grown or produced in the United States or its possessions cannot be procured of satisfactory quality and in sufficient quantities and at reasonable prices as and when needed, and except procurements by vessels in foreign waters and by establishments located outside the continental United States, except the Territories of Hawaii and Alaska, for the personnel attached thereto: *Provided further*, That none of the funds appropriated in this Act shall be used for the payment of any subsidy on agricultural or other products;

Butter substitutes. *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for the procurement of any article of food or clothing not grown or produced in the United States or its possessions, except to the extent that the Secretary of War shall determine that articles of food or clothing grown or produced in the United States or its possessions cannot be procured of satisfactory quality and in sufficient quantities and at reasonable prices as and when needed, and except procurements by vessels in foreign waters and by establishments located outside the continental United States, except the Territories of Hawaii and Alaska, for the personnel attached thereto: *Provided further*, That none of the funds appropriated in this Act shall be used for the payment of any subsidy on agricultural or other products;

Procurement of food or clothing not produced in U. S. *Provided*, That no part of this or any other appropriation contained in this Act shall be available for the procurement of any article of food or clothing not grown or produced in the United States or its possessions, except to the extent that the Secretary of War shall determine that articles of food or clothing grown or produced in the United States or its possessions cannot be procured of satisfactory quality and in sufficient quantities and at reasonable prices as and when needed, and except procurements by vessels in foreign waters and by establishments located outside the continental United States, except the Territories of Hawaii and Alaska, for the personnel attached thereto: *Provided further*, That none of the funds appropriated in this Act shall be used for the payment of any subsidy on agricultural or other products;

Payment of subsidies. *Provided*, That no part of this or any other appropriation contained in this Act shall be available for the payment of any subsidy on agricultural or other products;

Regular supplies of the Army: For all supplies, services, and other expenses, not otherwise provided for, incident to the design, development, procurement, manufacture, care, protection, alteration, repair, maintenance, installation, storage, and issue of Quartermaster Corps supplies, materials, and equipment (exclusive of fixed installations in buildings otherwise provided for), including petroleum and other products for the operation of motor-propelled passenger-carrying vehicles, lawbooks, books of reference, periodicals, newspapers, market reports and personal services; for supplies and equipment for troops and general service schools; for operation of field printing plants not otherwise provided for and contract printing and binding; for subsistence and care of riding and draft animals, for remounts, and for the authorized number of officers' mounts; for straw for soldiers' bedding; for expenses incident to raising and harvesting forage on military reservations, including, when specifically authorized by the Secretary of War, the cost of irrigation; \$771,000,000;

Clothing and equipage: For cloth, woollens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine-planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary, including laundry work for enlisted men while patients in a hospital; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, and garbage-reduction works; for equipage, including animal-drawn passenger-carrying vehicles, authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at

military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment; for expenses of packing and handling and similar necessaries; for a suit of citizens' outer clothing and when necessary an overcoat, the cost of all not to exceed \$30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons; \$1,615,000,000;

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; for activities of chaplains (excluding ritual garments and personal services); for the operation of coffee-roasting plants; for maintenance of Quartermaster branch depots, including utilities; for tests and experimental and development work and scientific research to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments; for supplies, services, and other expenses essential in conducting instruction of the Army in tactical or special activities and in the operation of Arm and Service Boards not otherwise provided for; for burial of the dead as authorized by Acts of May 17, 1938 (10 U. S. C. 916-916d), and July 8, 1940 (5 U. S. C. 103a), including remains of personnel of the Army of the United States who die while on active duty, including travel allowances of attendants accompanying remains, communication service, transportation of remains, and acquisition by lease or otherwise of temporary burial sites; \$200,000,000: *Provided*, That no appropriation contained in this Act shall be available for any expense incident to educating persons in medicine (including veterinary) or dentistry if any expense on account of their education in such subjects was not being defrayed out of appropriations for the Military Establishment for the fiscal year 1944 prior to June 7, 1944, except that nothing herein shall interfere with compliance with the provisions of law authorizing the detail of officers and enlisted men of any component of the Army of the United States as students, observers, and investigators as contemplated by section 127 (a) of the National Defense Act, approved June 3, 1916, as amended;

Horses, draft and pack animals: For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including expenses for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$1,430,000;

In all, Quartermaster Service, Army, \$5,580,430,000, to be disbursed and accounted for as one fund.

Tests, research, etc.

Burial expenses.
52 Stat. 398.
54 Stat. 743.

Educating persons
in medicine or den-
tistry.

57 Stat. 347.

41 Stat. 786.
10 U. S. C. Supp.
IV, § 535.

TRANSPORTATION CORPS

TRANSPORTATION SERVICE, ARMY

For expenses necessary for the transportation of Army supplies, equipment, funds of the Army, including packing, crating, and unpacking; maintenance and operation of transportation facilities and installations, including the purchase, construction, alteration, operation, lease, repair, development, and maintenance of and research in transportation equipment, including boats, vessels, motor-propelled passenger-carrying vehicles and railroad equipment; personal services in the District of Columbia and elsewhere; procurement of supplies and equipment; printing and binding; communication service; maps; lawbooks and books of reference; subscriptions to newspapers and periodicals; wharfage, tolls, ferriage, drayage and cartage; premiums and indemnification for risks insured pursuant to the Act of April 11, 1942 (46 U. S. C. 1128-1128g); conducting instructions in Army transportation activities; transportation on Army vessels of privately owned automobiles of Army personnel upon change of station; \$1,785,000,000: *Provided*, That during the fiscal year 1946 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

56 Stat. 214.
46 U. S. C., Supp.
IV, §§ 1128-1128g.

Charges against
other appropriations.

SIGNAL CORPS

SIGNAL SERVICE OF THE ARMY

Telegraph, etc., systems.

Vehicles.

Telephone apparatus.

Telegraph lines.

Electrical installations.

Salaries of civilian employees.

Experimental investigation, etc.

Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control and direction apparatus, and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus,

and maintenance of signaling and accessories thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required; for all expenses, not otherwise provided for, incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof; \$526,336,000.

Aircraft warning service systems.

AIR CORPS

AIR CORPS, ARMY

For creating, maintaining, and operating at established aviation and related schools courses of instruction for military personnel, including payment of tuition, cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including \$500,000 on account of activities of the Civil Air Patrol, and including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies and procurement of services for securing, developing, printing, and reproducing photographs and motion pictures in connection with aerial photography, including aerial mapping and charting; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of military and civilian personnel in connection with the administration of this appropriation, including travel by air or rail required in connection with the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary; transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof; for the purchase, manufacture, and construction of aircraft, and instruments and appliances of every sort and description, including radio, radar, and electronic equipment, necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for air crew and aircraft rescue and fire fighting equipment, including trucks and boats; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of

Courses of instruction.

Aircraft operation, etc.

Photographic supplies.

Helium gas.
Travel expenses.

Civilian employees.

Development of new types of aircraft.

Purchase, manufacture, and construction of aircraft.

Marking of military airways.

Consulting engineers.

War may deem necessary, at rates of pay to be fixed by him not to exceed \$25 a day for not exceeding fifty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical and meteorological research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft; for payment of claims resulting from the operation of aircraft, under the provisions of the Act of July 3, 1943 (31 U. S. C. 223b); \$100.

MEDICAL DEPARTMENT

MEDICAL AND HOSPITAL DEPARTMENT

Supplies.

For the manufacture and purchase of medical and hospital supplies for military posts, camps, hospitals, hospital ships and transports, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for operation of the Army Medical Library and Museum under the direct supervision of the Surgeon General; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots and maintenance of branch depots; for medical care and treatment of patients when entitled thereto by law, regulation, or contract, including their care, treatment and subsistence in private hospitals, whether on duty or on furlough or on leave of absence except when elective medical treatment has been obtained by such personnel in civilian hospitals or from civilian physicians or dentists; for medical care and treatment of authorized personnel of any country whose defense the President deems vital to the defense of the United States when such care and treatment cannot be obtained from medical units of their own country; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages, not otherwise provided for, for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the Act of Congress approved May 11, 1908 (24 U. S. C. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of patients, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of internes; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for the supply of Army and Navy Hospital at Hot Springs, Arkansas; for advertising, and all other necessary miscellaneous expenses of the Medical Department; \$329,000,000.

Printing plants.

Payment of claims.
57 Stat. 372.
31 U. S. C., Supp.
IV, §§ 215-217 notes,
222a, 222b, 223b, 223c.
Ante, p. 225.

Care and treatment
of patients.

Epidemic and con-
tagious diseases.

Insane Filipino sol-
diers.

35 Stat. 122.
Nurses, cooks, and
other civilians.

Internes.
Civilian physicians.

Army and Navy
Hospital, Hot Springs,
Ark.

CORPS OF ENGINEERS

ENGINEER SERVICE, ARMY

Engineer Service: For the design, development, procurement, manufacture, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools and machinery required in the equipment and training of troops and in military operations, including military surveys, and including the purchase, maintenance, repair, and operation of passenger-carrying vehicles; for the operation and maintenance of the Engineer School, including (a) compensation of civilian lecturers, and (b) purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; for the procurement, preparation, and reproduction of maps and similar data for military purposes; for expenses incident to the Engineer Service in military and training operations, including military surveys, and including (a) research and development of improved methods in such operations, (b) the rental of storehouses and grounds, (c) repair and alteration of buildings, including heat, light, power, water, and communication service, not otherwise provided for, and (d) expenses of railroad construction, including purchase or lease of equipment and materials, and the acquisition of lands, rights-of-way thereon, and other interests therein and temporary use thereof; \$2,332,304,000;

Military posts: For construction and installation of buildings, utilities, flying fields, fortifications, and appurtenances thereto, or other facilities required for military use and for each and every object and expense connected therewith, including (a) housing, storage, interior facilities, fixed equipment, piers, roads, railroads, communications, water, sewerage, and electric systems, (b) expenses incident to the preparation of plans, the purchase and installation of equipment, (c) the employment of persons and the procurement of supplies, equipment, printing, binding, communication service, newspapers, lawbooks, books of reference, periodicals, at the seat of government and elsewhere, (d) the purchase, maintenance, repair, and operation of passenger-carrying vehicles, (e) the acquisition of land, rights pertaining thereto, leasehold, and other interests therein and temporary use thereof, and the land and interests therein, including the temporary use thereof, may be acquired and construction may be prosecuted thereon prior to the approval of the title by the Attorney General as required by section 355, Revised Statutes, as amended, and without regard to sections 1136, 3648, and 3734, Revised Statutes, as amended, (f) the settlement of claims resulting from the use and occupancy of real estate under the provisions of the Act approved July 3, 1943 (31 U. S. C. 223b), (g) the payment of deficiency judgments and interests thereon arising out of condemnation proceedings heretofore instituted pursuant to specific Acts authorizing particular projects, notwithstanding limitations of amounts contained in such Acts, and (h) the salvage and conversion of military facilities, \$158,497,630: *Provided*, That no appropriation contained in this Act shall be available for the acquisition of land without the specific approval of the Secretary of War, and then only when it would be more economical to purchase than lease, if leasing be possible, in cases where doubt prevails as to the land desired being permanently needed for military purposes;

Equipment, instruments, etc.

Engineer School.

Maps, etc.
Military and training operations.

Acquisition of land.

40 U. S. C. § 265.
10 U. S. C. § 1339; 31
U. S. C. § 529; 40 U. S. C.
§§ 259, 267.57 Stat. 372.
31 U. S. C., Supp.
IV, §§ 215-217 notes,
222a, 222b, 223b, 223c,
Ante, p. 225.

Barracks and quarters, Army: For the maintenance, installation, repair, operation, protection, and rental of buildings, structures, grounds, utilities, flying fields, fortifications, and appurtenances thereto, or other facilities required for military use; and for each and every object of expense connected therewith, including (a) the procurement of supplies, equipment, fuel, printing, binding, communication services, newspapers, lawbooks, books of reference, periodicals, at the seat of government and elsewhere, (b) the purchase, rental, maintenance, repair, and operation of passenger-carrying vehicles, (c) the manufacture, procurement, purchase, storage, issue, and transportation (including research, planning, design, development, inspection, tests, and the handling) of water, gas, electricity, fuel, tools, machinery, and equipment, (d) construction of additions and extensions to and alterations, improvements, and rehabilitations of existing facilities, (e) the furnishing of heat and light for buildings erected at private cost, in the operation of the Act approved May 31, 1902 (10 U. S. C. 1346), and buildings on military reservations, authorized by War Department regulations to be used for a similar purpose, and (f) expenses, including relocation costs and rental of buildings and offices, for other Government agencies, not otherwise provided for, necessitated by their vacation of Government-owned or other property for Army use, \$528,399,000: *Provided*, That the amounts to be assessed and collected from nonmilitary interests on the Fort Monroe Military Reservation, Virginia, for expenditure in the maintenance, repair, and operation of wharves, roads, sewerage systems, and other utilities at said reservation shall be fixed by the Secretary of War during the fiscal year ending June 30, 1946, in proportion to the service rendered to such nonmilitary interests: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds \$20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed \$15;

In all, Engineer Service, Army, \$3,019,200,630, to be accounted for as one fund.

ORDNANCE DEPARTMENT

ORDNANCE SERVICE AND SUPPLIES, ARMY

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material, together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for instruction, training, and other incidental expenses of the ordnance service; for the purchase, hire, operation, maintenance, and repair of completely equipped motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to newspapers and periodicals; not to exceed

32 Stat. 282.

Fort Monroe Military Reservation, Va.

Military attachés.

Construction, limitation on cost.

Stabling.

Contingent expenses.

Vehicles.

Publications.

Consultants.

\$150,000 for services of such consultants as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$25 per day and for their necessary traveling expenses; \$2,717,531,000.

ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, \$16,500.

CHEMICAL WARFARE SERVICE

For purchase, manufacture, and test of chemical warfare gases or other toxic substances, incendiary materials and munitions, gas masks, or other offensive or defensive materials or appliances required for chemical warfare purposes, investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; for the payment of part-time or intermittent employment of such scientists and technicians as may be contracted for by the Secretary of War, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed; for the purchase, maintenance, repair, and operation of freight- and passenger-carrying motor vehicles; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and computing machines including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges; \$624,525,000.

Gases, etc.

Part-time employment of scientists, etc.

Construction of buildings, etc.

Special gas troops.

Chemical warfare training.

SPECIAL SERVICE SCHOOLS

Infantry School: For supplies, services, and other expenses essential in conducting instruction at the Infantry School, \$583,000;

Cavalry activities: For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and materials for instruction; employment of temporary, technical, special, and clerical services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kansas; and for the instruction of the Army in cavalry activities; \$64,000;

Field Artillery activities: For the pay of employees; the purchase of books, pamphlets, periodicals, and newspapers; procurement of supplies, materials, and equipment for instruction purposes; and other expenses necessary in the operation of the Field Artillery School of the Army, and for the instruction of the Army in Field Artillery activities; \$464,000;

Coast Artillery activities: For supplies, services, and other expenses essential in conducting instruction at the Coast Artillery Schools, including maintenance, operation, and repair of passenger-carrying vehicles, \$119,000;

In all, special service schools, \$1,230,000, to be accounted for as one fund.

ARMORED FORCE

INSTRUCTION IN ARMORED FORCE ACTIVITIES

For supplies, services, and other expenses essential in conducting instruction of the Army in armored-force activities, \$100,000.

SEACOAST DEFENSES

For all expenses incident to the preparation of plans and the construction, purchase, installation, equipment, maintenance, repair, and operation of fortifications and other works of defense, and their accessories, including personal services, ammunition storage, maintenance of channels to submarine-mine wharves, purchase of lands and rights-of-way as authorized by law, acquisition of leaseholds and other interests therein, and temporary use thereof, and payments for leasehold interests may be made in advance for the entire term notwithstanding the provisions of section 3648, Revised Statutes, and for experimental, test, and development work, \$100.

Leaseholds.

31 U. S. C. § 529.

UNITED STATES MILITARY ACADEMY

PAY OF MILITARY ACADEMY

Army officers on detail, pay restriction.

Retired officer as librarian.

10 U. S. C. § 933.

Cadets: For pay of cadets, \$1,756,000: *Provided*, That during the fiscal year ending June 30, 1946, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in any capacity at the Military Academy: *Provided further*, That the duties of librarian of the United States Military Academy may be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

MAINTENANCE AND OPERATION, UNITED STATES MILITARY ACADEMY

For text and reference books for instruction; increase and expense of library; office equipment and supplies; stationery, blank books, forms, printing and binding, and periodicals; diplomas for graduates; expense of lectures; apparatus equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the regular established ration; for commutation of rations for civilians employed at cadet mess in the same amount as deducted from each civilian's pay for said rations; maintenance of children's school (not exceeding \$12,200); contingencies for Superintendent of the Military Academy (not exceeding \$5,200) and for the Commandant of Cadets (not exceeding \$1,200), to be expended in their respective discretions; expenses of the members of the Board of Visitors (not exceeding \$1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding \$1,000); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; maintenance, repair, and operation of motor-propelled vehicles; policing buildings and grounds; furniture, refrigerators, and lockers for

Contingent fund.

Government-owned buildings at the Academy and repair and maintenance thereof; fuel for heat, light, and power; pay of employees; and other necessary incidental expenses in the discretion of the superintendent; in all, \$4,251,000: *Provided*, That not to exceed \$3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the cadet store.

Liquidation of indebtedness of certain cadets.

NATIONAL GUARD

For the National Guard, \$100, which amount shall be available for any of the objects, as may be determined by the War Department, specified in the appropriations for the National Guard in the Military Appropriation Act, 1942.

55 Stat. 385.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing herein shall be construed as barring the continuance of adjutants general in a federally recognized status without pay under this Act.

Restriction on pay and expenses.

Status of adjutants general.

ORGANIZED RESERVES

For establishment, maintenance, and operation of Organized Reserve headquarters; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army and Reserve officers ordered to active duty for periods in excess of fifteen days traveling on duty in connection with the Organized Reserves, and for travel of dependents, and packing and transportation of baggage of such personnel; \$100.

No appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States.

Restriction on pay and expenses.

The pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that Administration under existing law.

Medical Reserve Corps.
Pay, etc., of certain officers and nurses.

CITIZEN'S MILITARY TRAINING

RESERVE OFFICERS' TRAINING CORPS

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to

Supplies, etc.

the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps or other places designated by the Secretary of War, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel, or to pay commutation in lieu of subsistence at camps at rates fixed by the Secretary of War; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as amended by the Act approved June 4, 1920 (10 U. S. C. 387); for the medical and hospital treatment of members of the Reserve Officers' Training Corps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat. 1507); for mileage, traveling expenses, or transportation, for transportation of dependents (including dependents of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve, ordered to active duty and upon relief therefrom), and for packing, crating, and unpacking, and transportation of baggage (including baggage of retired officers, warrant officers, and enlisted men of the first three grades, and enlisted men of the first three grades of the Regular Army Reserve ordered to active duty and upon relief therefrom) for officers, warrant officers, and enlisted men traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the purchase, maintenance, repair, and operation of motor vehicles, including station wagons; for the procurement and issue as provided in section 55c of the Act approved June 4, 1920 (10 U. S. C. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of the same, and the overhauling and repair of articles issued, as the Secretary of War shall deem necessary for proper military training in said schools and colleges; \$100: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training

Training camps.

Travel allowance.

Students attending advanced camps.

Senior division of ROTC. Subsistence.

39 Stat. 193; 41 Stat. 778.

10 U. S. C., Supp. IV, § 387a.

Medical and hospital treatment.

10 U. S. C. §§ 455a-455d.

Vehicles.

Military equipment for schools, etc. 41 Stat. 780.

10 U. S. C. § 1182a.

41 Stat. 776.

10 U. S. C. § 381.

Supplies from War Department surplus stocks.

Price.

Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of a greater number of mounted units in the Reserve Officers' Training Corps than were in existence on January 1, 1928, or for additional motor transport or tank units unless in replacement of existing cavalry units: *Provided further*, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Air Corps, Dental Corps, or Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Mounted, motor transport, or tank units.

Student expenses in designated units.

Restriction on use of other funds.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of practice in the use of rifled arms, for arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for clerical services, including not exceeding \$30,000 in the District of Columbia; for procurement of materials, supplies, trophies, prizes, badges, services, and such other items as are authorized in section 113, Act of June 3, 1916, and under this head in War Department Appropriation Act of June 7, 1924; for the conduct of the national matches, including incidental travel of rifle teams and of individuals and of Marine Corps and other detachments required in the operation of the matches and including incidental travel of rifle teams and individuals attending regional, national, and international competitions, and for the purchase of medals and badges for use in National Rifle Association competitions, including those fired as a part of the national matches; for mileage at 8 cents per mile for members of the National Board for the Promotion of Rifle Practice when authorized by the Secretary of War, any provision of law to the contrary notwithstanding; and for maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed \$4,500 for incidental expenses in addition to the amount authorized by Act of May 28, 1928; to be expended under the direction of the Secretary of War; \$67,000.

Supplies, etc.

39 Stat. 211; 43 Stat. 510.

32 U. S. C. §§ 183, 186, 181.
National matches.

Mileage for Board members.

Maintenance of Board.

45 Stat. 786.
32 U. S. C. § 181c.

INTER-AMERICAN RELATIONS, WAR DEPARTMENT

For all expenses necessary to enable the Secretary of War to adopt such measures, appropriate to the functions and activities of the War Department, as he may deem advisable, to promote better relations with the other American countries, including transportation and subsistence expenses, while traveling in the Western Hemisphere, of Army officers and military students of the other American countries and Army officers of the United States, \$100.

ARMY OF THE PHILIPPINES

For all expenses necessary for the mobilization, operation, and maintenance of the Army of the Philippines, including expenses connected with calling into the service of the armed forces of the

Mobilization, operation, and maintenance.

United States the organized military forces of the Government of the Commonwealth of the Philippines, and expenditures incident to pay, allowances, operation, maintenance, and other activities of units and personnel of said organized military forces, and for the emergent mobilization and training of such forces, may be made without regard to the provisions of law regulating the expenditure of or accounting for funds of the United States but shall be expended and accounted for in a manner prescribed by the President of the United States, \$100, which shall be available for payment to the Government of the Commonwealth of the Philippines upon its written request, either in advance of or in reimbursement for all or any part of the estimated or actual cost, as authorized by the Commanding General, United States Army Forces in the Far East, of necessary expenses for the purposes aforesaid: *Provided*, That any appropriation for the Military Establishment may be applied to the purposes aforesaid and may be reimbursed by transfer from this appropriation of the value of such property or service as may have been or may be applied to such purposes and any amount so transferred shall be available for expenditure for the purposes of the appropriation so reimbursed during the fiscal year in which such amount was received and the ensuing fiscal year.

Availability of funds.

Transfer of funds.

SALARIES, WAR DEPARTMENT

For compensation for personal services in the War Department proper, as follows:

Expenses of persons in advisory capacity.

Temporary employment.

41 U. S. C. § 5.
Use of field-service appropriations for personal services.

Office of Secretary of War: Secretary of War, Under Secretary of War, Assistant Secretaries of War, and other personal services, \$564,000: *Provided*, That not to exceed \$200,000 of the appropriations contained in this Act for military activities shall be available for the payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving while away from their homes, without other compensation from the United States, in an advisory capacity to the Secretary of War, and for the temporary employment of persons (at not to exceed \$25 per day) or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes or the civil-service or classification laws: *Provided*, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly authorized herein;

Office of Chief of Staff, \$394,000;
Adjutant General's Office, \$2,088,000;
Office of the Inspector General, \$33,000;
Office of the Judge Advocate General, \$134,000;
Office of the Chief of Finance, \$609,000;
Office of the Quartermaster General, \$831,000;
Office of the Chief Signal Officer, \$371,000;
Office of Commanding General, Army Air Forces, \$517,000;
Office of the Surgeon General, \$393,000;
Office of Chief of Engineers, \$531,000;
Office of Chief of Ordnance, \$883,000;
Office of Chief of Chemical Warfare Service, \$83,000;
Office of Chief of Chaplains, \$7,000;
National Guard Bureau, War Department, \$104,000;
In all, salaries, War Department, \$7,542,000.

Employment of additional personnel.

The Secretary of War is authorized to employ such additional personnel at the seat of Government and elsewhere, and to provide out of any appropriations available for the Military Establishment for their salaries and for such printing and binding, communication and other services, and supplies as he may deem necessary to carry out the

purposes of this Act, but the amount so used for personal services at the seat of government, other than for field service employees, shall not exceed one-third of 1 per centum of the total amount of cash appropriated for the Army.

OFFICE OF THE SECRETARY

CONTINGENT EXPENSES, WAR DEPARTMENT

For stationery and office supplies; purchase of professional and scientific books, lawbooks, including their exchange; books of reference, pamphlets, periodicals, newspapers (not to exceed \$3,500), maps; furniture and repairs to same; carpets, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; purchase of motor-trucks; maintenance, repair, and operation of motortrucks and one motor-propelled passenger-carrying vehicle; freight and express charges; streetcar fares; postage; and other necessary expenses; \$6,500,000.

PRINTING AND BINDING, WAR DEPARTMENT

For printing and binding for the War Department, except such as may be otherwise provided for in accordance with existing law, \$40,000,000.

SEC. 2. No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except as may be otherwise authorized in this Act.

SEC. 3. The appropriation "Finance Service, Army" may be increased by transfer of not to exceed \$6,813,185,000 of unobligated balances available on or after June 30, 1945, under the appropriations now entitled "Expediting production of equipment and supplies for national defense"; "Contingencies of the Army", "Air Corps, Army"; "Special field exercises, Army"; and "Supplies and transportation, Army" (subhead—"Army transportation"), and, in addition, not to exceed 10 per centum of any of the appropriations for the Military Establishment for the fiscal year 1946 (except the appropriations "National Guard", "Organized Reserves", and "Reserve Officers' Training Corps"), may be transferred with the approval of the Bureau of the Budget to any other of such appropriations, but no appropriation or subappropriation, except the subappropriations "Claims for damage to or loss or destruction of property, or personal injury, or death" and "Claims of military and civilian personnel of the War Department for destruction of private property" shall be increased more than 10 per centum thereby.

SEC. 4. The foregoing appropriations for "Quartermaster Service, Army", "Signal Service of the Army", "Air Corps, Army", "Medical and Hospital Department", "Engineer Service, Army", "Ordnance Service and Supplies", "Chemical Warfare Service", and "Seacoast Defenses" shall each be available for the pay and allowances, including travel allowances, of such Reserve officers as the President may, with their consent, order to active duty for such periods, not in excess of two years, as their service may be required in the procurement or production of equipment therein appropriated for, or on duty pertaining to aviation.

Time-measuring devices, restriction on use.

Cash rewards, etc.

Transfer of funds.
Ante, p. 385.

Pay and allowances of Reserve officers on active duty.

Financing war contracts, etc.

3 CFR, Cum Supp., p. 1129.

31 U. S. C. § 529.

Living quarters allowances.

46 Stat. 818.

46 Stat. 1209.

Post exchanges.

Certification on monthly reports.

Isolated posts.

Canal Zone. Citizenship requirement.

Employment of Panamanian citizens. 48 U. S. C. § 1307 note.

Limitation on number.

Employees with 15 years of service.

Selection of personnel.

Hours of employment; pay rates.

SEC. 5. Appropriations for the Military Establishment for the fiscal year 1946 shall be available for carrying out the purposes of Executive Order 9112 of March 26, 1942; for expenses in connection with the administration by the Army of occupied areas; for food, clothing, medicine and other items to meet urgent civilian needs in occupied and such other areas as may be determined by the Secretary of War to be important to military operations of the United States; for expenses of conducting investigations in foreign countries incident to matters relating strictly to the Military Establishment, without regard to section 3648, Revised Statutes, including such compensation, expenses, and allowances of witnesses, cost of procuring and transcribing evidence, documents and testimony and other miscellaneous and incidental expenses as may be determined by the investigating officer to be necessary and in accord with local custom; for living quarters allowances in accordance with the Act of June 26, 1930 (5 U. S. C. 118a), and regulations prescribed thereunder, and cost of living allowances in accordance with the Act of February 23, 1931, as amended (22 U. S. C. 12), and regulations prescribed thereunder, for all civilian officers and employees of the War Department who are citizens of the United States permanently stationed in foreign countries; and for employees' special wearing apparel and equipment necessary to carry out the purposes of this Act.

SEC. 6. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or sub-exchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience under such regulations as the Secretary of War may prescribe, to such personnel as are now or may be hereafter authorized by law and regulation to purchase subsistence stores or other Quartermaster supplies and to civilians employed or serving at military posts in supplying them with articles of small personal needs, not similar to those furnished by the Government: *Provided*, That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section: *Provided further*, That at posts isolated from a convenient market the Secretary of War may broaden the nature of the articles to be sold.

SEC. 7. No part of any appropriation contained in this Act shall be used directly or indirectly, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however*, (1) That, notwithstanding the provision in the Act approved August 11, 1939 (53 Stat. 1409), limiting employment in the above-mentioned positions to citizens of the United States from and after the date of the approval of said Act, citizens of Panama may be employed in such positions; (2) that at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (3) that nothing in this Act shall prohibit the continued employment of any person who shall have rendered fifteen or more years of faithful and honorable service on the Canal Zone; (4) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions, the controlling factors in filling these positions shall be efficiency, experience, training, and education; (5) that all citizens of Panama and the

United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this Act (a) shall normally be employed not more than forty hours per week; (b) may receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 per centum; (6) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government: *Provided further*, That the President may suspend from time to time in whole or in part compliance with this section in time of war or national emergency if he should deem such course to be in the public interest.

Applicability of section.

Wartime or emergency suspension.

Instruction, etc., of civilian employees.

SEC. 8. Appropriations for the Military Establishment for the fiscal year 1946 shall be available for all necessary expenses in connection with the instruction and training, including tuition, not otherwise provided for, of civilian employees in and under the War Department and the Military Establishment.

Technical and professional personnel.

SEC. 9. Whenever, during the fiscal year ending June 30, 1946, the Secretary of War should deem it to be advantageous to the national defense, and if in his opinion the existing facilities of the War Department are inadequate, he is hereby authorized to employ, by contract or otherwise, without reference to section 3709, Revised Statutes, civil service or classification laws, or section 5 of the Act of April 6, 1914 (38 Stat. 335), and at such rates of compensation (not to exceed \$25 per day and travel expenses, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized in travel orders or letters of appointment for individuals) as he may determine, the services of architects, engineers, or firms or corporations thereof, and other technical and professional personnel as may be necessary.

41 U. S. C. § 5.

5 U. S. C. § 55.

SEC. 10. Section 3648, Revised Statutes (31 U. S. C. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations under which military attachés are required to operate or to payments made for tuition.

Advances of public moneys.

SEC. 11. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 12. No part of any money appropriated herein or included under any contract authority herein granted shall be expended for the payment of any commission on any land purchase contract in excess of 2 per centum of the purchase price.

Commissions on land purchase contracts.

Construction of quarters, limitations.

SEC. 13. No part of any appropriation contained in this Act may be obligated for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, in continental United States, except in Alaska, for greater amounts per unit than follow:

Permanent construction:

For commissioned officer, \$10,000.

For commissioned warrant or warrant officer, \$7,500.

For enlisted man, \$6,000.

Temporary construction:

For commissioned officer, \$7,500.

For commissioned warrant or warrant officer, \$5,000.

For enlisted man, \$3,500.

Disposal of defense articles.

SEC. 14. Whenever the President deems it to be in the interest of national defense, he may authorize the Secretary of War to sell, transfer title to, exchange, lease, lend, or otherwise dispose of, to the government of any country whose defense the President deems vital to the defense of the United States, defense articles procured from funds appropriated in this or prior Acts, in accordance with the provisions of the Act of March 11, 1941, as amended (22 U. S. C. 411-419) to the extent that transfers have been authorized in prior Acts: *Provided*, That the term "defense article" as used herein shall be deemed to include defense information and services (including furnishing of quarters, subsistence, transportation, and hospitalization of personnel, and care of the dead), whether or not such information or service is necessary to or connected with the procurement or disposition of any defense article.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.
"Defense article."

Prisoners of war, etc.
Maintenance, pay, and allowances.

SEC. 15. The Secretary of War is authorized to utilize any appropriation available for the Military Establishment, under such regulations as he may prescribe, for all expenses incident to the maintenance, pay, and allowances of prisoners of war, other persons in Army custody whose status is determined by the Secretary of War to be similar to prisoners of war, and persons detained in Army custody pursuant to Presidential proclamation.

Gages, dies, jigs, etc.

SEC. 16. The appropriations contained in this Act which are available for the procurement or manufacture of munitions of war of special or technical design may be used for the development and procurement of gages, dies, jigs, and other special aids and appliances, production studies, factory plans, and other production data, including specifications and detailed drawings, in accordance with the provisions of sections 120 and 123 of the National Defense Act, as amended. Such appropriations may also be used for the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

39 Stat. 213, 215.
50 U. S. C. §§ 80, 78.

Family allowances audit work.

56 Stat. 381.
37 U. S. C., Supp.
IV, §§ 201-221.
Post, p. 54L.

SEC. 17. None of the moneys appropriated by this or any other Act shall be available to the War Department or the Military Establishment for audit work for the purpose of reconciling family allowance pay-roll deductions made by disbursing officers in the field with family allowance payments to dependents of military personnel under the provisions of the Servicemen's Dependents Allowance Act of 1942.

Availability of funds.

SEC. 18. Appropriations available to the Military Establishment for the fiscal year 1945 shall remain available until June 30, 1946, and appropriations made by this Act or otherwise available to the Military Establishment shall be merged with (except as otherwise provided in this Act) and become parts of appropriations under the respective heads in the Military Appropriation Act, 1945, as amended, or otherwise available, and shall include the objects and be subject to the limitations and conditions under said heads respectively in those Acts except as otherwise provided herein: *Provided*, That repayments

Merger of funds.

58 Stat. 573.

affecting merged appropriations shall be credited to the applicable current appropriations.

SEC. 19. The appropriations for the Military Establishment and for civil functions administered by the War Department for the fiscal year 1946 shall be available for the payment of rewards, subject to such regulations as the Secretary of War shall prescribe, to civilian officers and employees in addition to their usual compensation and to persons in civil life for suggestions resulting in improvement or economy in manufacturing process or plant or military material, and for suggestions resulting in efficiency or economy in the operation or administration of the War Department and the Military Establishment, and for expenses of such nonmonetary awards, including citations, insignia, emblems, medals, and devices, as may be granted in recognition of faithful and meritorious service.

SEC. 20. During the fiscal year 1946 occupancy of Government facilities under the jurisdiction of the Military Establishment on a rental basis by personnel of the services mentioned in the title of the Pay Readjustment Act of 1942 or by their dependents shall not deprive such personnel of money allowances for rental of quarters.

SEC. 21. The application to the requirements of the War Department by the reappropriation of unexpended balances of prior years shall be deemed to be a compliance with so much of paragraph (2) of subsection (c) of section 403, as amended, of the Sixth Supplemental National Defense Appropriation Act, 1942, as reads: "Upon the withholding of any amount of excessive profits or the crediting of any amount of excessive profits against amounts otherwise due a contractor, the Secretary shall certify the amount thereof to the Treasury and the appropriations of his Department shall be reduced by an amount equal to the amount so withheld or credited. The amount of such reductions shall be transferred to the surplus fund of the Treasury".

SEC. 22. As to appropriations and contract authorizations granted for the Military Establishment contained in this Act, in addition to compliance with the provisions of section 303 of the Second Deficiency Appropriation Act, 1944, there shall be submitted to the Appropriation Committees of the Congress on January 3, 1946, a list showing the condition of the balances of each of such appropriations and contract authorizations together with recommendations for the repeal of such of those funds or portions thereof as are deemed no longer required for the purposes for which they were granted.

SEC. 23. This Act may be cited as the "Military Appropriation Act, 1946".

Approved July 3, 1945.

[CHAPTER 266]

JOINT RESOLUTION

Reducing certain appropriations available in the fiscal year ending June 30, 1945.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That the appropriations of the departments and agencies available in the fiscal year ending June 30, 1945, are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

EXECUTIVE OFFICE OF THE PRESIDENT

Office for Emergency Management:

Division of Central Administrative Services: Salaries and expenses, \$1,558,000;

Rewards.

Allowance for rental of quarters.
58 Stat. 359.
37 U. S. C., Supp. IV, §§ 101-120.
Post, pp. 541, 542, 587.

Compliance with excessive profits provision.

58 Stat. 83.
50 U. S. C., Supp. IV, app. § 1191 (c) (2).

Appropriations and contract authorizations.

Report and recommendations to Congress.
58 Stat. 623.
31 U. S. C. Supp. IV, § 18 note.

Short title.

July 3, 1945
[H. J. Res. 202]
[Public Law 127]

Reduction of appropriations.

58 Stat. 536.

- 58 Stat. 630. Foreign Economic Administration: Salaries and expenses, \$900,000;
- 58 Stat. 538. National War Labor Board: Salaries and expenses, \$700,000;
- 58 Stat. 538. Office of Defense Transportation: Salaries and expenses, \$2,950,000;
- 58 Stat. 537. Office of Inter-American Affairs: Salaries and expenses, \$307,000;
- 58 Stat. 538. Office of Scientific Research and Development: Salaries and expenses, \$18,000,000;
-
- 58 Stat. 539. Office of War Information: Salaries and expenses, \$4,750,000;
- 58 Stat. 570. War Manpower Commission: General administration, \$300,000;
- 58 Stat. 541. War Production Board: Salaries and expenses, \$4,000,000;
- 58 Stat. 534. Office of Censorship: Salaries and expenses, \$5,107,000;
- 58 Stat. 534. Office of Strategic Services: Salaries and expenses, \$14,000,000 and the limitation under this head on the amount for objects of a confidential nature is hereby decreased from "\$35,000,000" to "\$21,000,000";
- 58 Stat. 534. Petroleum Administration for War: Salaries and expenses, \$1,050,000;

INDEPENDENT OFFICES

- 58 Stat. 363. Civil Service Commission:
Salaries and expenses, \$375,000;
Salaries and expenses (national defense), \$75,000;
- 58 Stat. 371. General Accounting Office: Salaries, \$4,000,000;
- 58 Stat. 372. Interstate Commerce Commission: Salaries and expenses, emergency, \$55,000;

FEDERAL SECURITY AGENCY

- 58 Stat. 554. Office of Education:
Education and training, defense workers (national defense):
(2) For the cost of short courses of college grade, and so forth, \$1,500,000;
(3) For the cost of vocational courses in food production, and so forth, \$3,500,000;
- 58 Stat. 557. Public Health Service: Emergency health and sanitation activities (national defense), \$800,000;

FEDERAL WORKS AGENCY

- 58 Stat. 367. Public Buildings Administration: Emergency safeguarding of public buildings and property, \$6,400,000;

DEPARTMENT OF AGRICULTURE

- 58 Stat. 447. War Food Administration: Salaries and expenses, \$2,000,000;

DEPARTMENT OF COMMERCE

Federal property utilization, \$3,000,000;

DEPARTMENT OF THE INTERIOR

- 58 Stat. 467. Office of Fishery Coordination: Salaries and expenses, \$25,000;
- 58 Stat. 467. Solid Fuels Administration for War, \$850,000;
- 58 Stat. 545. War Relocation Authority: Salaries and expenses, \$1,500,000;
- Bureau of Mines:
Enforcement of Federal Explosives Act, \$35,000;
- 58 Stat. 493. Protection of mineral resources and facilities (national defense), \$95,000;
- 58 Stat. 497. Construction and equipment of helium plants, \$500,000;
- 58 Stat. 497. Manganese beneficiation pilot plants and research (national defense), \$100,000;
- 58 Stat. 497. Production of alumina from low-grade bauxite, aluminum clays and alunite (national defense), \$185,000;

Investigation of bauxite and alunite ores and aluminum clay deposits (national defense), \$187,000, and the amount under this head available to the Geological Survey is hereby decreased from "\$317,000" to "\$205,000";

58 Stat. 497.

Magnesium pilot plants and research (national defense), \$90,000;

58 Stat. 498.

Reduction in zinc concentrates with methane gas (national defense), \$75,000;

Government in the Territories: Emergency fund, Territories and island possessions (national defense), \$4,000,000;

DEPARTMENT OF JUSTICE

Legal activities and general administration:

58 Stat. 407.

For the Criminal Division, \$200,000;

Salaries and expenses, Lands Division, \$375,000;

Salaries and expenses, War Division, \$85,000;

Federal Bureau of Investigation: Salaries and expenses, detection and prosecution of crimes (emergency), \$6,400,000;

58 Stat. 411.

TREASURY DEPARTMENT

Office of the Secretary: Loan to District of Columbia for black-out expenses, \$100,000;

58 Stat. 517.

Foreign funds control, \$1,000,000;

58 Stat. 196.

Bureau of the Public Debt: Salaries and expenses, \$550,000;

58 Stat. 199.

Office of the Treasurer of the United States: Salaries, \$440,000;

58 Stat. 199.

In all, \$92,119,000.

Approved July 3, 1945.

[CHAPTER 267]

AN ACT

July 5, 1945

[H. R. 2995]

[Public Law 128]

To amend an Act entitled "An Act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes", approved June 19, 1878, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes", approved June 19, 1878, as amended, be and the same is hereby further amended as follows:

District of Colum-
bia.20 Stat. 173.
D. C. Code § 47-
2001 to § 47-2008.

Section 1 of said Act is hereby amended to read as follows:

"That there shall be levied a tax of \$3 each per annum upon all dogs owned or kept in the District of Columbia; said tax to be collected as other taxes in said District are or may be collected."

Dog tax.

SEC. 2. Section 3 of said Act is hereby amended by adding thereto the following proviso: "*Provided*, That no owner, keeper, or purchaser, shall be permitted to redeem any dog seized and impounded as aforesaid, nor shall the Poundmaster deliver any dog to an owner, keeper, or purchaser, unless such owner, keeper, or purchaser shall first satisfy the Poundmaster that he has obtained for such dog the tax tag provided for in section 2 of this Act, and if at such time there shall be in force a proclamation of the Commissioners requiring dogs to be vaccinated against rabies, such owner, keeper, or purchaser shall also satisfy the Poundmaster that such dog has been vaccinated against rabies in accordance with such proclamation."

Redemption of dogs
seized and impound-
ed.

SEC. 3. Section 7 of said Act is hereby amended to read as follows:

"SEC. 7. Whenever it shall be made to appear to the Commissioners that any dog or other animal within the District is afflicted with rabies, or is suspected of being rabid, or whenever said Commissioners shall

D. C. Code § 1-230;
Supp. IV, § 1-230 note.
Rabies.

be notified by the Health Officer of the District of Columbia that rabies may spread within said District, said Commissioners are hereby empowered to issue proclamations requiring such of the following measures as said Commissioners may deem necessary with respect to any or all dogs or other animals within said District: (1) Muzzling; (2) leashing; (3) confinement or quarantine; (4) vaccination against rabies. Such measure or measures shall be required for such periods or at such times as the Commissioners may designate in any such proclamation. The Commissioners are hereby authorized to prescribe in any such proclamation such regulations as may be necessary to carry out the measure or measures required.

Vaccination requirement.

“Whenever the Commissioners shall by proclamation require dogs or other animals in the District to be vaccinated against rabies, the owners or keepers of such dogs or other animals may have such vaccination done at their own expense by private veterinarians or at the expense of the District of Columbia by veterinarians designated for that purpose by the Commissioners. For the purposes of this section, the Commissioners are authorized and directed to provide the necessary personnel and facilities, including vaccine tags and vaccine.

Penalty.

“Any person violating any provision of any such proclamation shall be punished by a fine of not more than \$300 or imprisonment for not more than ninety days.”

Approved July 5, 1945.

[CHAPTER 268]

AN ACT

To amend the District of Columbia Alley Dwelling Act, approved June 12, 1934, as amended.

July 5, 1945
[H. R. 3201]
[Public Law 129]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 (b) of the Act known as the “District of Columbia Alley Dwelling Act”, approved June 12, 1934, as amended, be amended further to read as follows:

48 Stat. 932.
D. C. Code § 5-106(b);
Supp. IV, § 5-106 (b).

“(b) On and after July 1, 1946, it shall be unlawful to use or occupy any alley building or structure as a dwelling in the District of Columbia.”

48 Stat. 933.
D. C. Code § 5-108;
Supp. IV, § 5-108.

SEC. 2. That section 6 of such Act, as amended, be further amended by striking “1945” and inserting in lieu thereof “1946”.

Approved July 5, 1945.

[CHAPTER 269]

AN ACT

To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes.

July 5, 1945
[H. R. 3240]
[Public Law 130]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period during which the President is authorized to enter into foreign trade agreements under section 350 of the Tariff Act of 1930, as amended and extended, is hereby extended for a further period of three years from June 12, 1945.

Foreign trade agreements.
Authority of President, extension.
48 Stat. 943.
19 U. S. C. §§ 1351, 1352; Supp. IV, §§ 1351, 1352.

SEC. 2. (a) The second sentence of subsection (a) (2) of such section, as amended (U. S. C., 1940 edition, Supp. IV, title 19, sec. 1351 (a) (2)), is amended to read as follows: “No proclamation shall be made increasing or decreasing by more than 50 per centum any rate of duty, however established, existing on January 1, 1945 (even though temporarily suspended by Act of Congress), or transferring any article between the dutiable and free lists.”

Modification of duties.

(b) The proviso of subsection (b) of such section (U. S. C., 1940 edition, sec. 1351 (b)) is amended to read as follows: "Provided, That the duties on such an article shall in no case be increased or decreased by more than 50 per centum of the duties, however established, existing on January 1, 1945 (even though temporarily suspended by Act of Congress)".

SEC. 3. Such section 350 is further amended by adding at the end thereof a new subsection to read as follows:

"(d) (1) When any rate of duty has been increased or decreased for the duration of war or an emergency, by agreement or otherwise, any further increase or decrease shall be computed upon the basis of the post-war or post-emergency rate carried in such agreement or otherwise.

"(2) Where under a foreign trade agreement the United States has reserved the unqualified right to withdraw or modify, after the termination of war or an emergency, a rate on a specific commodity, the rate on such commodity to be considered as 'existing on January 1, 1945' for the purpose of this section shall be the rate which would have existed if the agreement had not been entered into.

"(3) No proclamation shall be made pursuant to this section for the purpose of carrying out any foreign trade agreement the proclamation with respect to which has been terminated in whole by the President prior to the date this subsection is enacted."

SEC. 4. Section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934 (U. S. C., 1940 edition, title 19, sec. 1354), relating to the governmental agencies from which the President shall seek information and advice with respect to foreign trade agreements, is amended by inserting after "Departments of State," the following: "War, Navy,".

Approved July 5, 1945.

[CHAPTER 270]

AN ACT

To remove restrictions to the appointment of retired officers of the United States Public Health Service or retired civilian employees of the United States Government or District of Columbia government as Superintendent of Gallinger Municipal Hospital in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the limitations of existing law, the Commissioners of the District of Columbia may appoint any retired officer of the United States Public Health Service or any retired civilian employee of the United States Government or District of Columbia government to the position of Superintendent of Gallinger Municipal Hospital and pay him a salary at the rate of \$8,000 per annum and in addition to pay him at the rate of not to exceed \$1,500 per annum for commutation of living quarters until such time as a new Superintendent's residence at said hospital has been constructed and is ready for occupancy. Such retired officer or retired civilian employee may receive such salary and commutation of living quarters or his retired pay or retirement benefits, whichever he may elect. If he elects to receive his retired pay or retirement benefits he shall receive neither such salary nor such commutation of living quarters. If he elects to receive such salary, with or without commutation of living quarters, he shall not receive his retired pay or retirement benefits, but any such retired officer or retired civilian employee who elects to receive such salary shall not, because of his appointment to or service in such position as Superintendent, be deprived of his status as such retired officer or retired civilian

Basis for computing certain modifications.

Where modification of rate optional with U. S.

Restriction.

48 Stat. 945.
Agencies from which President shall seek advice.

July 5, 1945
[H. R. 3257]
[Public Law 131]

Superintendent,
Gallinger Municipal
Hospital, D. C.
Appointment, salary, etc.

employee, nor, at the termination of such service as Superintendent, his right to his retired pay or retirement benefits.

Detail of PHS officer
as Superintendent.

SEC. 2. The Surgeon General of the United States Public Health Service may detail, at the request of the Commissioners of the District of Columbia, any commissioned officer of such Service to act as Superintendent of Gallinger Municipal Hospital, said officer to receive during the period he is so detailed the salary and commutation of living quarters provided in section 1 hereof in lieu of his salary as an officer of the United States Public Health Service.

Effective period.

SEC. 3. This Act shall remain in force during the present war and for a period of six months following the termination of the war.

Approved July 5, 1945.

[CHAPTER 271]

AN ACT

July 5, 1945
[H. R. 3579]
[Public Law 132]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1946, and for other purposes.

Second Deficiency
Appropriation Act,
1945.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1946, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS
LEGISLATIVE

SENATE

For payment to Julia M. Scrugham, widow of James G. Scrugham, late a Senator from the State of Nevada, \$10,000.

Pages.
Ante, p. 242.

For the payment of twenty-one pages for the Senate Chamber, at \$5 per day each, for the period July 1, 1945, to December 31, 1945, both dates inclusive, fiscal year 1946, \$19,320.

Postmaster.
Ante, p. 242

The Legislative Branch Appropriation Act for the fiscal year 1946 hereby is amended by inserting "and \$1,400 additional so long as the position is held by the present incumbent" immediately following the words "Postmaster, \$3,600", and the necessary amount hereby is authorized to be expended from the appropriation for "Salaries of officers and employees of the Senate", beginning July 1, 1945.

Inquiries and in-
vestigations.

For an additional amount for expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1945, \$50,000: *Provided*, That no part of this appropriation shall be expended except in accordance with the provisions of the Subsistence Expense Act of 1926 approved June 3, 1926, as amended.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.

Senate restaurants: For payment to the Architect of the Capitol in accordance with the Act approved September 9, 1942 (Public Law Numbered 709, Seventy-seventh Congress), fiscal year 1945, \$6,000.

56 Stat. 750.
40 U. S. C., Supp.
IV, §§ 174f-174j.

HOUSE OF REPRESENTATIVES

CONTINGENT EXPENSES OF THE HOUSE

Telegraph and telephone: For an additional amount for telegraph and telephone service, exclusive of personal services, fiscal year 1945, \$37,500.

58 Stat. 344.

SALARIES, OFFICERS AND EMPLOYEES

Committee employees: For an additional amount to pay the second assistant clerk, Committee on Claims, additional compensation at the rate of \$1,000 per annum so long as the position is held by the present incumbent, as authorized by House Resolution Numbered 290, of June 8, 1945, fiscal year 1946, \$1,000.

Ante, p. 245.

Capitol Police force under the Sergeant at Arms: The compensation rates named under this head in the Legislative Branch Appropriation Act, 1946, are hereby increased from \$1,740 each to \$2,000 each for lieutenants, from \$1,680 each to \$1,920 each for sergeants, and for \$1,620 each to \$1,800 each for privates, and for payment of such increases, fiscal year 1946, \$12,780.

Capitol Police force,
pay increase.
Ante, p. 246.

Doorkeeper's office: For payment of fifty pages, including ten pages for duty at the entrances to the Hall of the House, from July 1 to December 31, 1945, both dates inclusive, at \$5 per day each, fiscal year 1946, \$46,000.

Pages.
Ante, p. 247.

COMMITTEE ON FEDERAL EXPENDITURES

For an amount which is hereby authorized to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, \$10,000; to enable the committee to perform the additional duties required of it for economy studies incident to the reorganization of the executive branch, \$10,000; in all, \$20,000, one-half to be disbursed by the Secretary of the Senate and the other half by the Clerk of the House on vouchers approved by the chairman of the committee.

26 U. S. C., Supp.
IV, note prec. § 3656.

GOVERNMENT PRINTING OFFICE

Working capital and congressional printing and binding, 1945: The amount available for the printing, binding, and distribution of the Federal Register is hereby increased to \$520,000 for the fiscal year 1945: *Provided*, That no increase is thereby made in the existing appropriation for working capital and congressional printing and binding.

Federal Register.
58 Stat. 352.

EXECUTIVE OFFICE OF THE PRESIDENT

THE WHITE HOUSE OFFICE

For all expenses incident to the death and burial of Franklin Delano Roosevelt, including undertakers' charges and expenses of transportation from Warm Springs, Georgia, to Washington, District of Columbia, and thence to Hyde Park, New York, fiscal years 1945 and 1946, \$14,500, to be expended under the direction of the President: *Provided*, That no payment shall be made from this appropriation to any officer or employee of the Government for personal or professional services.

Franklin Delano
Roosevelt.
Expenses incident to
death and burial.

EMERGENCY FUND FOR THE PRESIDENT

Emergency fund for the President: The appropriation "Emergency fund for the President", contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemented and amended, is hereby continued available until June 30, 1946.

56 Stat. 704, 995; 57 Stat. 432; 58 Stat. 599.

EXECUTIVE MANSION AND GROUNDS

Ante, p. 106.

For extraordinary repairs to and refurnishing the Executive Mansion, to be expended as the President may determine, notwithstanding the provisions of any other Act, fiscal year 1946, \$50,000, to remain available until June 30, 1947.

FOREIGN WAR RELIEF

56 Stat. 593.

Not to exceed \$2,150,000 of the appropriation "Foreign war relief" contained in the Second Deficiency Appropriation Act, 1942, is hereby continued available until December 31, 1945, to provide for the termination of the program for which such appropriation was made.

WAR REFUGEE BOARD

58 Stat. 855.

Not to exceed \$16,000 of the authorization for the expenditure by the War Refugee Board of \$150,000 from the Emergency Fund for the President, contained in the First Supplemental Appropriation Act, 1945, is hereby continued available until June 30, 1946, for completing the liquidation of the activities of such Board.

Ante, p. 79.

OFFICE OF PRICE ADMINISTRATION

Salaries and expenses: For all necessary expenses of the Office of Price Administration in carrying out the provisions of the Emergency Price Control Act of 1942, as amended by the Act of October 2, 1942 (50 U. S. C. App. 901), and the provisions of the Act of May 31, 1941 (55 Stat. 236), as amended by the Second War Powers Act, 1942 (50 U. S. C. App. 622), and Acts amending or supplementing such Acts, and all other powers, duties, and functions which may be lawfully delegated to the Office of Price Administration, including expenses of in-service training of employees, including salaries and traveling expenses of instructors; not to exceed \$55,000 for the employment of aliens; not to exceed \$30,000 for the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709, Revised Statutes, or the civil-service and classification laws; contract stenographic reporting services without regard to said section 3709; witness fees; printing and binding (not to exceed \$1,470,000, which limitation shall not apply to the printing of forms prescribed for use of trade or public, instructions, regulations, coupon books, price lists, and printing required for the conduct of litigation); not to exceed \$100,000 for test purchases, without regard to section 3648, Revised Statutes, and the Act of December 29, 1941 (31 U. S. C. 529 and 82b), of commodities, services, or ration currency for enforcement purposes, authorization in each case to have approval prior to purchase of the Administrator, regional administrator, or the district director in the region or district in which the purchase is contemplated; traveling expenses (not to exceed \$7,949,700), including reimbursement, at not to exceed 3 cents per mile, of employees for expenses incurred by them in official travel in privately owned automobiles within the limits of their official stations, and expenses of appointees from point of induction in continental United States to their first post of duty in the Territories

56 Stat. 23, 765.
50 U. S. C., Supp.
IV, app. §§ 901-946,
961-971.

Ante, pp. 51, 306 *et seq.*

50 U. S. C., Supp.
IV, app. § 1152.

56 Stat. 176.

50 U. S. C., Supp.
IV, app. §§ 631-645a.

Post, p. 658.

Employment of
aliens.

41 U. S. C. § 5.

Test purchases.

55 Stat. 875.
31 U. S. C., Supp.
IV, §§ 82b-82e.

Traveling expenses.

and return; hire of motor-propelled passenger-carrying vehicles; not to exceed \$5,210,550 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); fiscal year 1946, \$174,500,000: *Provided*, That no part of this appropriation shall be used for the compensation of any officer, agent, clerk, or other employee of the United States who shall divulge or make known in any manner whatever to any person the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any questionnaire, report, return, or document, required or requested to be filed by order or regulation of the Administrator or to permit any questionnaire, report, return, or document or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; nor for any person who shall print or publish in any manner whatever, except as hereinafter provided, any questionnaire, report, return, or document or any part thereof or source of income, profits, losses, expenditures, or methods of doing business, appearing in any questionnaire, report, return, or document: *Provided further*, That the foregoing provisions shall not be construed to prevent or prohibit the publication or disclosure of studies, graphs, charts, or other documents of like general character wherein individual statistics or the source thereof is not disclosed or identified directly or indirectly nor to prevent the furnishing in confidence to the War Department, the Navy Department, or the United States Maritime Commission, such data and information as may be requested by them for use in the performance of their official duties: *Provided further*, That no part of this appropriation shall be available for making any subsidy payments: *Provided further*, That no part of this appropriation shall be used to enforce any maximum price or prices on any agricultural commodity or any commodity processed or manufactured in whole or substantial part from any agricultural commodity, including milk and its products and livestock, unless and until (1) the Secretary of Agriculture has determined and published for such agricultural commodity the prices specified in section 3 (a) of the Emergency Price Control Act of 1942, as amended by Public Law 729, approved October 2, 1942, as amended; (2) in case of a comparable price for such agricultural commodity, the Secretary of Agriculture has held public hearings and determined and published such comparable price in the manner prescribed by section 3 (b) of said Act as amended; and (3) the Secretary of Agriculture has determined after investigation and proclaimed that the maximum price or prices so established on any such agricultural commodity, including milk and its product and livestock, will reflect to the producer of such agricultural commodity a price in conformity with section 3 (c) of said Act as amended: *Provided further*, That such maximum price or prices shall conform in all respects to the provisions of section 3 of Public Law 729 approved October 2, 1942, as amended: *Provided further*, That any employee of the Office of Price Administration is authorized and empowered, when designated for the purpose by the head of the agency, to administer to or take from any person an oath, affirmation, or affidavit when such instrument is required in connection with the performance of the functions or activities of said Office: *Provided further*, That no part of this appropriation shall be directly or indirectly used for the payment of the salary or expenses of any person who directs the formulation of any price policy, maximum price, or price ceiling with respect to any article or commodity unless, in the judgment of the

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.
Divulging of information, restriction.

Authorized disclosure.

Subsidy payments.
Maximum prices on agricultural commodities.

56 Stat. 27, 765.
50 U. S. C., Supp.
IV, app. § 903 (a),
(b), (c), 961-971.
Ante, pp. 306, 309.

56 Stat. 766.
50 U. S. C., Supp.
IV, app. § 963.
Ante, p. 309.
Administration of oaths.

Experience requirement for designated personnel.

Administrator, such person shall be qualified by experience in business, industry, or commerce; but this limitation shall not apply to the Administrator or Acting Administrator as the case may be, in considering, adopting, signing, and promulgating price policies, maximum prices, or price ceilings formulated and prepared in compliance herewith: *Provided further*, That none of the funds appropriated in this Act shall be used to pay the salary or expenses of any person fixing maximum prices for different kinds, classes, or types of processed fruits and vegetables which are described in terms of specifications or standards, unless such specifications or standards were, prior to such order, in general use: *Provided further*, That as to appropriations and contract authorizations granted for the national defense, war agencies, and the prosecution of the war contained in this Act and other appropriation Acts, in addition to compliance with the provisions of section 303 of the Second Deficiency Appropriation Act, 1944, there shall be submitted to the Congress on January 3, 1946, a list showing the condition of the balances of each of such appropriations and contract authorizations together with recommendations for the repeal of such of those funds or portions thereof as are deemed no longer required for the purposes for which they were granted.

Those general provisions in the National War Agency Appropriation Act, 1946, applicable to all agencies in such Act, are hereby made applicable to the same extent, except as otherwise provided, to the appropriation for the Office of Price Administration.

OFFICE FOR EMERGENCY MANAGEMENT

FOREIGN ECONOMIC ADMINISTRATION

Salaries and expenses: For all expenses necessary to enable the Foreign Economic Administration to carry out its functions and activities, including salaries of the Administrator at \$12,000 per annum except that such salary shall be \$15,000 per annum during the incumbency of the present Administrator, one Deputy Administrator at \$10,000 per annum, and four assistants to the Administrator at \$9,000 per annum each; employment of aliens; temporary employment of persons or organizations by contract or otherwise without regard to the civil-service and classification laws (not exceeding \$100,000); travel expenses (not exceeding \$234,000 for travel within continental United States), including expenses of employees of the Administration and the transportation of their personal effects to their first posts of duty outside continental United States and return to their homes; transportation of dependents and household goods and effects, in accordance with the Act of October 10, 1940, from foreign countries to their homes in the United States of employees of the Foreign Economic Administration and the State Department for whom such expenses to a foreign country were authorized and paid from funds allocated to the Board of Economic Warfare; advances of money, upon the furnishing of bond, to employees traveling outside continental United States, in such sums as the Administrator shall direct; reimbursement of employees for loss of personal effects in case of marine or aircraft disaster; rental of news-reporting services; purchase of, or subscription to, commercial and trade reports; printing and binding (not exceeding \$102,500); fiscal year 1946, \$16,750,000, of which amount not to exceed \$75,000 shall be available for payment, or reimbursement to employees, as determined by the Administrator, for emergency or extraordinary expenses in connection with operations in foreign countries, without regard to

Salary, etc., of persons fixing certain maximum prices.

Appropriations and contract authorizations. Report and recommendations to Congress.

58 Stat. 623.
31 U. S. C., Supp. IV, § 18 note.

Applicability of designated provisions. Post, p. 486.

Post, p. 430.

Administrator and assistants.

Travel expenses.

54 Stat. 1105.
5 U. S. C. § 73c-1;
Supp. IV, § 73c-1 note.

Advances to certain employees.

Printing and binding. Emergency expenses.

the provisions of law regulating the expenditure, accounting for, and audit of Government funds: *Provided*, That not to exceed \$1,200,000 of the amount herein appropriated shall be available for expenditures of a confidential character to be expended under the direction of the Administrator, who shall make a certificate of the amount of each such expenditure which he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

Penalty mail costs, Foreign Economic Administration: For deposit in the general fund of the Treasury for cost of penalty mail of the Foreign Economic Administration as required by section 2 of the Act of June 28, 1944 (Public Law 364), fiscal year 1946, \$48,420, together with not to exceed \$1,500 of the funds made available for administrative expenses to the Export-Import Bank of Washington, the Rubber Development Corporation, and the U. S. Commercial Company.

Penalty mail costs, 1945—Foreign Economic Administration: The limitation in the First Supplemental Appropriation Act, 1945, on the amount for penalty mail for the Foreign Economic Administration is hereby increased from \$47,453 to \$51,000.

Payments for articles and materials requisitioned: For the purpose of making payments to the owners thereof for articles requisitioned under authority of the Acts of October 10, 1940, and October 16, 1941, as amended (50 U. S. C. App. 711 and 721), the unexpended balance as of June 30, 1945, of the fund consisting of (1) the allocation of \$200,000 to the Economic Defense Board from the emergency fund for the President by letter of November 26, 1941, and (2) the receipts credited to said appropriation by said Act of October 10, 1940, as amended and reallocated for the same purpose by said letter of allocation, is hereby continued available to the Foreign Economic Administration for the fiscal year 1946: *Provided*, That receipts of the sales of articles requisitioned by said Administrator under authority of said Act of October 16, 1941, shall be deposited to the credit of this fund and be immediately available for the purposes thereof.

EXPORT-IMPORT BANK OF WASHINGTON

Export-Import Bank of Washington, administrative expenses: Not to exceed \$372,700 of the funds of the Export-Import Bank of Washington, continued as an agency of the Government by the Act of September 26, 1940 (15 U. S. C. 713b), shall be available during the fiscal year 1946 for all administrative expenses of the bank, including personal services and rent in the District of Columbia; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; lawbooks and books of reference; not to exceed \$100 for periodicals, \$200 for newspapers, and \$200 for maps; and not to exceed \$24,000 for the temporary employment of persons or organizations for special services by contract or otherwise, without regard to section 3709 of the Revised Statutes and the civil-service and classification laws: *Provided*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the bank or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That sections 102, 103, and 104 of the National War Agencies Appropriation Act, 1946, shall have no application to this appropriation.

Expenditures of a confidential character.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.
Infra, post, p. 418.

58 Stat. 874.

54 Stat. 1090; 55 Stat. 742.
50 U. S. C. app. §§ 711-713; Supp. IV, app. §§ 711, 713, 721-724.
Ante, pp. 270, 271.

Receipts from sales.

Post, p. 526.

Post, p. 635.

54 Stat. 962.
16 U. S. C., Supp. IV, § 713b note.
Post, p. 529.

44 Stat. 688.
5 U. S. C., Supp. IV, § 823.
Temporary employment.

41 U. S. C. § 5.
Nonadministrative expenses.

Nonapplication of certain provisions.
Post, p. 486.

RUBBER DEVELOPMENT CORPORATION

Administrative expenses.

44 Stat. 688.
5 U. S. C., Supp.
IV, § 823.
Nonadministrative expenses.

Nonapplication of certain provisions.
Post, p. 486.

Rubber Development Corporation, administrative expenses: Not to exceed \$1,201,500 of the funds of the Rubber Development Corporation shall be available during the fiscal year 1946 for the administrative expenses of said Corporation, including rent in the District of Columbia; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; and not to exceed \$250 for periodicals and newspapers: *Provided*, That expenses incurred (1) for services performed within the limits of continental United States on a force account, contract, or fee basis, (2) for services performed and commodities acquired outside such limits, and (3) for the procurement of supplies and equipment to be used outside such limits in connection with the production, acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said Corporation, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That sections 103 and 104 of the National War Agencies Appropriation Act, 1946, shall have no application to the funds authorized to be expended in this paragraph.

U. S. COMMERCIAL COMPANY

Administrative expenses.

Nonadministrative expenses.

Post, p. 486.

Applicability of certain general provisions to OEM.
Post, pp. 482, 486.

U. S. Commercial Company, administrative expenses: Not to exceed \$3,129,600 of the funds of the U. S. Commercial Company shall be available during the fiscal year 1946 for the administrative expenses of said Company, including rent in the District of Columbia; and printing and binding: *Provided*, That all necessary expenses (including services performed on a force account, contract or fee basis, but not including other personal services except those which the Company's prescribed accounting system requires to be charged to the cost of a commodity or project) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to said Company or in which it has an interest, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That sections 103 and 104 of the National War Agencies Appropriation Act, 1946, shall have no application to the funds authorized to be expended in this paragraph.

Those general provisions in the National War Agency Appropriation Act, 1946, applicable to the constituent agencies of the Office for Emergency Management, and those general provisions in such Act generally applicable to all agencies in such Act, are hereby made applicable to the same extent, except as otherwise provided, to the foregoing appropriations or paragraphs in this Act under the Office for Emergency Management.

OFFICE OF INTER-AMERICAN AFFAIRS

Penalty mail.
58 Stat. 874.

Salaries and expenses: The limitation in the First Supplemental Appropriation Act, 1945, on the amount for penalty mail for the Office of the Coordinator of Inter-American Affairs (now Office of Inter-American Affairs) is hereby increased from "\$4,625" to "\$9,000".

INDEPENDENT ESTABLISHMENTS

CIVIL SERVICE COMMISSION

Ante, p. 108

Salaries and expenses: For an additional amount for salaries and expenses, Civil Service Commission, fiscal year 1946, including the objects specified under this head in the Independent Offices Appro-

priation Act, 1946, \$670,000, which amount, together with the appropriation to which added, shall be available for medical examinations performed for veterans by private physicians at the direction of the Commission, and for all expenses necessary for administering the Federal Employees' Pay Act of 1945.

Medical examinations.

Ante, p. 295.

FEDERAL POWER COMMISSION

Salaries and expenses: For an additional amount for "Penalty mail costs", Federal Power Commission, fiscal year 1945, \$300.

58 Stat. 874.

FEDERAL SECURITY AGENCY

PUBLIC HEALTH SERVICE

Pay of personnel and maintenance of hospitals, Public Health Service: For an additional amount, fiscal year 1945, for "Pay of personnel and maintenance of hospitals, Public Health Service", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1945, \$600,000.

Ante, p. 7.

58 Stat. 558.

FEDERAL WORKS AGENCY

OFFICE OF THE ADMINISTRATOR

War public works (community facilities): For an additional amount to enable the Federal Works Administrator to carry out the functions vested in him by titles II and III of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534 and 1541), \$20,000,000, to remain available during the continuance of the unlimited national emergency declared by the President on May 27, 1941, but not to be available for obligation for new projects after June 30, 1946, of which amount not to exceed \$800,000 shall be available for administrative expenses, including the objects specified under the head "Defense public works (community facilities)" in the Second Deficiency Appropriation Act, 1941, and the joint resolution approved December 23, 1941 (Public Law 371): *Provided*, That in making allocations out of the funds appropriated in this paragraph for construction projects priority shall be given to emergency projects involving an estimated cost to the Federal Government of less than \$250,000: *Provided further*, That the amount appropriated in this paragraph shall not be available for obligation until the enactment of H. R. 3278 of the Seventy-ninth Congress.

Community facilities.

55 Stat. 361, 363.
42 U. S. C., Supp. IV, §§ 1531-1534, 1541-1553.

Ante, p. 80.

55 Stat. 1647.
50 U. S. C., Supp. IV, app., note prec. § 1.

55 Stat. 546, 855.

Priority to emergency projects.

Condition.

Ante, p. 383.

PUBLIC BUILDINGS ADMINISTRATION

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For an additional amount for "Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area", fiscal year 1945, including the objects specified under this head in the Independent Offices Appropriation Act, 1945, \$239,000.

58 Stat. 368.

Salaries and expenses, public buildings and grounds outside the District of Columbia: For an additional amount for "Salaries and expenses, public buildings and grounds outside the District of Columbia", fiscal year 1945, including the objects specified under this head in the Independent Offices Appropriation Act, 1945, \$390,000.

58 Stat. 368.

PUBLIC ROADS ADMINISTRATION

Damage claims: For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended

55 Stat. 768.
23 U. S. C., Supp.
IV, § 110.
Reimbursement of
States.

(23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army or the Navy, or both, by any other agency of the Government, and so forth," as fully set forth in Senate Document Numbered 61, and House Document Numbered 234, Seventy-ninth Congress, §212,114.10.

FILIPINO REHABILITATION COMMISSION

58 Stat. 626.
48 U. S. C., Supp.
IV, § 1243.

For necessary expenses of the Filipino Rehabilitation Commission as authorized by the Act of June 29, 1944 (Public Law 381), including personal services in the District of Columbia and elsewhere without regard to the civil-service and classification laws; printing and binding; lawbooks, books of reference, and periodicals; newspapers; purchase, maintenance, operation, and repair of passenger automobiles; temporary employment of persons or organizations by contract or otherwise without regard to section 3709 of the Revised Statutes or the Classification Act of 1923, as amended; travel expenses, when specifically authorized by the Commission, without regard to the Standardized Government Travel Regulations or the Subsistence Expense Act of 1926, as amended; fiscal year 1946, \$50,000, to remain available until expended: *Provided*, That this appropriation shall be construed as having been available for expenditure from July 1, 1944, but, except for the compensation of the United States members of the Commission, no expenditures shall be made from this appropriation until an amount equal thereto, after deducting the amount of such compensation, has been contributed by the Commonwealth of the Philippines.

41 U. S. C. § 5.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et*
seq.
Ante, p. 298 *et seq.*
44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.
Availability of ap-
propriation.

NATIONAL HOUSING AGENCY

Ante, p. 82.

War housing: Subject to the other limitations under this head in the First Deficiency Appropriation Act, 1945, the availability of the appropriation "War housing", National Housing Agency, for obligation for new projects is hereby extended to December 31, 1945: *Provided*, That as to any project in which the War Department or the Navy Department does not have a paramount interest, no obligation shall be incurred unless and until the Director of the Bureau of the Budget shall have determined its essentiality to the prosecution of the war.

Restriction on in-
curring obligation.

NATIONAL LABOR RELATIONS BOARD

58 Stat. 568.

The transfer of not to exceed \$60,000 from the appropriation "Printing and binding, National Labor Relations Board, 1945", to the appropriation "Salaries, National Labor Relations Board, 1945", is hereby authorized.

UNITED STATES MARITIME COMMISSION

58 Stat. 875.

Penalty mail: The limitation in the First Supplemental Appropriation Act, 1945, on the amount for penalty mail for the United States Maritime Commission and the War Shipping Administration, is hereby increased from "\$83,250" to "\$100,000".

DISTRICT OF COLUMBIA

GENERAL ADMINISTRATION

58 Stat. 510.

Board of Tax Appeals: For an additional amount for the "Board of Tax Appeals", fiscal year 1945, including the objects specified in the appropriation for this purpose in the District of Columbia Appropriation Act, 1945, \$285.

FISCAL SERVICE

Auditor's office: For an additional amount for the "Auditor's office", fiscal year 1945, including the objects specified in the appropriation for this purpose in the District of Columbia Appropriation Act, 1945, \$5,350. 58 Stat. 510.

PUBLIC LIBRARY

Operating expenses: For an additional amount for "Operating expenses", Public Library, fiscal year 1945, including the objects specified in the appropriation for this purpose in the District of Columbia Appropriation Act, 1945, \$8,300. 58 Stat. 515.

PUBLIC WELFARE

National Training School for Boys: For an additional amount for care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia, fiscal year 1944, \$3,370. 57 Stat. 332.

Saint Elizabeths Hospital: For an additional amount for support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, fiscal year 1945, \$34,000. 58 Stat. 523.

PUBLIC WORKS

Operating expenses, office of Superintendent of District Buildings: For an additional amount for "Operating expenses, Office of Superintendent of District Buildings", fiscal year 1945, including the objects specified in the appropriation for this purpose in the District of Columbia Appropriation Act, 1945, \$4,400. 58 Stat. 523.

WATER SERVICE

Refunding water rents: For an additional amount for the fiscal year 1943 for the refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes, payable from the water fund, \$34.72. 56 Stat. 457.

JUDGMENTS

For the payment of final judgments, including costs, rendered against the District of Columbia, as set forth in House Documents Numbered 209 and 238, together with such further sum as may be necessary to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment, \$4,186.25.

AUDITED CLAIMS

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under the appropriations listed below, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), being for the service of the fiscal year 1942 and prior fiscal years: 18 Stat. 110.

Fire Department, expenses, District of Columbia, 1942, fire-fighting apparatus, \$16,474;

District Buildings, expenses, District of Columbia, 1942, \$11.76;

Health Department, medical services, District of Columbia, 1942, \$11.09;

Support of convicts, District of Columbia, 1942, \$862.13;

Sponsor's contributions to Work Projects Administration, non-construction projects, District of Columbia, 1942, \$28.35;
 Street improvements, highway funds, District of Columbia, 1942, \$5.00;
 Printing and binding, District of Columbia, 1941 and 1942, \$50.01;
 Health Department, laboratories, District of Columbia, 1941, \$4.95;
 Jail, expenses, District of Columbia, 1941, \$10.50;
 Division of Child Welfare, board and care of children, District of Columbia, 1940, 92 cents;
 District offices, expenses, District of Columbia, 1940, \$3.75;
 In all, \$17,462.46.

DIVISION OF EXPENSES

The foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for the respective fiscal years for which such sums are provided.

DEPARTMENT OF AGRICULTURE

OFFICE OF THE SOLICITOR

Office of the Solicitor: For an additional amount for the Office of the Solicitor, fiscal year 1946, including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, \$130,000.

Ante, p. 137.

EXTENSION SERVICE

For carrying into effect Public Law 76, Seventy-ninth Congress, approved June 6, 1945, for cooperative agricultural extension work, fiscal year 1946, \$4,500,000.

Ante, p. 231.

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES

For an additional amount for conservation and use of agricultural land resources, fiscal year 1946, for compliance with programs under the Agricultural Adjustment Act of 1938, as amended, including the measurement of burley tobacco acreages, to be consolidated with the sum of \$22,911,200 made available for salaries and other administrative expenses under this head in the Department of Agriculture Appropriation Act, 1946, \$408,000.

52 Stat. 31.
 7 U. S. C. § 1281;
 Supp. IV, ch. 35.
Ante, p. 50.

Ante, p. 154.

RURAL ELECTRIFICATION ADMINISTRATION

Salaries and expenses: For an additional amount for "Salaries and expenses", Rural Electrification Administration, fiscal year 1946, including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, and including \$200 additional for newspapers, \$650,000, together with the unobligated balance of the appropriation made under this head in the First Supplemental Appropriation Act, 1945.

Ante, p. 162.

58 Stat. 863.

Ante, p. 162.

Loans: For an additional amount for "Loans", Rural Electrification Administration, fiscal year 1946, \$120,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation in accordance with the provisions of section 3 (a) of the Rural Electrification Act of 1936, as amended.

49 Stat. 1363.
 7 U. S. C. § 903 (a);
 Supp. IV, § 903 (a).

Ante, p. 152.

EMERGENCY RUBBER PROJECT

Emergency rubber project: The appropriation entitled "Emergency rubber project" in the Department of Agriculture Appropriation Act, 1946, is hereby amended to read as follows:

"For all expenses necessary to enable the Secretary to carry into effect the Act of March 5, 1942, as amended (7 U. S. C. 171-175), including the harvesting and delivery of guayule shrub to the Rubber Reserve Company, a Government-owned corporation, for processing in mills to be operated by said Company; personal services in the District of Columbia and elsewhere; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); purchase of books of reference and periodicals; erection of necessary buildings; procurement of medical supplies or services for emergency use in the field; and the acceptance of donations of land and rubber-bearing plants, and furnishing to employees daily transportation between points of assembly and work projects, there is hereby continued available, in accordance with section 3 of said Act of March 5, 1942, not to exceed \$4,253,662 of the unobligated balances of appropriations made under this head for the fiscal years 1942 and 1943, which balances shall be merged with the appropriation made under this head in the Department of Agriculture Appropriation Act, 1944: *Provided*, That any proceeds from the sales of guayule, rubber processed from guayule, or other rubber-bearing plants, or from other sales, rentals, and fees resulting from operations under such Act of March 5, 1942, as amended, shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That guayule shrub may be sold to the Rubber Reserve Company, at a price reflecting the net realization from the sale of the rubber recovered from such shrub in mills operated by said Company after deducting the cost of milling and amortization of the cost of mills constructed for the purpose by said Company."

56 Stat. 126.
7 U. S. C., Supp.
IV, §§ 171-173.

40 Stat. 1270.
44 U. S. C. §§ 4,
111.

56 Stat. 128.
7 U. S. C., Supp.
IV, § 173.

57 Stat. 415.
Proceeds from sales.

Sales of guayule
shrub.

COMMODITY CREDIT CORPORATION

Salaries and administrative expenses: For an additional amount for "Salaries and administrative expenses", Commodity Credit Corporation, fiscal year 1946, including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, \$587,500, payable from the funds of said Corporation.

Post, p. 644.

Ante, p. 153.

DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Salaries and expenses: For an additional amount for "Salaries and expenses", fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$85,325.

Post, p. 645.

Ante, p. 187.

Printing and binding: For an additional amount for "Printing and binding," fiscal year 1946, \$65,000.

Ante, p. 188.

BUREAU OF THE CENSUS

Compiling census reports, and so forth: For an additional amount for "Compiling census reports, and so forth", fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$60,000.

Post, p. 646.

Ante, p. 188.

OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

General administration, Office of the Administrator: For an additional amount for "General administration, Office of the Administrator", fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$150,000.

Ante, p. 188.

Post, p. 646.

Establishment of air-navigation facilities: For an additional amount for "Establishment of air-navigation facilities", fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$27,000.

Ante, p. 189.

Maintenance and operation of air-navigation facilities: For an additional amount for "Maintenance and operation of air-navigation facilities", fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$1,040,000.

Ante, p. 189.

Enforcement of safety regulations: For an additional amount for "Enforcement of safety regulations", fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946; and including the purchase (not to exceed seventy-four) of passenger-carrying automobiles, \$400,000.

Ante, p. 189.

Cafeteria, Washington National Airport.

Construction of cafeteria, Washington National Airport: For the construction of a cafeteria at the Washington National Airport, \$156,000, to remain available until expended.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Ante, p. 192.

Departmental salaries and expenses: For an additional amount for "Departmental salaries and expenses", fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$75,000, and the limitation on the amount which may be expended for personal services is hereby increased from "\$1,860,000" to "\$1,929,250".

WEATHER BUREAU

Ante, p. 194.

Salaries and expenses: For an additional amount for "Salaries and expenses", fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$400,000.

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

Registers: For an additional amount for registers, fiscal year 1945, \$1,777.14.

BUREAU OF INDIAN AFFAIRS

Indians of Sioux reservations.

For an additional amount for payment of Sioux benefits to Indians of the Sioux Reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, fiscal year 1945, \$27,550.80.

BUREAU OF RECLAMATION

58 Stat. 487.

Shoshone project, Wyoming: The limitation under the head "Shoshone project, Wyoming", in the Interior Department Appropriation Act, 1945, upon the amount that may be expended from power revenues for the operation and maintenance of the power system is hereby increased from \$50,000 to \$85,300.

Reclamation fund, special fund, Rio Grande project, New Mexico-Texas: Rio Grande project, New Mexico-Texas, \$490,000, to be expended from the reclamation fund, special fund, construction, and to remain available until expended.

BUREAU OF MINES

Enforcement of Federal Explosives Act: The limitation in the appropriation "Enforcement of Federal Explosives Act", in the

Interior Department Appropriation Act, 1945, on the amount which may be expended for printing and binding is hereby increased from "\$5,000" to "\$15,500".

58 Stat. 493.

NATIONAL PARK SERVICE

For the settlement in full, including expenses incidental thereto, of the claim of Henry Weibert, or any other successors in interest under allotment numbered 423 of White Goose, to a certain tract of land containing approximately ten acres, in the southeast quarter southwest quarter section 18, township 3 south, range 35 east, Montana principal meridian, which allotted lands partially overlap the Custer Battlefield National Cemetery, Montana, fiscal year 1946, \$250.

Claim of Henry Weibert.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

Salaries and expenses, Lands Division: For an additional amount for "Salaries and expenses, Lands Division", fiscal year 1942, including the objects specified under this head in the Department of Justice Appropriation Act, 1942, \$4,690.33.

55 Stat. 294.

Salaries and expenses of district attorneys, and so forth: For an additional amount for "Salaries and expenses of district attorneys, and so forth", fiscal year 1945, including the objects specified under this head in the Department of Justice Appropriation Act, 1945, \$100,000.

58 Stat. 409.

Salaries and expenses of marshals, and so forth: For an additional amount for "Salaries and expenses of marshals, and so forth", fiscal year 1945, including the objects specified under this head in the Department of Justice Appropriation Act, 1945, \$275,000.

58 Stat. 410.

Pay and expenses of bailiffs: For an additional amount for "Pay and expenses of bailiffs", fiscal year 1945, including the objects specified under this head in the Department of Justice Appropriation Act, 1945, \$70,000.

58 Stat. 410.

FEDERAL BUREAU OF INVESTIGATION

Damage claims: For the payment of claims for damages adjusted and determined by the Attorney General of the United States under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (31 U. S. C. 224b), as fully set forth in House Document Numbered 233, Seventy-ninth Congress, \$524.47.

49 Stat. 1184.

FEDERAL PRISON SYSTEM

Salaries and expenses, penal and correctional institutions: For an additional amount for "Salaries and expenses, penal and correctional institutions", fiscal year 1945, including the objects specified under this head in the Department of Justice Appropriation Act, 1945, \$380,000.

58 Stat. 413.

NAVY DEPARTMENT

For additional amounts for appropriations for the Navy Department and naval service, fiscal years 1943, 1945, and 1946, to be supplemental to the appropriations and funds in the respective naval appropriation Acts for such fiscal years, including the objects and subject to the limitations specified under the respective heads and to the provisions under the head "General provisions", contained in such Acts, except as otherwise provided herein, as follows:

56 Stat. 54, 76; 58 Stat. 301, 319. *Ante*, pp. 201, 219.

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

Ante, p. 203.

Operation and conservation of naval petroleum reserves: For the Navy Department's share of expenses in connection with the exploration and prospecting as authorized by Public Law 343, approved June 17, 1944, of Naval Petroleum Reserve Numbered 1, including the purchase of any outstanding privately owned interests in lands and equipment thereon located within said Naval Petroleum Reserve Numbered 1, fiscal year 1946, \$7,570,000.

58 Stat. 280.
34 U. S. C., Supp.
IV, § 524.
Post, pp. 465, 466.

BUREAU OF SHIPS

Ante, p. 205.

55 Stat. 156.

56 Stat. 390, 50.

Maintenance, Bureau of Ships: The appropriation "Maintenance, Bureau of Ships, 1942", including that portion thereof which was made available for obligation until June 30, 1943, by Public Law 626, approved June 23, 1942, and the appropriation "Maintenance, Bureau of Ships, 1943", shall remain available until June 30, 1946, for the payment of obligations legally incurred under contracts entered into on or before June 30, 1943.

BUREAU OF SUPPLIES AND ACCOUNTS

Pay, subsistence, and transportation, Navy, for the fiscal years that follow:

Fiscal year 1943, \$4,800,000;

Fiscal year 1945, \$695,719,000.

56 Stat. 64.

Maintenance, Bureau of Supplies and Accounts, Navy, 1943, \$250,000.

58 Stat. 310.

Fuel and transportation, Navy, 1945, \$53,000,000.

Transfer of funds.

The Secretary of the Treasury is hereby authorized and directed to transfer the sum of \$24,000,000 from the appropriation "Defense installations on merchant vessels, Navy", to the appropriation "Fuel and transportation, Navy, 1945".

MARINE CORPS

58 Stat. 312.

Pay, Marine Corps, 1945, \$30,600,000.

Ante, p. 214.

General expenses, Marine Corps, 1946, \$48,680,000.

Ante, p. 219.

GENERAL PROVISION

The appropriations of the Naval Establishment for the fiscal year 1946 shall be available for traveling expenses (including subsistence while awaiting transportation at west coast ports) in connection with the recruitment and placement of civilian personnel for naval facilities at Pearl Harbor and in the States of Washington, Oregon, California, Nevada, Utah, Nebraska, and Oklahoma.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

For an additional amount for "Compensation to postmasters", fiscal year 1943, including the objects specified under this head in the Post Office Department Appropriation Act, 1943, \$30,000.

56 Stat. 164.

For additional amounts for appropriations of the Post Office Department for the fiscal year 1945, including the objects specified under the

respective heads in the Post Office Department Appropriation Act, 1945, as follows:

58 Stat. 207.

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

SALARIES IN BUREAUS AND OFFICES

58 Stat. 207.

Salaries, Office of the Second Assistant Postmaster General, fiscal year 1945, \$7,000.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

58 Stat. 209.

Compensation to postmasters, fiscal year 1945, \$7,155,000.

Compensation to assistant postmasters, fiscal year 1945, \$100,000.

Clerks, first- and second-class post offices, fiscal year 1945, \$35,000,000.

Detroit River service, fiscal year 1945, \$1,030.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

58 Stat. 210.

Railroad transportation and mail messenger service, fiscal year 1945, \$8,500,000.

Railway Mail Service, salaries, fiscal year 1945, \$1,900,000.

Railway postal clerks, travel allowance, fiscal year 1945, \$9,000.

Electric-car service, fiscal year 1945, \$20,000.

Domestic Air Mail Service: Not to exceed \$400 of the appropriation "Domestic Air Mail Service", fiscal year 1945, is hereby made available for long-distance telephone tolls and telegrams and cablegrams notwithstanding the provisions of section 404 of the First Supplemental Appropriation Act, 1945.

58 Stat. 886.

Ante, p. 71.

Foreign mail transportation: Not to exceed \$7,500 of the appropriation "Foreign mail transportation", fiscal year 1946, is hereby made available for expenses of delegates designated from the Post Office Department by the Postmaster General to the Fifth Congress of the Postal Union of the Americas and Spain, to be expended in the discretion of the Postmaster General and accounted for on his certificate notwithstanding the provisions of any other law.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

58 Stat. 211.

Manufacture and distribution of stamps and stamped paper, fiscal year 1945, \$533,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

58 Stat. 211.

Rent, light, fuel, and water, fiscal year 1945, \$560,000.

Vehicle service, fiscal year 1945, \$1,100,000.

Operating force, public buildings, fiscal year 1945, \$2,000,000.

Operating supplies, public buildings, fiscal year 1945, \$649,000.

DEPARTMENT OF STATE

INTERNATIONAL OBLIGATIONS

For additional amounts for "United States contributions to international commissions, congresses, and bureaus", fiscal year 1946, for payment of the annual contributions, quotas, and expenses, in accordance with the provisions under this head in the Department of State Appropriation Act for said fiscal year, as follows:

International Bureau of Weights and Measures, \$14,701.50;

Ante, p. 175.*Post*, p. 653.

International Technical Committee of Aerial Legal Experts, \$7,153.40, of which \$6,500 shall be available for expenses of participation as authorized by the Act of August 7, 1935, as amended (49 U. S. C. 231).

49 Stat. 540.

Arbitration of claim, by the United States and the Netherlands: For the expenses of the arbitration under the convention between the United States and the Netherlands, signed March 18, 1938, of a claim which arose in November 1917, as a result of the requisition by the Government of the United States of certain military supplies of the Government of the Netherlands, including the share of the United States of the honorarium of the neutral arbitrator and of other joint expenses of the two governments; stenographic reporting and translating services, by contract if deemed necessary without regard to section 3709 of the Revised Statutes; books and documents; official cards; fiscal year 1946, \$17,000.

53 Stat. 1564.

41 U. S. C. § 5.

Post, p. 653.

Intergovernmental Committee on Refugees: For expenses necessary for the participation by the United States in the work of the Intergovernmental Committee on Refugees, including the contribution by the United States of its share in the expenses of said committee up to and including December 31, 1945; personal services in the District of Columbia; and salary of the United States representative at not to exceed \$10,000 per annum; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; fiscal year 1946, \$4,500,000.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.

American Mexican Claims Commission: For all expenses necessary to carry into effect the provisions of the Settlement of Mexican Claims Act of 1942 (22 U. S. C. 661), as amended by the Act of April 3, 1945 (Public Law 29), including personal services in the District of Columbia; printing and binding; lawbooks and books of reference; \$106,000, fiscal year 1946, to be expended under the direction of the Secretary of State.

56 Stat. 1058.
22 U. S. C., Supp.
IV, § 661 *et seq.*
Ante, p. 49.*Ante*, p. 180.

Cooperation with the American Republics: The appropriation "Cooperation with the American Republics", for the fiscal year 1946, is hereby made available to make contracts with, and grants of money or property to, nonprofit institutions in the United States and the other American Republics, including the distribution of materials and other services in the fields of education and travel, arts and sciences, publications, the radio, the press, and the cinema.

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

49 Stat. 1099.
38 U. S. C. § 688b.

Administrative expenses, Adjusted Compensation Payment Act, 1936, Treasury Department: For transfer to the Post Office Department to cover the cost of certification for redemption, recording, and other handling, including registry fees and postage on mailings, of bonds issued under the provisions of the Adjusted Compensation Payment Act of 1936, fiscal years 1945 and 1946, \$250,000.

For an additional amount for "Reimbursement to District of Columbia, benefit payments to White House Police and Secret Service forces", Treasury Department, fiscal year 1945, \$6,100.

BUREAU OF ACCOUNTS

Salaries and expenses, Bureau of Accounts: For an additional amount for "Salaries and expenses, Bureau of Accounts", fiscal year 1946, including the objects specified under this head in the Treasury Department Appropriation Act, 1946, and printing and binding (not to exceed \$500), for expenses necessary for the liquidation of the

Ante, p. 58.
Liquidation of des-
ignated activities.

activities of the Division of Central Administrative Services and the Office of Civilian Defense, of the Office for Emergency Management, \$98,760.

BUREAU OF INTERNAL REVENUE

Salaries and expenses: For an additional amount for "Salaries and expenses, Bureau of Internal Revenue", fiscal year 1946, including the objects specified under this head in the Treasury Department Appropriation Act, 1946, \$16,300,000: *Provided*, That the limitations on the amounts available for stationery and for personal services in the District of Columbia are hereby increased from "\$1,400,000" to "\$1,510,000" and from "\$10,800,000" to "\$11,310,000", respectively.

Ante, p. 61.

WAR DEPARTMENT

OFFICE OF THE SECRETARY

Damage claims: For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army", approved July 3, 1943 (31 U. S. C. 223b), as fully set forth in Senate Document Numbered 60, and House Document Numbered 229, Seventy-ninth Congress, \$262,764.24.

57 Stat. 372.
31 U. S. C., Supp.
IV, §§ 215-217 notes,
222a, 222b, 223b, 223c.
Ante, p. 225.

CIVIL FUNCTIONS, CORPS OF ENGINEERS

RIVERS AND HARBORS

For an additional amount, fiscal year 1946, for "Rivers and harbors", including the objects specified under this head in the War Department Civil Appropriation Act, 1946, to be immediately available and to remain available until expended, \$6,504,600: *Provided*, That hereafter the appropriations for "Rivers and harbors" shall be available for necessary expenditures in connection with the weir across the Niagara River authorized by Senate executive resolution dated November 27, 1941, ratifying executive G, Seventy-seventh Congress.

Ante, p. 40; *post*, p. 654.

Weir across Niagara River.

FLOOD CONTROL

Flood control, general: For an additional amount, fiscal year 1946, for "Flood control, general", including the objects specified under this head in the War Department Civil Appropriation Act, 1946, to be immediately available and to remain available until expended, \$8,906,000.

Ante, pp. 41, 236;
post, p. 654.

TITLE II—DEFENSE AID—LEND LEASE

SEC. 201. To enable the President, during the fiscal year ending June 30, 1946, through such departments or agencies of the Government as he may designate, further to carry out the provisions of an Act to promote the defense of the United States, approved March 11, 1941, as amended, and for each and every purpose incident to or necessary therefor, the following sums for the following respective purposes:

(a) For the procurement, by manufacture or otherwise, of defense articles, information, and services, for the government of any country whose defense the President deems vital to the defense of

Defense Aid Appropriation Act, 1946.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

Procurement and disposition of defense articles, etc.

the United States, and the disposition thereof, including all necessary expenses in connection therewith, as follows:

Vessels, ships, boats, and other watercraft, including the hire and temporary use thereof, and equipage, supplies, materials, spare parts, and accessories, \$666,912,000.

Agricultural, industrial, and other commodities and articles, \$1,805,228,000.

(b) For administrative expenses, not specified or included in the appropriation for "Salaries and expenses, Foreign Economic Administration, 1946", \$2,860,000.

(c) In all, \$2,475,000,000.

(d) Each of the foregoing appropriations shall be additional to, and consolidated with, the appropriations for the same purposes, contained in the same respective categories of appropriation in the Defense Aid Supplemental Appropriation Act, 1941, the Defense Aid Supplemental Appropriation Act, 1942, the Second Defense Aid Supplemental Appropriation Act, 1942, the Defense Aid Supplemental Appropriation Act, 1943, and the Defense Aid Appropriation Act, 1945, and the appropriations contained in the foregoing Acts are hereby continued and shall be available until June 30, 1946, except that \$500,000,000 of the total amount thus made available shall be continued to be reserved for expenditure, as and when necessary, for the postwar price support of agriculture: *Provided*, That with the exception of the appropriation for "Administrative expenses", not to exceed 20 per centum of any of the foregoing appropriations may be transferred by the President to any other of such appropriations, but no such appropriation shall be increased more than 30 per centum thereby: *Provided further*, That notwithstanding the foregoing proviso (1) balances, unobligated as of June 30, 1945, and balances subsequently released from obligation, of appropriations contained in the foregoing Acts for "Ordnance and ordnance stores, supplies, spare parts, and materials, including armor and ammunition and components thereof", and for "Miscellaneous military equipment, supplies, and materials", may be transferred by the President to and consolidated with the appropriation provided above for "Agricultural, industrial, and other commodities and articles"; and (2) balances, unobligated as of June 30, 1945, and balances subsequently released from obligation, of appropriations contained in the foregoing Acts for "Necessary services and expenses" may be transferred by the President to and consolidated with any of the appropriations provided above, except the appropriation for "Administrative expenses".

SEC. 202. Any defense article, information, or service procured from funds appropriated by this title or prior Acts appropriating funds to the President for the purpose of carrying out the provisions of said Act of March 11, 1941, as amended, shall be retained by or transferred to and for the use of such department or agency of the United States as the President may determine, in lieu of being disposed of to a foreign government, whenever in the judgment of the President the defense of the United States will be best served thereby: *Provided further*, That none of the funds appropriated in this title shall be used for the payment of any subsidy on agricultural products produced in the continental United States nor for the purchase or distribution of any food products for use in Puerto Rico or the Virgin Islands.

SEC. 203. This title may be cited as "Defense Aid Appropriation Act, 1946".

Administrative expenses.
Ante, p. 416.

Consolidation of funds.

55 Stat. 53, 745.

56 Stat. 130.

57 Stat. 151.

58 Stat. 628.

Availability.

Postwar price support of agriculture.

Transfer of funds.

Retention of defense articles, etc., by U. S.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

Subsidies on agricultural products.

Citation of title.

TITLE III—JUDGMENTS AND AUTHORIZED CLAIMS

PROPERTY DAMAGE CLAIMS

SEC. 301. (a) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in House Document Numbered 235, Seventy-ninth Congress, as follows:

Executive Office of the President:

Office for Emergency Management:

Office of War Information, \$485.63;

War Production Board, \$26.87;

Independent offices:

National Advisory Committee for Aeronautics, \$21.75;

Selective Service System, \$136.24;

Veterans' Administration, \$246.32;

Federal Security Agency, \$1,982.49;

Federal Works Agency, \$763.96;

National Housing Agency, \$119.50;

Department of Agriculture, \$1,010.81;

War Food Administration, \$262.06;

Department of Commerce, \$428.09;

Department of the Interior, \$944.96;

Department of Justice, \$833.22;

Post Office Department, \$1,832.80;

Department of the Navy, \$64,270.50;

Treasury Department, \$486.18;

In all, \$73,851.38.

(b) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document Numbered 65, Seventy-ninth Congress, as follows:

Executive Office of the President:

Office for Emergency Management:

War Shipping Administration, \$484.36;

Office of Price Administration, \$15;

Federal Security Agency, \$114.09;

Department of Agriculture, \$150;

War Food Administration, \$221.50;

Department of Commerce, \$60.34;

Department of the Interior, \$211.48;

Navy Department, \$15,091.44;

In all, \$16,348.21.

JUDGMENTS, UNITED STATES COURTS

SEC. 302. (a) For the payment of final judgments, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of

42 Stat. 1066.
31 U. S. C. §§ 215-
217; Supp. IV, §§ 215-
217 notes.
Post, p. 662.

Supra.

24 Stat. 506; 36 Stat.
1168.

suits against the Government of the United States", as amended by section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which have been certified to the Seventy-ninth Congress in Senate Document Numbered 63, and House Document Numbered 231, under the following agencies:

Under Executive Office of the President:

Office for Emergency Management, War Shipping Administration, \$6,842.50;

Under independent offices:

Federal Works Agency, \$562.50;

Work Projects Administration, \$425;

Under executive departments:

Agriculture, \$276.23;

Interior: Bureau of Reclamation, \$1,659.83;

War, \$9,730.31;

In all, \$19,496.37, together with such additional sum as may be necessary to pay costs and interest as specified in such judgments or as provided by law.

Suits in admiralty.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 787), and certified to the Seventy-ninth Congress in Senate Document Numbered 62, and House Document Numbered 232, as follows:

Under the—

Interior Department: Fish and Wildlife Service, \$1,200;

Navy Department, \$15,775.96;

War Department, \$3,136;

In all, \$20,111.96, together with such additional sum as may be necessary to pay interest as and where specified in the judgments.

43 Stat. 1112.
46 U. S. C. §§ 781-
790.

Condition.

(c) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

(d) Payment or interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 303. (a) For payment of judgments rendered by the Court of Claims and reported to the Seventy-ninth Congress in Senate Document Numbered 64, and House Document Numbered 236, under the following agencies, namely:

Independent establishments:

Federal Works Agency, Public Buildings Administration, \$18,422.75;

National Housing Agency, Federal Public Housing Authority, \$9,636.44;

Executive departments:

Agriculture, \$3,575.40;

Interior, \$4,611.84;

Navy, \$11,009.76;

Post Office, \$18,077.18;

Treasury, \$331,433.13;

War: Military Establishment, \$28,619.50;

Panama Canal, \$5,157.57;

In all, \$430,543.57, together with such additional sum as may be necessary to pay interest as and where specified in the judgments.

(b) None of the judgments contained under this caption shall be paid until the right of appeal has expired, except such as has become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Condition.

AUDITED CLAIMS

SEC. 304. (a) For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1942 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 66, and House Document Numbered 230, Seventy-ninth Congress, there is appropriated the sum of \$2,178,988.57, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund, and \$7,587.32 payable from postal revenues; in all, \$2,186,575.89.

18 Stat. 110.

23 Stat. 254.

TITLE IV—GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provision of existing law.

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

SEC. 402. The appropriations and authority with respect to appropriations in this Act in whole or in part for the fiscal year 1945 shall be available from and including July 1, 1944, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1944, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Retroactive provisions.

SEC. 403. The appropriations and authority with respect to appropriations in this Act in whole or in part for the fiscal year 1946 shall be available from and including July 1, 1945, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1945, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Availability of funds.

SEC. 404. The appropriations and authority with respect to appropriations contained in any regular annual appropriation Act for the fiscal year 1946, not a law on July 1, 1945, shall be available from and including July 1, 1945, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1945, and the date of enactment of such appropriation Acts as may not have been enacted on or before July 1, 1945, in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Short title.

SEC. 405. This Act may be cited as the "Second Deficiency Appropriation Act, 1945".

Approved July 5, 1945.

[CHAPTER 273]

AN ACT

To amend the Act entitled "An Act to provide for the disposal of certain records of the United States Government".

July 6, 1945
[H. R. 44]
[Public Law 133]

Disposal of certain Government records.

44 U. S. C., Supp. IV, §§ 366-380.

Records lacking preservation value. Schedules proposing disposal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the disposal of certain records of the United States Government", approved July 7, 1943 (57 Stat. 380), is hereby amended as follows:

(a) By adding to section 4 the following paragraph:

"The Archivist may also submit to Congress, together with recommendations of the National Archives Council with respect thereto, and at such times as he may deem expedient, schedules proposing the disposal, after the lapse of specified periods of time, of records of a specified form or character common to several or all agencies that either have accumulated or may accumulate in such agencies and that apparently will not, after the lapse of the periods specified, have sufficient administrative, legal, research, or other value to warrant their further preservation by the United States Government."

(b) By changing section 6 to read as follows:

"SEC. 6. If the joint committee reports that any of the records listed in a list or schedule referred to it do not, or will not after the lapse of the period specified, have sufficient administrative, legal, research, or other value to warrant their continued preservation by the Government, the Archivist shall notify the agency or agencies having such records in their custody of the action of the joint committee and such agency or agencies shall cause such records to be disposed of in accordance with regulations promulgated as provided in section 2 of this Act: *Provided*, That authorizations granted pursuant to schedules submitted under the last paragraph of section 4 of this Act shall be permissive and not mandatory."

(c) By changing section 7 to read as follows:

"SEC. 7. If the joint committee fails to make a report during any regular or special session of Congress on any list or schedule submitted to Congress by the Archivist not less than ten days prior to the adjournment of such session, the Archivist may empower the agency or agencies having in their custody records covered by such lists or schedules to cause such records to be disposed of in accordance with regulations promulgated as provided in section 2 of this Act."

(d) By deleting the numerals "9" and "10" in the last line of section 12 and by inserting in lieu thereof the numerals "10" and "11".

Approved July 6, 1945.

Disposal upon failure of committee to report.

Renumbering of sections.

Disposal by agency.

[CHAPTER 274]

AN ACT

To reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes.

July 6, 1945
[H. R. 3035]
[Public Law 134]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the term "employees" wherever used in this Act shall include officers, supervisors, special-delivery messengers in offices of the first class, and all other employees paid from field appropriations of the Postal Service, other than postmasters, skilled-trades employees of the mail-equipment shops, job cleaners in first- and second-class post offices, and employees who are paid on a fee or contract basis.

Postal Service.
Reclassification of
salaries.
"Employees."

HOURS OF DUTY

SEC. 2. Employees shall be required to work not more than eight hours a day except as provided in section 4. The eight hours of service shall not extend over a longer period than ten consecutive hours, and the schedules of duty of the employees shall be regulated accordingly: *Provided*, That the provisions of this section shall not apply to employees of the Railway Mail Service and the Air Mail Service; post-office inspectors; rural carriers; traveling mechanics; examiners of equipment and supplies; employees in third-class post offices; employees paid on an hourly basis; employees not in the automatic or additional annual salary grades; and carriers in the Village Delivery Service: *Provided further*, That any classified substitute employee who reports for duty at any post office or other postal unit in compliance with an official order shall be employed not less than two hours following the hour at which such classified substitute employee is ordered to report. Employment in any branch of the Postal Service will be construed as compliance with this proviso.

Classified substitute
employees.

COMPENSATORY TIME

SEC. 3. When the needs of the service require employees to perform service on Saturdays, Sundays, or holidays, they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday or Sunday and within thirty days next succeeding the holiday: *Provided*, That the Postmaster General may, if the exigencies of the service require, authorize the payment of overtime to employees other than supervisory employees whose base salaries are more than \$3,200 per annum for services performed on Saturdays, Sundays, and Christmas Day during the month of December in lieu of compensatory time: *Provided further*, That supervisory employees whose base salaries are more than \$3,200 per annum shall be allowed compensatory time for services performed on Saturdays, Sundays, and on Christmas Day during the month of December within one hundred and eighty days from the days such service was performed: *And provided further*, That the provisions of this section shall not apply to employees of the Railway Mail Service and the Air Mail Service; post-office inspectors; rural carriers; traveling mechanics; examiners of equipment and supplies; clerks in third-class post offices; and employees paid on an hourly basis.

OVERTIME

SEC. 4. In emergencies or if the needs of the service require, employees may be employed in excess of eight hours per day and for such overtime service they shall be paid on the basis of 150 per centum

of the annual rate of pay received by such employees. In computing compensation for such overtime employment, the annual salary or compensation for such employees shall be divided by two thousand and eighty, the number of working hours in a year. The quotient thus obtained will be the base hourly compensation and one and one-half times that amount will be the hourly rate of overtime pay: *Provided*, That the provisions of this section shall not apply to employees of the Railway Mail Service and the Air Mail Service; post-office inspectors; rural carriers; traveling mechanics; examiners of equipment and supplies; employees paid on an hourly basis, and supervisory employees.

NIGHT DIFFERENTIAL

Night work defined.

SEC. 5. Employees who are required to perform night work shall be paid extra for each hour of such work at the rate of 10 per centum of their base hourly compensation, computed by dividing the base annual salary by two thousand and eighty. Night work shall be defined as any work performed between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian: *Provided*, That such differential for night duty shall not be included in computing any overtime compensation to which the officer or employee may be entitled. The provisions of this section shall not apply to post-office inspectors; traveling mechanics; examiners of equipment and supplies; officers of the Railway Mail Service and of the Air Mail Service; and rural carriers.

ANNUAL LEAVE

Sick leave.

Classified substitute employees.

SEC. 6. Postmasters and employees shall be granted fifteen days' leave of absence with pay, exclusive of Saturdays, Sundays, and holidays, each fiscal year and sick leave with pay at the rate of ten days a year, exclusive of Saturdays, Sundays, and holidays, to be cumulative. Sick leave shall be granted only upon satisfactory evidence of illness in accordance with regulations to be prescribed by the Postmaster General: *Provided*, That the fifteen days' leave shall be credited at the rate of one and one-quarter days for each month of actual service: *Provided further*, That classified substitute employees, under such regulations as the Postmaster General may prescribe, shall be granted the same rights and benefits with respect to annual and sick leave that accrue to regular employees in proportion to the time employed in a pay status and one hundred and sixty-eight hours and forty minutes of such employment shall entitle the employee to one and one-quarter days' annual leave and six hours and forty minutes' sick leave: *And provided further*, That in no event shall a classified substitute employee be credited during a twelve-month period with more than fifteen days' annual and ten days' sick leave.

METHOD OF PAYMENT

Where compensation on annual basis.

Installments.

Month construed.

SEC. 7. Where the compensation of any postmaster, other officer, or employee is on an annual basis, the following rules for division of time and computation of pay for services rendered are established:

Annual compensation shall be divided into twelve equal installments, one of which shall be the pay for each calendar month and one-half of each such installment shall be paid on the sixteenth day of the month and the first day of the following month, or as soon thereafter as practicable. For the purpose of computing such compensation and for computing time for services rendered during a fractional part of a month, in connection with annual compensation, each and every month shall be held to consist of thirty days, without regard to the actual number of days in any calendar month, thus excluding the thirty-first day of any calendar month from the

computation and treating February as if it actually had thirty days. Any person entering the Postal Service during a thirty-one-day month and serving until the end thereof shall be entitled to pay for that month from the date of entry to the thirtieth day of said month, both days inclusive; and any person entering said Service during the month of February and serving until the end thereof shall be entitled to one month's pay, less as many thirtieths thereof as there were days elapsed prior to date of entry. For each day's unauthorized absence on the thirty-first day of any calendar month one day's pay shall be forfeited.

SEC. 8. (a) The compensation of postmasters shall be annual salaries to be fixed by the Postmaster General from their respective quarterly returns for the calendar year immediately preceding the adjustment, based on gross postal receipts at the following rates: *Provided*, That subsection (c) of section 1001 of the Revenue Act of 1932 (47 Stat. 285), as amended, is hereby repealed, retroactive to January 1, 1944, and thereafter the gross postal receipts shall be counted for the purpose of determining the class of the post office or the compensation or allowances of postmasters or other employees, whose compensation or allowances are based on the annual receipts of such offices: *Provided further*, That in fixing the salaries of the postmaster and supervisory employees in the post office at Washington, District of Columbia, the Postmaster General may, in his discretion, add not to exceed 75 per centum to the gross receipts of that office:

Postmasters.
Basis for computing
pay.

Repeal.
39 U. S. C. § 280 note.

Salaries of post-
master and supervi-
sory employees, D. C.

FIRST CLASS	
\$40,000 but less than \$50,000	\$3, 600
\$50,000 but less than \$60,000	3, 700
\$60,000 but less than \$75,000	3, 800
\$75,000 but less than \$90,000	3, 900
\$90,000 but less than \$120,000	4, 000
\$120,000 but less than \$150,000	4, 100
\$150,000 but less than \$200,000	4, 200
\$200,000 but less than \$250,000	4, 300
\$250,000 but less than \$300,000	4, 400
\$300,000 but less than \$400,000	4, 600
\$400,000 but less than \$500,000	4, 800
\$500,000 but less than \$600,000	5, 300
\$600,000 but less than \$1,000,000	5, 600
\$1,000,000 but less than \$1,500,000	6, 000
\$1,500,000 but less than \$3,000,000	7, 000
\$3,000,000 but less than \$7,000,000	8, 000
\$7,000,000 but less than \$10,000,000	9, 000
\$10,000,000 but less than \$20,000,000	10, 000
\$20,000,000 but less than \$40,000,000	11, 000
\$40,000,000 and upward	12, 000
SECOND CLASS	
\$8,000 but less than \$12,000	\$3, 000
\$12,000 but less than \$15,000	3, 000
\$15,000 but less than \$18,000	3, 000
\$18,000 but less than \$22,000	3, 100
\$22,000 but less than \$27,000	3, 200
\$27,000 but less than \$33,000	3, 300
\$33,000 but less than \$40,000	3, 400

Provided, That where the gross postal receipts of a post office of the second class for each of two consecutive calendar years are less than \$8,000, or where in any calendar year the gross postal receipts are less than \$7,000, it shall be relegated to the third class.

Relegation to third
class.

THIRD CLASS	
\$1,500 but less than \$1,600	\$1, 400
\$1,600 but less than \$1,700	1, 500
\$1,700 but less than \$1,900	1, 600
\$1,900 but less than \$2,100	1, 700
\$2,100 but less than \$2,400	1, 800
\$2,400 but less than \$2,700	1, 900
\$2,700 but less than \$3,000	2, 000
\$3,000 but less than \$3,500	2, 100
\$3,500 but less than \$4,200	2, 200
\$4,200 but less than \$5,000	2, 300
\$5,000 but less than \$6,000	2, 400
\$6,000 but less than \$7,000	2, 500
\$7,000 but less than \$8,000	2, 600

FOURTH CLASS	
Less than \$100	\$168
\$100 but less than \$150	264
\$150 but less than \$200	348
\$200 but less than \$250	432
\$250 but less than \$300	516
\$300 but less than \$350	588
\$350 but less than \$400	636
\$400 but less than \$450	684
\$450 but less than \$500	720
\$500 but less than \$600	804
\$600 but less than \$700	900
\$700 but less than \$800	984
\$800 but less than \$900	1, 068
\$900 but less than \$1,000	1, 152
\$1,000 but less than \$1,100	1, 236
\$1,100 but less than \$1,500	1, 320

Reduction of base
pay.

(b) The base annual compensation of an incumbent postmaster shall not be reduced in the readjustment to conform to the provisions of this Act, except for a decrease in gross postal receipts to an amount for which a lower salary grade is provided.

SALARIES OF SUPERVISORS, OFFICES OF THE FIRST CLASS

SEC. 9. (a) At post offices of the first class the annual salaries of supervisory employees shall be based on gross postal receipts for the preceding calendar year as follows:

(b) Receipts of \$40,000 but less than \$75,000—assistant postmaster, \$3,200; superintendent of mails, \$3,100.

(c) Receipts of \$75,000 but less than \$90,000—assistant postmaster, \$3,300; superintendent of mails, \$3,200.

(d) Receipts of \$90,000 but less than \$120,000—assistant postmaster, \$3,400; superintendent of mails, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(e) Receipts of \$120,000 but less than \$150,000—assistant postmaster, \$3,500; superintendent of mails, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(f) Receipts of \$150,000 but less than \$200,000—assistant postmaster, \$3,600; superintendent of mails, \$3,400; foremen, \$3,200; clerks in charge, \$3,100.

(g) Receipts of \$200,000 but less than \$250,000—assistant postmaster, \$3,700; superintendent of mails, \$3,400; foremen, \$3,200; clerks in charge, \$3,100.

(h) Receipts of \$250,000 but less than \$300,000—assistant postmaster, \$3,800; superintendent of mails, \$3,500; assistant superintendent of mails, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(i) Receipts of \$300,000 but less than \$400,000—assistant postmaster, \$3,900; superintendent of mails, \$3,600; assistant superintendent of mails, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(j) Receipts of \$400,000 but less than \$500,000—assistant postmaster, \$4,000; superintendent of mails, \$3,600; assistant superintendent of mails, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(k) Receipts of \$500,000 but less than \$600,000—assistant postmaster, \$4,100; superintendent of mails, \$3,700; superintendent of postal finance, \$3,400; superintendent of money orders, \$3,200; assistant superintendents of mails, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(l) Receipts of \$600,000 but less than \$1,000,000—assistant postmaster, \$4,200; superintendent of mails, \$3,900; superintendent of postal finance, \$3,500; superintendent of money orders, \$3,300; assistant superintendents of mails, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(m) Receipts of \$1,000,000 but less than \$2,000,000—assistant postmaster, \$4,300; superintendent of mails, \$4,100; superintendent of postal finance, \$3,700; assistant superintendent of postal finance, \$3,100; superintendent of money orders, \$3,400; assistant superintendent of money orders, \$3,100; assistant superintendents of mails, \$3,500; auditor, \$3,100; station examiners, \$3,100; general foremen, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(n) Receipts of \$2,000,000 but less than \$3,000,000—assistant postmaster, \$4,400; superintendent of mails, \$4,200; superintendent of postal finance, \$3,800; assistant superintendent of postal finance, \$3,300; superintendent of money orders, \$3,500; assistant superintendent of money orders, \$3,100; senior assistant superintendent of mails, \$3,700; assistant superintendents of mails, \$3,500; auditor, \$3,100; station examiners, \$3,100; general foremen, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(o) Receipts of \$3,000,000 but less than \$5,000,000—assistant postmaster, \$4,500; superintendent of mails, \$4,300; superintendent of postal finance, \$4,000; assistant superintendent of postal finance, \$3,500; superintendent of money orders, \$3,700; assistant superintendent of money orders, \$3,200; senior assistant superintendent of mails, \$3,900; assistant superintendents of mails, \$3,500; auditor, \$3,100; station examiners, \$3,200; general foremen, \$3,300; foremen, \$3,200; clerks in charge, \$3,100.

(p) Receipts of \$5,000,000 but less than \$7,000,000—assistant postmaster, \$4,700; superintendent of mails, \$4,500; superintendent of postal finance, \$4,200; assistant superintendent of postal finance, \$3,500; superintendent of money orders, \$3,900; assistant superintendent of money orders, \$3,300; senior assistant superintendent of mails, \$4,100; assistant superintendents of mails, \$3,700; auditor, \$3,100; station examiners, \$3,200; general foremen, \$3,500; foremen, \$3,200; clerks in charge, \$3,100.

(q) Receipts of \$7,000,000 but less than \$9,000,000—assistant postmaster, \$5,100; superintendent of mails, \$4,800; superintendent of postal finance, \$4,400; assistant superintendent of postal finance, \$3,800; superintendent of money orders, \$4,000; assistant superintendent of money orders, \$3,500; senior assistant superintendent of mails, \$4,300; assistant superintendents of mails, \$3,900; auditor, \$3,100; station examiners, \$3,200; general foremen, \$3,500; foremen, \$3,200; clerks in charge, \$3,100.

(r) Receipts of \$9,000,000 but less than \$14,000,000—assistant postmaster, \$5,300; general superintendent of finance, \$5,100; general superintendent of mails, \$5,100; superintendent of postal finance,

\$4,500; superintendent of money orders, \$4,500; superintendent of incoming mails, \$4,500; superintendent of outgoing mails, \$4,500; superintendent of carriers, \$4,500; superintendent of registry, \$4,500; senior assistant superintendents, \$4,100; assistant superintendents, \$3,900; auditor, \$3,200; chief station examiner, \$3,600; station examiners, \$3,200; general foremen, \$3,500; foremen, \$3,200; clerks in charge, \$3,100.

(s) Receipts of \$14,000,000 but less than \$20,000,000—assistant postmaster, \$5,700; general superintendent of finance, \$5,200; general superintendent of mails, \$5,200; assistant general superintendent of mails, \$4,900; superintendent of postal finance, \$4,500; superintendent of money orders, \$4,500; superintendent of incoming mails, \$4,500; superintendent of outgoing mails, \$4,500; superintendent of carriers, \$4,500; superintendent of registry, \$4,500; senior assistant superintendents, \$4,100; assistant superintendents, \$3,900; auditor, \$3,600; chief station examiner, \$3,600; station examiners, \$3,200; general foremen, \$3,500; foremen, \$3,200; clerks in charge, \$3,100.

(t) Receipts of \$20,000,000 but less than \$40,000,000—assistant postmaster, \$6,200; general superintendent of finance, \$5,500; general superintendent of mails, \$5,500; assistant general superintendent of mails, \$5,100; superintendent of postal finance, \$4,700; superintendent of money orders, \$4,700; superintendent of incoming mails, \$4,700; superintendent of outgoing mails, \$4,700; superintendent of carriers, \$4,700; superintendent of registry, \$4,700; senior assistant superintendents, \$4,500; assistant superintendents, \$3,900; auditor, \$4,400; assistant auditor, \$3,700; chief station examiner, \$3,700; station examiners, \$3,400; general foremen; \$3,600; foremen, \$3,200; clerks in charge, \$3,100.

(u) Receipts of \$40,000,000 and up—assistant postmaster, \$6,700; general superintendent of finance, \$5,700; general superintendent of mails, \$5,700; assistant general superintendent of finance, \$5,100; assistant general superintendent of mails, \$5,100; superintendent of postal finance, \$4,700; superintendent of money orders, \$4,700; superintendent of incoming mails, \$4,700; superintendent of outgoing mails, \$4,700; superintendent of carriers, \$4,700; superintendent of registry, \$4,700; senior assistant superintendents, \$4,500; assistant superintendents, \$3,900; auditor, \$4,400; assistant auditor, \$3,700; chief station examiner, \$3,700; station examiners, \$3,400; general foremen, \$3,600; foremen, \$3,200; clerks in charge, \$3,100.

(v) The annual salaries of supervisors in the United States Stamped Envelope Agency shall be as follows:

Agent, \$4,000; assistant agent, \$3,500.

(w) The salary of superintendents of classified stations shall be based on the number of employees assigned thereto and the annual postal receipts. No allowance shall be made for sales of stamps to patrons residing outside of the territory of the stations. At classified stations each \$25,000 of postal receipts shall be considered equal to one additional employee: *Provided*, That in determining the number of employees at a classified station, credit shall be allowed for service performed by regular employees, substitute employees other than those serving in lieu of regular employees absent from duty for any cause and temporary employees assigned to the station, and for each two thousand and twenty-four hours of service performed by such employees the station superintendent shall be allowed credit for one employee.

(x) At classified stations the salaries of superintendents, and, where there are more than fifty employees, assistant superintendents, shall be as follows: One to five employees—superintendent, \$3,200; six to

Supervisors, U. S. Stamped Envelope Agency.

Superintendents.
Basis of salary.

Credit for designated service.

Superintendents and assistant superintendents.
Salaries.

fifteen employees—superintendent, \$3,300; sixteen to twenty-five employees—superintendent, \$3,400; twenty-six to fifty employees—superintendent, \$3,600; fifty-one to seventy-five employees—superintendent, \$3,700; assistant superintendents, \$3,200; seventy-six to one hundred employees—superintendent, \$3,800; assistant superintendents, \$3,300; one hundred and one to one hundred and fifty employees—superintendent, \$3,900; assistant superintendents, \$3,400; one hundred and fifty-one to two hundred employees—superintendent, \$4,000; assistant superintendents, \$3,500; two hundred and one to three hundred employees—superintendent, \$4,200; assistant superintendents, \$3,700; three hundred and one to four hundred employees—superintendent, \$4,300; assistant superintendents, \$3,800; four hundred and one to five hundred employees—superintendent, \$4,400; assistant superintendents, \$3,900; five hundred and one to one thousand employees—superintendent, \$4,600; assistant superintendents, \$4,100; one thousand and one employees and up—superintendent, \$4,700; assistant superintendents, \$4,200.

(y) In readjusting supervisory positions at first-class post offices to conform to the provisions of this Act reassignments shall be made as follows:

Reassignments.

AT POST OFFICES WITH RECEIPTS OF \$9,000,000 AND UP

One of the assistant postmasters shall be the assistant postmaster and the other assistant postmaster shall be one of the general superintendents.

The superintendent of mails, the superintendent of delivery, the postal cashier, superintendent of registry, or the superintendent of money orders shall be the other general superintendent: *Provided*, That the auditor at offices with receipts of \$20,000,000 and up, and the money order cashier at offices with receipts of less than \$20,000,000 may be selected for the position of general superintendent and assigned accordingly.

Unless otherwise assigned as provided herein, the postal cashier shall be superintendent of postal finance, and at offices with receipts less than \$20,000,000 the money-order cashier shall be superintendent of money orders.

At offices with receipts of \$40,000,000 and up, selections for assistant general superintendent of finance and assistant general superintendent of mails shall be made from the positions of superintendent of mails, superintendent of delivery, superintendent of money orders, superintendent of registry, assistant superintendent of money orders, auditor, and postal cashier; and those selected shall be assigned accordingly: *Provided*, That at offices with receipts less than \$40,000,000 the superintendent of mails or the superintendent of delivery shall be the assistant general superintendent of mails.

At offices with receipts of \$20,000,000 and up, the assistant superintendent of money orders and the money-order cashier shall be senior assistant superintendents of money orders, unless otherwise assigned as provided herein.

Assistant superintendents whose annual base pay is \$3,700 or more who are not otherwise assigned as provided herein shall be senior assistant superintendents. Assistant superintendents whose annual base pay is \$3,500 shall be assistant superintendents. Assistant superintendents whose annual base pay is \$3,100 or less shall be general foremen.

Foremen whose annual base pay is \$2,700 shall be foremen and foremen whose annual base pay is less than \$2,700 shall be clerks in charge.

At offices with receipts less than \$20,000,000 the chief bookkeeper or assistant cashier who performs the duties of auditor shall be auditor, and at offices with receipts of \$20,000,000 and up a senior salary grade bookkeeper or the employee performing the duties of chief bookkeeper shall be assistant auditor. Other bookkeepers whose annual base pay is \$3,300 shall be general foremen; those whose annual base pay is \$2,800 shall be foremen, and those whose annual base pay is \$2,600 or less shall be clerks in charge.

The station examiner or the assistant cashier performing the duties of chief station examiner shall be chief station examiner. Senior salary grade assistant cashiers shall be senior assistant superintendents of postal finance or money orders, where such positions are authorized by the Postmaster General; assistant cashiers whose annual base pay is \$3,200 or \$3,300 shall be assistant superintendents; assistant cashiers whose annual base pay is \$3,100 shall be general foremen; assistant cashiers whose annual base pay is \$2,800 shall be foremen and those whose annual base pay is \$2,600 shall be clerks in charge.

AT POST OFFICES WITH RECEIPTS OF \$2,000,000 BUT LESS THAN \$9,000,000

The postal cashier shall be superintendent of postal finance and the money-order cashier shall be superintendent of money orders. Senior salary grade assistant cashiers shall be assistant superintendents of postal finance and of money orders, respectively, and other assistant cashiers shall be general foremen, foremen, or clerks in charge, based on the title and salary that most nearly approximates their annual base pay plus \$400.

At offices with receipts of \$2,000,000 but less than \$5,000,000 assistant superintendents of mails whose annual base pay is \$3,300 or \$3,500 shall be senior assistant superintendents of mails, and those whose annual base pay is \$3,000 or \$3,100 shall be assistant superintendents of mails; those whose annual base pay is less than \$3,000 shall be general foremen. At offices with receipts of \$5,000,000 but less than \$9,000,000 assistant superintendents whose annual base pay is \$3,700 or \$3,900 shall be senior assistant superintendents of mails, and those whose annual base pay is \$3,300 or \$3,500 shall be assistant superintendents of mails; those whose annual base pay is less than \$3,300 shall be general foremen.

Foremen whose annual base pay is \$2,600 shall be foremen and those whose annual base pay is less than \$2,600 shall be clerks in charge. The bookkeeper or other supervisor who performs the duties of auditor shall be auditor, and other bookkeepers shall be clerks in charge.

AT POST OFFICES WITH RECEIPTS OF \$500,000 BUT LESS THAN \$2,000,000

The postal cashier shall be superintendent of postal finance and the money-order cashier shall be superintendent of money orders.

At offices with receipts of \$1,000,000 but less than \$2,000,000, assistant cashiers shall be assistant superintendents of postal finance and money orders, respectively.

Bookkeepers or employees performing the duties of auditor shall be auditors where such positions are provided; otherwise they shall be clerks in charge.

Station examiners or employees performing the duties of station examiners shall be station examiners where such positions are provided; otherwise they shall be clerks in charge.

At offices with receipts of \$1,000,000 but less than \$2,000,000, assistant superintendents of mails whose annual base pay is \$3,100 shall be assistant superintendents of mails; those whose annual base pay is less than \$3,100 shall be general foremen.

At offices with receipts of \$1,000,000 but less than \$2,000,000, foremen whose annual base pay is \$2,600 shall be foremen; those whose annual base pay is less than \$2,600 shall be clerks in charge.

(z) At central accounting offices where the gross postal receipts are less than \$5,000,000 the superintendent of postal finance, or the employee in charge of such records and adjustments of the accounts, shall be allowed an increase of \$200 per annum. At central accounting offices with gross postal receipts of \$9,000,000 and up, the auditor shall be allowed a salary equal to that of the senior assistant superintendent; at central accounting offices with receipts of \$2,000,000 but less than \$9,000,000, the auditor shall be allowed a salary equal to that of the assistant superintendent of postal finance; at central accounting offices with receipts of less than \$2,000,000, the employee performing the duties of auditor shall be allowed a salary equal to that of foremen.

Auditors, etc., at designated central accounting offices.

SALARIES OF ASSISTANT POSTMASTERS, OFFICES OF THE SECOND CLASS

SEC. 10. At post offices of the second class the annual salaries of assistant postmasters shall be based on gross postal receipts for the preceding calendar year as follows:

\$8,000 but less than \$10,000.....	\$2, 800
\$10,000 but less than \$12,000.....	2, 800
\$12,000 but less than \$15,000.....	2, 800
\$15,000 but less than \$18,000.....	2, 800
\$18,000 but less than \$22,000.....	2, 800
\$22,000 but less than \$27,000.....	2, 900
\$27,000 but less than \$33,000.....	2, 900
\$33,000 but less than \$40,000.....	2, 900

SEC. 11. (a) The Postmaster General shall determine the supervisory needs at post offices of the first and second classes and shall fix the number of supervisors to be employed in accordance with the salary schedules provided in sections 9 and 10: *Provided*, That not more than one assistant postmaster may be employed at any post office.

Supervisors.

Assistant postmasters.

(b) Regular clerks and carriers of grade 9 and above in first- and second-class post offices shall be eligible for promotion to the higher positions in their respective offices, and if for any reason such clerks and carriers of grade 9 and above are not available those clerks and carriers in the lower grades in such offices shall be eligible for such promotions.

Eligibility for promotion of certain clerks and carriers.

SALARIES OF CLERICAL AND CARRIER EMPLOYEES AT FIRST-, SECOND-, AND THIRD-CLASS POST OFFICES AND DISPATCHERS AND OPERATORS OF THE PNEUMATIC TUBE SERVICE

SEC. 12. (a) Carriers in the City Delivery Service, clerks in post offices of the first and second classes, clerks in the United States Stamped Envelope Agency, and dispatchers of the pneumatic tube service shall be divided into eleven grades as follows:

Grade 1.....	\$1, 700	Grade 7.....	\$2, 300
Grade 2.....	1, 800	Grade 8.....	2, 400
Grade 3.....	1, 900	Grade 9.....	2, 500
Grade 4.....	2, 000	Grade 10.....	2, 600
Grade 5.....	2, 100	Grade 11.....	2, 700
Grade 6.....	2, 200		

Additional grades.

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the eleventh grade: *Provided*, That for such employees at post offices of the first class there shall be three additional grades; that is, grade 12—\$2,800; grade 13—\$2,900; grade 14—\$3,000, and that employees who perform faithful and meritorious service shall be promoted to grade 12 after three years of such service in grade 11, shall be promoted to grade 13 after five years of such service in grade 12, and shall be promoted to grade 14 after seven years of such service in grade 13: *Provided further*, That marine carriers assigned to the Detroit River Marine Service shall be paid an annual salary of \$300 in excess of the highest salary provided for carriers in the automatic grades in the City Delivery Service: *And provided further*, That the annual salary of such marine carriers shall not be in excess of \$3,000.

Detroit River Marine Service.

The pay of substitute, temporary, or auxiliary employees in the services named in the preceding paragraph shall be on an hourly basis at the following rates:

Grade 1.....	\$0. 84	Grade 7.....	\$1. 14
Grade 2.....	. 89	Grade 8.....	1. 19
Grade 3.....	. 94	Grade 9.....	1. 24
Grade 4.....	. 99	Grade 10.....	1. 29
Grade 5.....	1. 04	Grade 11.....	1. 34
Grade 6.....	1. 09		

(b) Mail handlers, messengers, and watchmen at post offices of the first and second classes paid from appropriations of the First Assistant Postmaster General; and operators of the pneumatic tube service; shall be divided into six grades with annual salaries as follows:

Grade 1.....	\$1, 600	Grade 4.....	\$1, 900
Grade 2.....	1, 700	Grade 5.....	2, 000
Grade 3.....	1, 800	Grade 6.....	2, 100

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the sixth grade.

(c) The pay of substitute, temporary, or auxiliary employees in the services named in the preceding paragraph shall be on an hourly basis at the following rates:

Grade 1.....	\$0. 79	Grade 4.....	\$0. 94
Grade 2.....	. 84	Grade 5.....	. 99
Grade 3.....	. 89	Grade 6.....	1. 04

(d) Classified cleaners at post offices of the first and second classes paid from appropriations of the First Assistant Postmaster General shall be divided into seven grades with annual salaries, as follows:

Grade 1.....	\$1, 300	Grade 5.....	\$1, 700
Grade 2.....	1, 400	Grade 6.....	1, 800
Grade 3.....	1, 500	Grade 7.....	1, 900
Grade 4.....	1, 600		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade.

(e) Carriers in the village delivery service, and clerks employed not less than forty hours per week in post offices of the third class, shall be divided into six grades with annual salaries, as follows: *Provided*, That clerks in post offices of the third class shall not be

Village delivery service and third-class post offices.

appointed or promoted to a salary grade in excess of \$100 less than the salary of the postmaster at the office to which assigned:

Grade 1.....	\$1, 200	Grade 4.....	\$1, 500
Grade 2.....	1, 300	Grade 5.....	1, 600
Grade 3.....	1, 400	Grade 6.....	1, 700

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the sixth grade.

The pay of substitute, temporary, or auxiliary employees in the services named in the preceding paragraph shall be on an hourly basis at the following rates:

Grade 1.....	\$0. 59	Grade 4.....	\$0. 74
Grade 2.....	. 64	Grade 5.....	. 79
Grade 3.....	. 69	Grade 6.....	. 84

Provided, That substitute, temporary, or auxiliary clerks in post offices of the third class shall not be paid in excess of 79 cents per hour where the salary of the postmaster is \$1,700 per annum; in excess of 74 cents per hour where the salary of the postmaster is \$1,600 per annum; in excess of 69 cents per hour where the salary of the postmaster is \$1,500 per annum; or in excess of 64 cents per hour where the salary of the postmaster is \$1,400 per annum.

(f) Substitute employees listed in this section shall be promoted to the next higher grade at the beginning of the quarter following two thousand and twenty-four hours' satisfactory service in a pay status, including time served as a special delivery messenger: *Provided*, That there shall be not more than one increase in the rate of pay of such employee within a period of twelve months: *And provided further*, That when a substitute employee is appointed to a regular position, such employee shall be assigned to a salary grade corresponding to the salary as a substitute. Any fractional part of a year's substitute service accumulated since the last compensation increase as a substitute shall be included with the regular service of a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position.

Promotion, etc., of
substitute employees.

MOTOR-VEHICLE EMPLOYEES

SEC. 13. (a) Employees in the Motor Vehicle Service shall be classified as follows: Superintendents, \$3,100, \$3,200, \$3,300, \$3,400, \$3,800, \$4,000, \$4,200, and \$4,400 per annum: *Provided*, That at offices where the receipts are \$20,000,000 or more the salaries shall be \$4,700; assistant superintendents, \$3,100, \$3,200, \$3,300, and \$3,400; chiefs of records and chief mechanics, \$2,700, \$2,800, \$2,900, \$3,100, \$3,200, and \$3,400; route supervisors, chiefs of supplies, chief dispatchers, and mechanics in charge, \$2,700, \$2,800, \$2,900, \$3,100, and \$3,200; special mechanics, \$2,700, \$2,800, \$2,900, and \$3,000: *Provided further*, That assistant superintendents shall not be authorized at offices where the salary of the superintendent is less than \$3,800.

(b) Clerks, driver-mechanics, general mechanics, and dispatchers shall be divided into eleven grades, as follows:

Grade 1.....	\$1, 700	Grade 7.....	\$2, 300
Grade 2.....	1, 800	Grade 8.....	2, 400
Grade 3.....	1, 900	Grade 9.....	2, 500
Grade 4.....	2, 000	Grade 10.....	2, 600
Grade 5.....	2, 100	Grade 11.....	2, 700
Grade 6.....	2, 200		

Additional grades.

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the eleventh grade: *Provided*, That for such motor-vehicle employees at post offices of the first class there shall be three additional grades; that is, grade 12, \$2,800; grade 13, \$2,900; grade 14, \$3,000, and that employees who perform faithful and meritorious service shall be promoted to grade 12 after three years of such service in grade 11, shall be promoted to grade 13 after five years of such service in grade 12, and shall be promoted to grade 14 after seven years of such service in grade 13.

(c) The pay of substitute, temporary, or auxiliary special mechanics shall be at the rate of \$1.25 per hour. The pay of substitute, temporary, or auxiliary clerks, driver-mechanics, general mechanics, and dispatchers shall be on an hourly basis at the following rates:

Grade 1.....	\$0. 84 per hour	Grade 7.....	\$1. 14 per hour
Grade 2.....	. 89 per hour	Grade 8.....	1. 19 per hour
Grade 3.....	. 94 per hour	Grade 9.....	1. 24 per hour
Grade 4.....	. 99 per hour	Grade 10.....	1. 29 per hour
Grade 5.....	1. 04 per hour	Grade 11.....	1. 34 per hour
Grade 6.....	1. 09 per hour		

(d) Garagemen-drivers and mechanics' helpers shall be divided into six grades with annual salaries as follows:

Grade 1.....	\$1, 600	Grade 4.....	\$1, 900
Grade 2.....	1, 700	Grade 5.....	2, 000
Grade 3.....	1, 800	Grade 6.....	2, 100

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the sixth grade.

The pay of substitute, temporary, or auxiliary garagemen-drivers, and mechanics' helpers shall be on an hourly basis at the following rates:

Grade 1.....	\$0. 79 per hour	Grade 4.....	\$0. 94 per hour
Grade 2.....	. 84 per hour	Grade 5.....	. 99 per hour
Grade 3.....	. 89 per hour	Grade 6.....	1. 04 per hour

Promotion of certain substitute employees.

(e) Substitute employees in the automatic grades listed in this section shall be promoted to the next higher grade at the beginning of the quarter following two thousand and twenty-four hours' satisfactory service in a pay status, including time served as a special delivery messenger: *Provided*, That there shall be not more than one increase in the rate of pay of such employee within a period of twelve months: *Provided further*, That, when a substitute employee is appointed to a regular position, such employee shall be assigned to the salary grade corresponding to the salary grade as a substitute. Any fractional part of a year's substitute service accumulated since the last compensation increase as a substitute shall be included with the regular service of a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position.

CUSTODIAL SERVICE

SEC. 14. (a) The annual rates of compensation of supervisory employees in the custodial service shall be as follows:

Supervising superintendents of buildings, \$5,200.

Superintendents of mechanical units, \$5,000.

Assistant superintendents of mechanical units, \$4,200.

Inspection engineers, \$4,200.

Mechanical engineers, \$4,200.

Superintendents of buildings; chief engineers: Buildings of twenty million cubic feet and up, \$5,000; buildings of fifteen million but less than twenty million cubic feet, \$4,500; buildings of ten million but less than fifteen million cubic feet, \$4,200; buildings of six million but less than ten million cubic feet, \$3,900; buildings of three million but less than six million cubic feet, \$3,600; buildings of one million but less than three million cubic feet, \$3,300.

Superintending engineers: Buildings of six million but less than fifteen million cubic feet, \$4,500; buildings of three million but less than six million cubic feet, \$4,200; buildings of one million but less than three million cubic feet, \$3,600.

Principal elevator mechanics, \$3,600.

Foremen of shops: Buildings of twenty million cubic feet and up, \$3,600; buildings of less than twenty million cubic feet, \$3,200.

Foremen of conveyors: Buildings of less than twenty million cubic feet, \$3,200.

Foremen of mechanics, \$3,200.

Watch engineers, \$3,200.

Janitors with fewer than fifteen subordinates, \$2,200; with fifteen to twenty-nine subordinates, \$2,400; with thirty to fifty-nine subordinates, \$2,600; with sixty to ninety-nine subordinates, \$2,800; with one hundred or more subordinates, \$3,000.

Foremen of elevator operators with one hundred or more subordinates, \$2,700.

Captains of the guard with fewer than ten subordinates, \$2,400; with ten to nineteen subordinates, \$2,600; with twenty to thirty-nine subordinates, \$2,800; with forty or more subordinates, \$3,000.

Lieutenants of the guard with fewer than ten subordinates, \$2,400; with ten or more subordinates, \$2,600.

Foremen of laborers with fewer than fifteen subordinates, \$2,200; with fifteen to twenty-nine subordinates, \$2,400; with thirty or more subordinates, \$2,600.

Enginemen-janitors: Buildings of less than six hundred thousand cubic feet, \$2,400; buildings of over six hundred thousand cubic feet, \$2,600.

Chief clerks, \$3,100.

(b) Clerks of the custodial service shall be divided into eleven grades as follows:

Grade 1.....	\$1, 700	Grade 7.....	\$2, 300
Grade 2.....	1, 800	Grade 8.....	2, 400
Grade 3.....	1, 900	Grade 9.....	2, 500
Grade 4.....	2, 000	Grade 10.....	2, 600
Grade 5.....	2, 100	Grade 11.....	2, 700
Grade 6.....	2, 200		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the eleventh grade: *Provided*, That for such custodial employees at first-class post offices there shall be three additional grades; that is, grade 12, \$2,800; grade 13, \$2,900; grade 14, \$3,000, and that employees who perform faithful and meritorious service shall be promoted to grade 12 after three years of such service in grade 11, shall be promoted to grade 13 after five years of such service in grade 12, and shall be promoted to grade 14 after seven years of such service in grade 13.

Additional grades.

(c) Elevator mechanics in the custodial service shall be divided into eight grades as follows:

Grade 1.....	\$2,300	Grade 5.....	\$2,700
Grade 2.....	2,400	Grade 6.....	2,800
Grade 3.....	2,500	Grade 7.....	2,900
Grade 4.....	2,600	Grade 8.....	3,000

Additional grades.

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the eighth grade: *Provided*, That for such custodial employees at first-class post offices there shall be two additional grades; that is, grade 9, \$3,100; grade 10, \$3,200, and that employees who perform faithful and meritorious service shall be promoted to grade 9 after three years of such service in grade 8, and shall be promoted to grade 10 after five years of such service in grade 9.

(d) Mechanics in the custodial service shall be divided into eight grades as follows:

Grade 1.....	\$2,100	Grade 5.....	\$2,500
Grade 2.....	2,200	Grade 6.....	2,600
Grade 3.....	2,300	Grade 7.....	2,700
Grade 4.....	2,400	Grade 8.....	2,800

Additional grades.

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the eighth grade: *Provided*, That for such custodial employees at post offices of the first class there shall be two additional grades; that is, grade 9, \$2,900, and grade 10, \$3,000, and that employees who perform faithful and meritorious service shall be promoted to grade 9 after three years of such service in grade 8, and shall be promoted to grade 10 after five years of such service in grade 9.

(e) Assistant enginemen, assistant mechanics, and elevator mechanic-helpers and chief telephone operators shall be divided into 7 grades as follows:

Grade 1.....	\$1,900	Grade 5.....	\$2,300
Grade 2.....	2,000	Grade 6.....	2,400
Grade 3.....	2,100	Grade 7.....	2,500
Grade 4.....	2,200		

Additional grades.

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade: *Provided*, That for such custodial employees at post offices of the first class there shall be two additional grades; that is, grade 8, \$2,600, and grade 9, \$2,700, and that employees who perform faithful and meritorious service shall be promoted to grade 8 after three years of such service in grade 7, and shall be promoted to grade 9 after five years of such service in grade 8.

(f) General mechanics, assistant chief telephone operators, and elevator starters in the custodial service shall be divided into seven grades as follows:

Grade 1.....	\$1,700	Grade 5.....	\$2,100
Grade 2.....	1,800	Grade 6.....	2,200
Grade 3.....	1,900	Grade 7.....	2,300
Grade 4.....	2,000		

Additional grades.

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade: *Provided*, That for such custodial employees at post offices of the first class there shall be

two additional grades; that is, grade 8, \$2,400, and grade 9, \$2,500, and that such employees who perform faithful and meritorious service shall be promoted to grade 8 after three years of such service in grade 7, and shall be promoted to grade 9 after five years of such service in grade 8.

(g) Telephone operators, firemen, gardeners, guards, skilled helpers, and marble polishers of the custodial service shall be divided into seven grades, as follows:

Grade 1.....	\$1, 600	Grade 5.....	\$2, 000
Grade 2.....	1, 700	Grade 6.....	2, 100
Grade 3.....	1, 800	Grade 7.....	2, 200
Grade 4.....	1, 900		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade.

(h) Firemen-laborers, oilers, window cleaners, elevator operators, and messengers in the custodial service shall be divided into seven grades as follows:

Grade 1.....	\$1, 400	Grade 5.....	\$1, 800
Grade 2.....	1, 500	Grade 6.....	1, 900
Grade 3.....	1, 600	Grade 7.....	2, 000
Grade 4.....	1, 700		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade.

(i) Laborers, matrons, head charmen, and head charwomen in the custodial service shall be divided into seven grades with annual salaries, as follows:

Grade 1.....	\$1, 300	Grade 5.....	\$1, 700
Grade 2.....	1, 400	Grade 6.....	1, 800
Grade 3.....	1, 500	Grade 7.....	1, 900
Grade 4.....	1, 600		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade.

(j) Charmen and charwomen working part time shall be divided into four grades with hourly rates of compensation as follows:

Grade 1.....	\$0. 65 per hour	Grade 3.....	\$0. 75 per hour
Grade 2.....	. 70 per hour	Grade 4.....	. 80 per hour

and shall be promoted successively at the beginning of the quarter following a total of two thousand and twenty-four hours of satisfactory service in a pay status in each grade to the next higher grade until they reach the fourth grade: *Provided*, That there shall be not more than one increase in the rate of pay of such employees within a period of twelve months.

Pay increase.

(k) Examiners of equipment and supplies in the custodial service shall be divided into ten grades with annual salaries, as follows:

Grade 1.....	\$3, 500	Grade 6.....	\$4, 000
Grade 2.....	3, 600	Grade 7.....	4, 100
Grade 3.....	3, 700	Grade 8.....	4, 200
Grade 4.....	3, 800	Grade 9.....	4, 300
Grade 5.....	3, 900	Grade 10.....	4, 500

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the tenth grade.

(1) Temporary employees in the custodial service shall be paid at the respective rates of pay of grade 1 provided herein for regular employees.

POST-OFFICE INSPECTORS AND CLERKS IN THE INSPECTION SERVICE

SEC. 15. (a) The annual salaries of inspectors in charge, assistant inspectors in charge, and supervisory employees at division headquarters of the Inspection Service shall be as follows:

Post-office inspectors in charge, \$6,700.
 Assistant post-office inspectors in charge, \$6,000.
 Chief clerks, \$4,000.
 Assistant chief clerks, \$3,500.
 Chiefs of sections, \$3,400.

(b) Post-office inspectors shall be divided into ten grades with annual salaries as follows:

Grade 1.....	\$3, 200	Grade 6.....	\$4, 200
Grade 2.....	3, 400	Grade 7.....	4, 600
Grade 3.....	3, 600	Grade 8.....	5, 000
Grade 4.....	3, 800	Grade 9.....	5, 500
Grade 5.....	4, 000	Grade 10.....	6, 000

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade until they reach grade 8: *Provided*, That promotion of not more than 25 per centum of the authorized quota of inspectors may be made to grades 9 and 10. The Postmaster General shall assign difficult or complex work to be performed by inspectors in grades 9 and 10 and shall select the inspectors to be assigned to these grades under such rules and regulations as he shall prescribe: *Provided further*, That inspectors will not be selected for promotion to grades 9 and 10 until they have completed at least one year's faithful and meritorious service in the next lower grade.

(c) The clerical force of the Post Office Inspection Service shall be classified as clerks and principal review clerks.

(d) Clerks at division headquarters and other posts of duty of post-office inspectors shall be divided into nine grades with annual salaries as follows:

Grade 1.....	\$1, 900	Grade 6.....	\$2, 400
Grade 2.....	2, 000	Grade 7.....	2, 500
Grade 3.....	2, 100	Grade 8.....	2, 600
Grade 4.....	2, 200	Grade 9.....	2, 700
Grade 5.....	2, 300		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach grade 9: *Provided*, That for such clerks there shall be three additional grades; that is, grade 10, \$2,800; grade 11, \$2,900; grade 12, \$3,000; and that clerks who perform faithful and meritorious service shall be promoted to grade 10, after three years of such service in grade 9; shall be promoted to grade 11, after five years of such service in grade 10; and shall be promoted to grade 12, after seven years of such service in grade 11.

(e) Principal review clerks at division headquarters of post-office inspectors shall be divided into four grades with annual salaries as follows:

Grade 1.....	\$2, 700	Grade 3.....	\$2, 900
Grade 2.....	2, 800	Grade 4.....	3, 000

Promotion of inspectors to grades 9 and 10.

Additional grades.

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the fourth grade: *Provided*, That for such clerks there shall be two additional grades; that is, grade 5, \$3,100; grade 6, \$3,200; and that such clerks who perform faithful and meritorious service shall be promoted to grade 5 after three years of such service in grade 4, and shall be promoted to grade 6 after five years of such service in grade 5.

Additional grades.

(f) Whenever in the discretion of the Postmaster General the needs of the service require such action, he is authorized to transfer clerks, or carriers in the City Delivery Service to the position of clerk at division headquarters and other posts of duty of post-office inspectors at a salary not to exceed \$2,300 when the salary of the employee being transferred is less than \$2,300, and when the salary of the employee being transferred is equal to or greater than \$2,300, such employee may be transferred at not less than the salary received in the position from which transferred. After such transfer is made effective, employees so transferred shall be eligible for promotion to the grades of salary provided herein for clerks at division headquarters and other posts of duty of post-office inspectors.

Transfer of employees.

RAILWAY MAIL SERVICE AND AIR MAIL SERVICE

SEC. 16. (a) The annual salaries of officers in the Railway Mail Service and the Air Mail Service shall be as follows: Division superintendents, \$6,700; assistant division superintendents, \$5,700; assistant superintendents at large, \$5,500; chief clerks, \$5,000; assistant chief clerks, \$4,200; chiefs of sections in offices of division superintendents, Railway Mail Service, \$4,200; regional superintendents, Air Mail Service, \$5,000; and assistant regional superintendents, Air Mail Service, \$4,200.

(b) Railway postal clerks, and clerks assigned to offices of regional superintendents of Air Mail Service, shall be divided into seventeen grades with annual salaries as follows:

Grade 1.....	\$1, 900	Grade 10.....	\$2, 800
Grade 2.....	2, 000	Grade 11.....	2, 900
Grade 3.....	2, 100	Grade 12.....	3, 000
Grade 4.....	2, 200	Grade 13.....	3, 100
Grade 5.....	2, 300	Grade 14.....	3, 200
Grade 6.....	2, 400	Grade 15.....	3, 300
Grade 7.....	2, 500	Grade 16.....	3, 400
Grade 8.....	2, 600	Grade 17.....	3, 500
Grade 9.....	2, 700		

(c) Railway post-office lines shall be divided into two classes, class A and class B, and clerks assigned to class A lines shall be promoted successively to grade 9, and after three years of faithful and meritorious service in grade 9 shall be promoted to grade 10; after five years of faithful and meritorious service in grade 10 shall be promoted to grade 11, and after seven years of faithful and meritorious service in grade 11 shall be promoted to grade 12. Clerks in charge in class A lines shall be of grade 14. Clerks assigned to class B lines shall be promoted successively to grade 11 and shall be promoted to grade 12 after three years of faithful and meritorious service in grade 11; to grade 13 after five years of faithful and meritorious service in grade 12; and to grade 14 after seven years of faithful and meritorious service in grade 13. Clerks in charge of Class B lines shall be of grade 16: *Provided*, That in trains in which more than sixty feet of distributing car space is authorized in either direction over the entire length

of the run not less than five days per week in either direction, the clerk in charge may be of grade 17 and in such trains there may be a second clerk in charge, who may be of grade 16. The provisions of this paragraph shall apply to the employees assigned to highway post-office service. Lines in class A existing on the effective date of this Act shall be continued in class A and lines in Class B existing on that date shall be continued in Class B.

Terminal railway and
air mail field railway
post offices.

(d) Clerks assigned to terminal railway post offices and air mail field railway post offices shall be promoted successively to grade 9; and after three years of faithful and meritorious service in grade 9 shall be promoted to grade 10; after five years of faithful and meritorious service in grade 10 shall be promoted to grade 11; and after seven years of faithful and meritorious service in grade 11 shall be promoted to grade 12. Clerks in charge of terminal railway post offices and air mail field railway post offices with less than twenty employees shall be of grade 14 and the clerks in charge of tours shall be of grade 13. Clerks in charge of terminal railway post offices and air mail field railway post offices with twenty to seventy-four employees shall be of grade 16 and clerks in charge of tours shall be of grade 15 and clerks in charge of crews within tours shall be of grade 14. Clerks in charge of terminal railway post offices and air mail field railway post offices with seventy-five or more employees shall be of grade 17, the clerks in charge of tours shall be of grade 16, and the clerks in charge of crews within tours shall be of grade 15: *Provided*, That in terminal railway post offices and air mail field railway post offices having twenty or more employees there shall be appointed for each clerk in charge, including clerks in charge of tours and crews, a clerk of one grade lower than the lowest grade clerk in charge in each organization and such clerks shall act as clerks in charge during the absences of the clerk in charge for whom designated: *Provided further*, That in terminal railway post offices and air mail field railway post offices with fewer than twenty employees a relief clerk in charge may be appointed in grade 13 to be the clerk in charge during absences of the clerks in charge.

Transfer offices.

(e) Clerks assigned to transfer offices shall be promoted successively to grade 11, and after three years of faithful and meritorious service in grade 11 shall be promoted to grade 12; after five years of faithful and meritorious service in grade 12 shall be promoted to grade 13; and after seven years of faithful and meritorious service in grade 13 shall be promoted to grade 14. Clerks in charge of transfer offices with one to four employees and of tours in such transfer offices shall be of grade 15. Clerks in charge of transfer offices with five to nineteen employees shall be of grade 16 and clerks in charge of tours shall be of grade 15. Clerks in charge of transfer offices with twenty or more employees shall be of grade 17 and the clerks in charge of tours shall be of grade 16: *Provided*, That in transfer offices having twenty or more employees there shall be appointed for each clerk in charge, including clerks in charge of tours, a clerk of one grade lower than the lowest grade clerk in charge of each organization and such clerks shall act as clerks in charge during the absences of the clerk in charge for whom designated: *Provided further*, That in transfer offices with nineteen or fewer employees and having two or more clerks in charge regularly assigned a relief clerk in charge may be appointed in grade 15.

Credit for desig-
nated service.

(f) In determining the number of employees in terminal railway post offices, transfer offices, and air mail field railway post offices, credit shall be allowed for service performed by regular employees, substitute employees other than those serving in lieu of regular employees absent for any cause, and temporary employees assigned to such offices, and for each two thousand and twenty-four hours of service performed by such employee the office shall be allowed credit for one employee.

(g) Clerks assigned to offices of division superintendents, regional superintendents Air Mail Service, and in chief clerks' offices shall be promoted successively to grade 9 and after three years of faithful and meritorious service in grade 9 shall be promoted to grade 10; after five years of faithful and meritorious service in grade 10 shall be promoted to grade 11; and after seven years of faithful and meritorious service in grade 11 shall be promoted to grade 12. Assistant chiefs of sections in offices of division superintendents and clerks in charge of units in offices of regional superintendents of Air Mail Service, and in offices of chief clerks, shall be of grade 16 or 17: *Provided*, That all clerks in charge and those clerks designated to act as clerks in charge during absences of clerks in charge, in offices of division superintendents, regional superintendents Air Mail Service, chief clerks, class A runs, terminal railway post offices, and air mail field railway post offices, shall be required to progress through the automatic grades to and including grade 9 before being eligible to receive the salary provided herein for the various grades of clerks in charge and clerks who will act as clerks in charge: *Provided further*, That clerks in charge and clerks designated to act as clerks in charge during absences of clerks in charge in transfer offices and clerks in charge assigned to class B runs shall be required to progress through the automatic grades to and including grade 11 before being eligible to receive the salary provided herein for the various grades of clerks in charge and clerks who will as as clerks in charge.

(h) Examiners shall be of grade 16 and assistant examiners shall be of grade 15 whether assigned to the offices of division superintendent or chief clerk: *Provided*, That examiners to be eligible to receive the salary provided herein shall first progress through the automatic grades to and including grade 9.

(i) In filling positions below that of clerks in charge no clerk shall be advanced more than one grade in a period of a year.

(j) Operators of highway post-office vehicles shall be entitled to the same rights and benefits that accrue to railway postal clerks assigned to road duty, except no allowance shall be given these employees for service required on lay-off periods as provided herein for railway postal clerks assigned to road duty: *Provided*, That such operators shall be promoted successively to grade 9; after three years of faithful and meritorious service in grade 9 shall be promoted to grade 10; after five years of faithful and meritorious service in grade 10 shall be promoted to grade 11, and after seven years of faithful and meritorious service in grade 11 shall be promoted to grade 12.

(k) Substitute railway postal clerks shall be paid, for actual services performed when on other than road duty, and shall be paid for road services performed according to the time value of the trip of such road service including a proper allowance for all services required on lay-off periods, as provided herein for regular employees assigned to road duty, on an hourly basis at the following rates:

Grade 1.....	\$0.94 per hour	Grade 6.....	\$1.19 per hour
Grade 2.....	.99 per hour	Grade 7.....	1.24 per hour
Grade 3.....	1.04 per hour	Grade 8.....	1.29 per hour
Grade 4.....	1.09 per hour	Grade 9.....	1.34 per hour
Grade 5.....	1.14 per hour		

and shall be promoted successively to grade 9 following one year's satisfactory service in the next lower grade.

(l) Substitute railway postal clerks, when appointed regular clerks, shall be appointed in the salary grade corresponding to their salary grade as a substitute. Any fractional part of a year's service accumulated after the last promotion as a substitute shall be included with his service as a regular clerk in determining eligibility for promotion

Advancement
restriction.

to the next higher grade following appointment to a regular position.

(m) Substitute railway postal clerks shall be credited with full time while traveling under orders of the Department to and from their designated headquarters to take up assignments, together with actual and necessary travel expenses, not to exceed \$4 per day, while on duty away from such headquarters. When a substitute railway postal clerk performs service in a railway post office or highway post office starting from his official headquarters, he shall be allowed travel expenses under the law applying to clerks regularly assigned to the run.

(n) Mail handlers in the Railway Mail Service shall be divided into six grades, with annual salaries as follows:

Grade 1.....	\$1, 600	Grade 4.....	\$1, 900
Grade 2.....	1, 700	Grade 5.....	2, 000
Grade 3.....	1, 800	Grade 6.....	2, 100

and shall be promoted successively to grade 6 following one year's satisfactory service in the next lower grade.

(o) Substitute mail handlers in the Railway Mail Service shall be paid hourly rates as follows:

Grade 1.....	\$0. 79 per hour	Grade 4.....	\$0. 94 per hour
Grade 2.....	. 84 per hour	Grade 5.....	. 99 per hour
Grade 3.....	. 89 per hour	Grade 6.....	1. 04 per hour

and shall be promoted successively to grade 6 following one year's satisfactory service in the next lower grade: *Provided*, That when a substitute mail handler is appointed to a regular position, such employee shall be assigned to a salary grade corresponding to the salary grade as a substitute and any fractional part of a year's service accumulated since the last promotion shall be included with the service as a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position.

Service on Saturdays, Sundays, or holidays.

Compensatory time.

December, overtime payment.

Railway postal clerks assigned to road duty. Service basis.

Overtime computation.

(p) When the needs of the service require employees of the Railway Mail and Air Mail Services, other than railway postal clerks assigned to road duty and officers, to perform service on Saturdays, Sundays, or holidays they shall be allowed compensatory time for such service within five working days next succeeding the Saturday or Sunday, and on one day within thirty days next succeeding the holiday: *Provided, however*, That the Postmaster General may, if the exigencies of the service require, authorize the payment of overtime for services performed on the Saturdays, Sundays during the month of December, and on Christmas Day in lieu of compensatory time: *Provided further*, That the service of railway postal clerks assigned to road duty shall be based on an average of not exceeding eight hours daily for two hundred and fifty-three days per annum, including allowances for all service required on lay-off periods, and such allowances shall be not less than fifty minutes per day for two hundred and fifty-three days per annum for clerks assigned to class A runs and not less than one hour and thirty-five minutes per day for two hundred and fifty-three days per annum for clerks assigned to class B runs, and railway postal clerks assigned to road duty required to perform service in excess of an average of eight hours daily for two hundred and fifty-three days shall be paid for such overtime service on the basis of 150 per centum of the annual rate of pay received by such employees. In computing compensation for such overtime employment, the annual salary or compensation for such employees shall be divided by two thousand and twenty-four, the number of working hours in a year. The quotient thus obtained will be the base hourly compensation and one and one-half times that amount will be the hourly rate of overtime pay.

(q) Employees of the Railway Mail and Air Mail Services, other than railway postal clerks assigned to road duty and officers, shall be required to work not more than eight hours a day, and the eight hours of service shall not extend over a longer period than ten consecutive hours, but in cases of emergency, or if the needs of the service require, they may be required to work in excess of eight hours a day and shall be paid overtime for such additional service on the basis of 150 per centum of their annual base pay. In computing compensation for such overtime the annual salary or compensation shall be divided by two thousand and twenty-four, the number of working hours in a year. The quotient thus obtained will be the base hourly compensation, and one and one-half times that amount will be the hourly rate of overtime pay.

Daily hours of service; overtime.

(r) In addition to the salaries provided by this Act, the Postmaster General may make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks, and substitute railway postal clerks, assigned to road duty in railway post-office cars, and highway post-office vehicles after ten hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such allowance exceed \$4 per day.

Travel allowances.

(s) Promotions to automatic grades shall be made at the beginning of the quarter following one year's satisfactory service in the next lower grade. Promotions to additional grades shall be made at the beginning of the quarter following the required periods of faithful and meritorious service as provided herein: *Provided*, That two thousand and twenty-four hours of service in a pay status shall comprise a year's work for substitute railway postal clerks and substitute mail handlers: *Provided further*, That there shall be not more than one increase in the rate of pay of a substitute employee within a period of twelve months.

Promotions.

(t) In the readjustment of the service to conform to the provisions of this Act, clerks in charge of the Railway Mail Service of grade 5 or higher shall be placed in the grades provided for their assignments. A relief clerk in charge for whom a clerk in charge assignment is not provided under this Act shall be assigned to one grade lower than the lowest grade clerk in charge in the organization to which such relief clerk in charge is assigned.

RURAL DELIVERY SERVICE

SEC. 17. (a) Carriers in the Rural Delivery Service shall be divided into eleven grades, with salaries based in part on specified rates per mile per annum and in part on fixed compensation per annum, as follows:

For routes thirty miles or less in length served six days a week:

Rates per mile	Fixed compensation
Grade 1, \$54	0
Grade 2, \$56	\$24
Grade 3, \$58	48
Grade 4, \$60	72
Grade 5, \$62	96
Grade 6, \$64	120
Grade 7, \$66	144
Grade 8, \$68	168
Grade 9, \$70	192
Grade 10, \$72	216
Grade 11, \$74	240

and carriers shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the eleventh grade: *Provided*, That there shall be three additional grades of carriers in the Rural Delivery Service, with rates of pay per mile per annum and fixed compensation per annum, as follows:

Additional grades.

Rates per mile	Fixed compensation
Grade 12, \$76-----	\$264
Grade 13, \$78-----	288
Grade 14, \$80-----	312

and carriers who perform faithful and meritorious service shall be promoted to grade 12 after three years of such service in grade 11, and shall be promoted to grade 13 after five years of such service in grade 12, and shall be promoted to grade 14 after seven years of such service in grade 13.

(b) A rural carrier assigned to a route over thirty miles in length served six days a week shall be promoted and shall be paid for the first thirty miles at the rates per mile per annum and the fixed compensation per annum, as herein provided for routes thirty miles or less in length, and shall be paid \$20 per mile per annum for each mile or major fraction thereof said route is in excess of thirty miles, based on actual mileage.

(c) A rural carrier serving one triweekly route shall be paid a salary on the basis of a route one-half the length of the route served by him. A rural carrier serving two triweekly routes shall be paid a salary on the basis of a route one-half the combined length of the two routes.

Heavily patronized routes.
Additional compensation.

(d) The Postmaster General may, in his discretion, allow and pay such additional compensation as he may determine to be fair and reasonable in each individual case to rural carriers serving heavily patronized routes not exceeding forty-five miles in length: *Provided*, That the total annual compensation of a rural carrier serving a heavily patronized route of not exceeding forty-five miles in length shall not exceed \$3,000, exclusive of maintenance allowance: *Provided further*, That a rural carrier below the maximum grade provided herein shall not be granted an additional allowance for serving a heavily patronized route in an amount that would exceed \$3,000 when added to the salary he would receive in the maximum grade.

Equipment maintenance.
Payments.

(e) In addition to the salaries provided in this section, each carrier in the Rural Delivery Service shall be paid for equipment maintenance a sum equal to 6 cents per mile per day for each mile or major fraction of a mile scheduled. Payments for equipment and maintenance as provided herein shall be at the same periods and in the same manner as payments for regular compensation to rural carriers.

(f) A substitute rural carrier who performs service for a regular carrier absent with pay shall be paid at the same rate paid the regular carrier for each day's service, exclusive of Sundays and authorized holidays. A temporary rural carrier serving a route in place of a regular carrier absent without pay shall be paid at the same rate paid the regular carrier, Sundays and holidays included except at the beginning or end of the period of employment. A temporary rural carrier serving a route for which there is no regular carrier shall be paid at the rate of salary provided for a carrier of grade 1 for the route on which service is performed, including Sundays and authorized holidays except at the beginning and end of the period of employment.

(g) In the readjustment of the salaries of carriers in the Rural Delivery Service to conform to the provisions of this Act, rural car-

riers assigned to routes seventeen miles or more in length shall be placed in grade 8; rural carriers assigned to routes eleven to sixteen miles in length, inclusive, shall be placed in grade 9; rural carriers assigned to routes eight to ten miles in length, inclusive, shall be placed in grade 10, and rural carriers assigned to routes seven miles or less in length shall be placed in grade 11: *Provided*, That any carrier in the Rural Mail Delivery Service on June 30, 1945, who serves six days a week a rural route of less than thirty miles, or who serves three days a week a rural route of less than sixty miles or two routes of a combined length of less than sixty miles, and who is receiving for such service an annual salary in excess of a salary based on the standard rate of \$60 per mile per annum for the first thirty miles, and whose annual salary is in excess of such standard rate in conformity with subsection (d) of the first section of the Act entitled "An Act to adjust the salaries of rural letter carriers, and for other purposes" (48 Stat. 1213), approved June 25, 1934, as amended (U. S. C., 1940 edition, title 39, sec. 197-a), shall be assigned to the lowest grade that will provide an annual salary of not less than his base pay under all provisions of said Act, as amended, plus \$300.

Grade assignment of certain rural carriers.

MAIL EQUIPMENT SHOPS

SEC. 18. (a) The salary of employees in the Mail Equipment Shops shall be as follows:

Superintendent, \$5,700; assistant superintendent, \$4,200; general foremen, \$3,600; foremen of the clerical-mechanical service, \$2,600 and \$2,800; cost accounting and purchasing clerks, \$3,100, \$3,300, and \$3,500; engineers in charge, \$3,100; draftsmen, \$3,100, \$3,300, and \$3,500; assistant foremen, \$2,400.

(b) Clerks, nurses, and painters shall be divided into eleven grades with annual salaries as follows:

Grade 1.....	\$1, 700	Grade 7.....	\$2, 300
Grade 2.....	1, 800	Grade 8.....	2, 400
Grade 3.....	1, 900	Grade 9.....	2, 500
Grade 4.....	2, 000	Grade 10.....	2, 600
Grade 5.....	2, 100	Grade 11.....	2, 700
Grade 6.....	2, 200		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the eleventh grade: *Provided*, That there shall be three additional grades; that is, grade 12, \$2,800; grade 13, \$2,900; and grade 14, \$3,000; and employees who perform faithful and meritorious service shall be promoted to grade 12 after three years of such service in grade 11, shall be promoted to grade 13 after five years of such service in grade 12, and shall be promoted to grade 14 after seven years of such service in grade 13.

Additional grades.

(c) Pressmen, lock makers, mail-bag repairers, inspectors, mechanics, and postmarking stamp makers shall be divided into seven grades, with annual salaries as follows:

Grade 1.....	\$1, 800	Grade 5.....	\$2, 200
Grade 2.....	1, 900	Grade 6.....	2, 300
Grade 3.....	2, 000	Grade 7.....	2, 400
Grade 4.....	2, 100		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade.

(d) Firemen, firemen-guards, skilled laborers, and sewers shall be divided into six grades, with annual salaries as follows:

Grade 1.....	\$1, 600	Grade 4.....	\$1, 900
Grade 2.....	1, 700	Grade 5.....	2, 000
Grade 3.....	1, 800	Grade 6.....	2, 100

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the sixth grade.

(e) Junior mechanics, laborers, and messengers shall be divided into seven grades with annual salaries as follows:

Grade 1.....	\$1, 300	Grade 5.....	\$1, 700
Grade 2.....	1, 400	Grade 6.....	1, 800
Grade 3.....	1, 500	Grade 7.....	1, 900
Grade 4.....	1, 600		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade.

(f) Temporary employees in the mail equipment shops shall be paid at the respective rates of pay of grade 1 provided herein for regular employees.

DIVISION OF EQUIPMENT AND SUPPLIES

SEC. 19. (a) Traveling mechanics shall be divided into eleven grades, with annual salaries as follows:

Grade 1.....	\$3, 000	Grade 7.....	\$3, 600
Grade 2.....	3, 100	Grade 8.....	3, 700
Grade 3.....	3, 200	Grade 9.....	3, 800
Grade 4.....	3, 300	Grade 10.....	3, 900
Grade 5.....	3, 400	Grade 11.....	4, 000
Grade 6.....	3, 500		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the ninth grade, shall be promoted to the tenth grade, after three years' faithful and meritorious service in grade 9, and shall be promoted to the eleventh grade after five years' faithful and meritorious service in grade 10.

(b) Storekeepers shall be paid annual salaries of \$3,200 and foremen shall be paid annual salaries of \$2,700.

(c) Requisition fillers and packers shall be divided into seven grades, with annual salaries as follows:

Grade 1.....	\$1, 800	Grade 5.....	\$2, 200
Grade 2.....	1, 900	Grade 6.....	2, 300
Grade 3.....	2, 000	Grade 7.....	2, 400
Grade 4.....	2, 100		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade.

(d) Laborers shall be divided into seven grades with annual salaries as follows:

Grade 1.....	\$1, 300	Grade 5.....	\$1, 700
Grade 2.....	1, 400	Grade 6.....	1, 800
Grade 3.....	1, 500	Grade 7.....	1, 900
Grade 4.....	1, 600		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the seventh grade.

SEC. 20. During the period of hostilities with Japan and for not more than thirty days thereafter, when the needs of the service require postmasters of the first, second, and third classes, post-office inspectors, traveling mechanics, examiners of equipment and supplies, and officers of the Railway Mail and Air Mail Services, to perform service on Saturday they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday on which the excess service was performed: *Provided*, That when and if required by the Postmaster General to be on duty more than forty hours a week, they shall be paid as additional pay for working such additional time of eight hours as follows: Those whose salaries are over \$5,000 and not over \$7,999, 5 per centum of their base annual salaries; those whose salaries are over \$4,000 and not over \$5,000, 10 per centum of their base annual salaries; those whose salaries are over \$2,000 and not over \$4,000, 15 per centum of their base annual salaries; those whose salaries are \$2,000, or under, 20 per centum of their base annual salaries: *Provided further*, That no postmaster whose base annual salary is \$8,000 or over shall receive any additional compensation for such overtime work: *Provided further*, That the Postmaster General may, if the exigencies of the service require, authorize the payment of overtime in lieu of compensatory time for service performed on Saturday by employees included in the provisions of section 3 and subsection (p) of section 16 of this Act. In computing compensation for such overtime employment, the annual salary or compensation for such employees shall be divided by two thousand and eighty, the number of working hours in a year. The quotient thus obtained will be the base hourly compensation and one and one-half time that amount will be the hourly rate of overtime pay. Such overtime payments shall not be considered as part of the earned basic compensation.

Service on Saturday.
Compensatory time.

Additional pay.

Ante, pp. 435, 454.

SEC. 21. Employees who, under laws in effect June 30, 1945, are entitled to automatic promotions in salary effective July 1, 1945, and for whom automatic promotion grades are provided in this Act, shall be given credit for their earned automatic promotion in salary before applying the provisions of sections 23 and 24 of this Act. Employees who, under the laws in effect on June 30, 1945, would have received automatic promotions in salary on October 1, 1945, or January 1, or April 1, 1946, and for whom automatic increases in salary not exceeding \$100 per annum or 5 cents per hour, are provided in this Act, shall be given credit for the time served since their last promotion prior to June 30, 1945, in determining eligibility for automatic promotions under the provisions of this Act.

Automatic promotions.

SPECIAL-DELIVERY MESSENGERS

SEC. 22. (a) Where special-delivery messengers are employed on a full-time basis in offices of the first class, they shall be divided into nine grades, with annual salaries as follows:

Grade 1.....	\$1, 600	Grade 6.....	\$2, 100
Grade 2.....	1, 700	Grade 7.....	2, 200
Grade 3.....	1, 800	Grade 8.....	2, 300
Grade 4.....	1, 900	Grade 9.....	2, 400
Grade 5.....	2, 000		

and shall be promoted successively at the beginning of the quarter following one year's satisfactory service in each grade to the next higher grade until they reach the ninth grade.

(b) The pay of substitute, temporary, or auxiliary special-delivery messengers in offices of the first class shall be on an hourly basis at the following rates:

Grade 1.....	\$0. 79	Grade 6.....	\$1. 04
Grade 2.....	. 84	Grade 7.....	1. 09
Grade 3.....	. 89	Grade 8.....	1. 14
Grade 4.....	. 94	Grade 9.....	1. 19
Grade 5.....	. 99		

and shall be promoted to the next higher grade at the beginning of the quarter following two thousand and twenty-four hours' satisfactory service in a pay status.

(c) Special-delivery messengers in offices of the first class shall, upon the effective date of this Act, be entitled to the grade to conform with their years of service, as follows:

Less than 2 years' service.....	Grade 1
2 years but less than 3 years' service.....	Grade 2
3 years but less than 4 years' service.....	Grade 3
4 years but less than 5 years' service.....	Grade 4
5 years but less than 6 years' service.....	Grade 5
6 years' service or more.....	Grade 6

Automotive-equipment maintenance.

(d) In addition to compensation provided in subsections (a) and (b), each special-delivery messenger in offices of the first class shall be paid for automotive-equipment maintenance at the rate of 6 cents per mile or major fraction thereof for miles traveled under the direction of the Post Office Department in making delivery of special-delivery mail or at the option of the Post Office Department at the rate of 75 cents per hour spent in making delivery of special-delivery mail. Payment for equipment maintenance as provided herein shall be at the same periods and in the same manner as payments for regular compensation to special-delivery messengers.

Employment at other duties.

(e) Special-delivery messengers may be employed at duties other than the delivery of special-delivery mail when their regular duties do not require eight hours work in ten; and special-delivery articles may, in the discretion of the Postmaster General, be delivered by regular, substitute, and temporary postal employees, and such employees shall be paid their regular rate of compensation for such delivery service.

Vehicles.

(f) The Postmaster General may provide or hire vehicles under an allowance basis for use in the delivery of special-delivery mail whenever the exigencies of the service may require.

Reemployment.
54 Stat. 890, 891.
50 U. S. C. app. § 308
(b), (c), (g); Supp. IV,
app. § 308 (b).

(g) For the purposes of section 8 (b), (c), and (g) of the Selective Training and Service Act of 1940, as amended, and of section 3 (b) and (c) of the joint resolution entitled "Joint resolution to strengthen the common defense and to authorize the President to order members and units of reserve components and retired personnel of the Regular Army into active military service", approved August 27, 1940, as amended (relating to reemployment of persons who have served in the armed forces of the United States), services as a special-delivery messenger in the Postal Service shall be considered services as an employee of the United States in a position other than temporary.

54 Stat. 859.
50 U. S. C. app.
§ 403 (b), (c); Supp.
IV, app. § 403 (b).

Salary readjustments.

SEC. 23. In the readjustment of salaries to conform to the provisions of this Act, regular employees for whom salary steps, automatic and additional grades have been provided in sections 12, 13, 14, 15, 16, 18, and 19 shall be assigned to the salary of their respective positions on

Ante, pp. 443-455,
457-459.

the basis of their base salary plus 20 per centum, or \$400, whichever is the lesser amount, but not less than \$300: *Provided*, That when the application of the above formula produces a sum that is not equal to a salary provided for the position, the employee shall be assigned to the next higher salary grade: *Provided further*, That no employee shall be assigned to a salary grade above the maximum automatic or additional grade provided for the position: *And provided further*, That clerks who are employed not less than forty hours per week at third-class post offices, and who are appointed to regular positions, shall be assigned to the minimum salary rate provided for the position.

SEC. 24. In the readjustment of part-time positions to conform to the provisions of this Act, substitute, temporary, auxiliary, and other part-time employees for whom hourly rates of pay have been provided in sections 12, 13, 14, 15, 16, 18, and 19 shall be assigned, respectively, to the hourly rate of pay that most nearly equals their base hourly rate plus 20 per centum: *Provided*, That when the base hourly rate plus 20 per centum does not equal the hourly rates provided by this Act, fraction units of less than 50 per centum shall be disregarded and fractional units of 50 per centum or more shall be considered as a full unit rate of pay.

Part-time positions.

Ante, pp. 443-455, 457-459.

SEC. 25. Allowable service under the provisions of this Act shall be only such continuous active service as has been rendered and shall not include previous periods or terms of employment: *Provided, however*, That in the case of employees who have been separated or shall hereafter be separated from the field service of the Post Office Department for military duty, the periods or terms of such service immediately preceding entry into the military service as well as the time engaged in military service shall be construed as allowable service and pro rata credit shall be given for the time engaged in military service for each year of such service.

Allowable service.

SEC. 26. Nothing contained in this Act shall operate to decrease the pay of any present regular employee to an amount less than his annual base pay plus \$300.

Pay decrease, restriction.

SEC. 27. The sums appropriated for salaries and compensation of postmasters, officers, and employees of the Postal Service in the Act making appropriations for the fiscal year ending June 30, 1946, shall be available for the payment of salaries and compensation of postmasters, officers, and employees of the Postal Service at the rates of compensation herein provided; and such additional sums as may be necessary are hereby authorized to be appropriated to carry out the provisions of this Act.

Sums available.

Ante, p. 68.

Appropriation authorized.

SEC. 28. This Act shall take effect on July 1, 1945.

Approved July 6, 1945.

[CHAPTER 275]

AN ACT

Providing for a medal for service in the armed forces during the present war.

July 6, 1945

[H. R. 3436]

[Public Law 135]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War and the Secretary of the Navy are authorized and directed to procure, in numbers sufficient for the purposes of this Act, a medal (and suitable appurtenances) of design and official designation jointly approved by them, to be awarded to all persons who shall have served on active duty in the armed forces of the United States or of the Government of the Philippine Islands at any time during the period beginning December 7, 1941, and ending with the date of the termination of hostilities in the present war, and whose service

Medal for service in armed forces during present war.

Posthumous awards.

shall have been honorable. The term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier. The medal may be awarded posthumously and, when so awarded, shall be presented to such representative of the deceased as shall be prescribed in the applicable regulations. Awards shall be made pursuant to regulations prescribed by the Secretary of War and the Secretary of the Navy.

Approved July 6, 1945.

[CHAPTER 278]

AN ACT

July 6, 1945
[H. R. 1647]
[Public Law 136]

To authorize the Secretary of War to convey to the Captain William Edmiston Chapter of the Daughters of the American Revolution a certain building and tract or parcel of land situated in Montgomery County, Tennessee.

Captain William
Edmiston Chapter,
D. A. R.
Conveyance.

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 grant, donate, and convey to the Captain William Edmiston Chapter of the Daughters of the American Revolution all right, title, and interest of the United States in and to that certain building and tract or parcel of land lying and being situated in the county of Montgomery, in the State of Tennessee, being a part of the same tract as conveyed by R. E. Durrett and wife, to the United States of America as recorded in deed book 89, page 1, in the records of Montgomery County, Tennessee.

Approved July 6, 1945.

[CHAPTER 279]

AN ACT

July 6, 1945
[H. R. 2477]
[Public Law 137]

To give recognition to the noncombatant services under enemy fire performed by officers and enlisted men of the Medical Corps of the Army.

Enlisted men entitled to wear Medical Badge.
Additional compensation.

Appropriations available.

Effective date.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the present war and for six months thereafter, any enlisted man of the Army who is entitled, under regulations prescribed by the Secretary of War, to wear the Medical Badge shall be paid additional compensation at the rate of \$10 per month: *Provided,* That any enlisted man whose right to wear the Medical Badge has been temporarily suspended may, under regulations prescribed by the Secretary of War, continue to be paid such additional compensation.

SEC. 2. The appropriations heretofore or hereafter made for "Finance Service, Army", shall be available for carrying into effect the provisions of this Act.

SEC. 3. The provisions of this Act shall become effective on the first day of the month following its enactment. The additional compensation provided by this Act shall not be paid for any retroactive period prior to the date of the actual award of the Medical Badge.

Approved July 6, 1945.

[CHAPTER 280]

AN ACT

To amend section 100 of Public Law Numbered 346, Seventy-eighth Congress, June 22, 1944, to grant certain priorities to the Veterans' Administration, and for other purposes.

July 6, 1945
[H. R. 3118]
[Public Law 138]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 100 of Public Law Numbered 346, Seventy-eighth Congress, June 22, 1944, is hereby amended to read as follows:

"SEC. 100. The Veterans' Administration is hereby declared to be an essential war agency and entitled to priority equal to the highest granted any department or agency of the Government in personnel, service, space, equipment, supplies, and material under any laws, Executive orders, and regulations pertaining to priorities. During the continuance of the present war and for six months after its termination, the Administrator is authorized, for the purpose of extending benefits to veterans and dependents, and to the extent he deems necessary, to procure the necessary space for administrative, clinical, medical, and outpatient treatment purposes by lease, purchase, or construction of buildings, or by condemnation or declaration of taking, pursuant to existing statutes."

Approved July 6, 1945.

Servicemen's Readjustment Act of 1944, amendment.
58 Stat. 284.
38 U. S. C., Supp. IV, § 693.
Post, p. 623.

[CHAPTER 281]

AN ACT

To amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of penicillin or any derivative thereof, and for other purposes.

July 6, 1945
[H. R. 3266]
[Public Law 139]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301 (i) of the Federal Food, Drug, and Cosmetic Act of June 25, 1938 (21 U. S. C. 301 and the following), as amended, is amended by inserting "507" after "506,".

SEC. 2. Section 502 of such Act, as amended, is amended by adding a new paragraph at the end thereof, as follows:

"(1) If it is, or purports to be, or is represented as a drug composed wholly or partly of any kind of penicillin or any derivative thereof, unless (1) it is from a batch with respect to which a certificate or release has been issued pursuant to section 507, and (2) such certificate or release is in effect with respect to such drug: *Provided*, That this paragraph shall not apply to any drug or class of drugs exempted by regulations promulgated under section 507 (c) or (d)."

SEC. 3. Chapter V of such Act, as amended, is amended by adding a new section at the end thereof, as follows:

"CERTIFICATION OF DRUGS CONTAINING PENICILLIN

"SEC. 507. (a) The Federal Security Administrator, pursuant to regulations promulgated by him, shall provide for the certification of batches of drugs composed wholly or partly of any kind of penicillin or any derivative thereof. A batch of any such drug shall be certified if such drug has such characteristics of identity and such batch has such characteristics of strength, quality, and purity, as the Administrator prescribes in such regulations as necessary to adequately insure safety and efficacy of use, but shall not otherwise be certified. Prior to the effective date of such regulations the Administrator, in lieu of certification, shall issue a release for any batch which, in his judgment, may be released without risk

Penicillin; derivatives.
55 Stat. 851.
21 U. S. C. Supp. IV, §§ 331, 356.

52 Stat. 1050.
21 U. S. C., § 352; Supp. IV, § 352 (k).

When misbranded.

Infra.

Nonapplicability.

52 Stat. 1049.
21 U. S. C. §§ 351-355; Supp. IV, §§ 352(k), 356.
Supra.

Release in lieu of certification.

as to the safety and efficacy of its use. Such release shall prescribe the date of its expiration and other conditions under which it shall cease to be effective as to such batch and as to portions thereof.

Regulations for certifications.

“(b) Regulations providing for such certifications shall contain such provisions as are necessary to carry out the purposes of this section, including provisions prescribing (1) standards of identity and of strength, quality, and purity; (2) tests and methods of assay to determine compliance with such standards; (3) effective periods for certificates, and other conditions under which they shall cease to be effective as to certified batches and as to portions thereof; (4) administration and procedure; and (5) such fees, specified in such regulations, as are necessary to provide, equip, and maintain an adequate certification service. Such regulations shall prescribe only such tests and methods of assay as will provide for certification or rejection within the shortest time consistent with the purposes of this section.

Exemptions; regulations.
Anz., p. 463.

“(c) Whenever in the judgment of the Administrator, the requirements of this section and of section 502 (1) with respect to any drug or class of drugs are not necessary to insure safety and efficacy of use, the Administrator shall promulgate regulations exempting such drug or class of drugs from such requirements.

“(d) The Administrator shall promulgate regulations exempting from any requirement of this section and of section 502 (1), (1) drugs which are to be stored, processed, labeled, or repacked at establishments other than those where manufactured, on condition that such drugs comply with all such requirements upon removal from such establishments; (2) drugs which conform to applicable standards of identity, strength, quality, and purity prescribed by these regulations and are intended for use in manufacturing other drugs; and (3) drugs which are intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety and efficacy of drugs.

52 Stat. 1052.
21 U. S. C. § 355.
Anz., p. 463.
52 Stat. 1048, 1051.
21 U. S. C. §§ 351 (b), 352 (g).

“(e) No drug which is subject to section 507 shall be deemed to be subject to any provision of section 505. Compliance of any drug subject to section 502 (1) or 507 with sections 501 (b) and 502 (g) shall be determined by the application of the standards of strength, quality, and purity, the tests and methods of assay, and the requirements of packaging and labeling, respectively, prescribed by regulations promulgated under section 507.

Petition proposing issuance, etc., of regulations.

“(f) Any interested person may file with the Administrator a petition proposing the issuance, amendment, or repeal of any regulation contemplated by this section. The petition shall set forth the proposal in general terms and shall state reasonable grounds therefor. The Administrator shall give public notice of the proposal and an opportunity for all interested persons to present their views thereon, orally or in writing, and as soon as practicable thereafter shall make public his action upon such proposal. At any time prior to the thirtieth day after such action is made public any interested person may file objections to such action, specifying with particularity the changes desired, stating reasonable grounds therefor, and requesting a public hearing upon such objections. The Administrator shall thereupon, after due notice, hold such public hearing. As soon as practicable after completion of the hearing, the Administrator shall by order make public his action on such objections. The Administrator shall base his order only on substantial evidence of record at the hearing and shall set forth as part of the order detailed findings of fact on which the order is based. The order shall be subject to the provisions of section 701 (f) and (g).”

Notice.

Time limitation.

Hearing.

Order; basis.

52 Stat. 1055.
21 U. S. C. § 371 (f), (g).

Approved July 6, 1945.

[CHAPTER 282]

AN ACT

Further amending the part of the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes", approved June 4, 1920, as amended, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves.

July 6, 1945
[H. R. 3269]
[Public Law 140]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the part of the Act of June 4, 1920 (41 Stat. 813), amended by the Act of June 30, 1938 (52 Stat. 1252), and further amended by the Act of June 17, 1944 (58 Stat. 280; U. S. C., 1940 edition, Supp. IV, title 34, sec. 524), as so amended, is hereby further amended by adding immediately following the sixth paragraph of such amended part the following new paragraph:

Naval petroleum and oil shale reserves.

34 U. S. C. § 524.

Termination of certain leases.

3 CFR, Cum. Supp. pp. 1221, 1226.

"Any lease outstanding on November 13, 1942, which was issued pursuant to the Act of February 25, 1920 (41 Stat. 437; 30 U. S. C. 181), or any amendment thereof, embracing lands which were added to Naval Petroleum Reserve Numbered 1 by Executive Order Numbered 9257, dated October 15, 1942 (corrected by Executive Order Numbered 9270, dated November 13, 1942), shall terminate as to any such lands at the expiration of its current term, including any extension heretofore accrued or which may accrue pursuant to the Act of February 9, 1933 (47 Stat. 798; 30 U. S. C. 209)."

Approved July 6, 1945.

[CHAPTER 283]

AN ACT

To authorize the attendance of the Marine Band at the national encampment of the Grand Army of the Republic to be held at Columbus, Ohio, September 9 to 14, inclusive, 1945.

July 6, 1945
[H. R. 3287]
[Public Law 141]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the national encampment of the Grand Army of the Republic to be held at Columbus, Ohio, from September 9 to 14, inclusive, 1945.

Marine Band.
Attendance at
G. A. R. encampment.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such encampment, there is authorized to be appropriated the sum of \$6,452.10, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed \$6 per day each for additional living expenses while on duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Appropriation authorized.

Approved July 6, 1945.

[CHAPTER 284]

JOINT RESOLUTION

Authorizing the production of petroleum for the national defense from Naval Petroleum Reserve Numbered 1.

July 6, 1945
[H. J. Res. 215]
[Public Law 142]

Whereas the Act of June 4, 1920, as amended (41 Stat. 813; 52 Stat. 1252; 58 Stat. 280), directs the Secretary of the Navy, among other things, to use and operate all properties within the naval petroleum reserves as are or may become subject to the control and use by the United States for naval purposes for the production of petroleum

34 U. S. C. § 524;
Supp. IV, § 524.
Supra.

whenever and to the extent the Secretary, with the approval of the President, finds required for the national defense: *Provided, however,* That no petroleum shall be produced pursuant to such a finding unless authorized by the Congress by joint resolution; and Whereas such a finding of the necessity for such production to the extent authorized herein has been so made and approved: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the production of petroleum (including crude oil and associated gas and other hydrocarbons) from Naval Petroleum Reserve Numbered 1 is hereby authorized at a rate not in excess of sixty-five thousand barrels of crude oil produced and saved per day, averaged over each calendar month beginning with and including the month in which this joint resolution shall be approved by the President, such production (to the extent in excess of that otherwise authorized by the Act above cited) not to extend beyond December 31, 1946; and that the joint resolution approved June 17, 1944 (Public Law 344, Seventy-eighth Congress, second session, 58 Stat. 283), is hereby repealed: *Provided,* That such repeal shall not operate to affect existing contracts relating to the production of petroleum nor the availability of funds from the appropriation "Naval emergency fund" for carrying out such contracts.

Approved July 6, 1945.

[CHAPTER 295]

AN ACT

For the relief of the Truckee-Carson Irrigation District.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proposed contract approved as to form by the Secretary of the Interior on January 9, 1945, between the United States of America and the Truckee-Carson Irrigation District is approved and, after said contract shall have been duly executed for and in behalf of the Truckee-Carson Irrigation District, the said Secretary is hereby authorized to execute it on behalf of the United States.

Approved July 14, 1945.

[CHAPTER 296]

AN ACT

To authorize an exchange of certain lands with William W. Kiskadden in connection with the Rocky Mountain National Park, Colorado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon submission of satisfactory evidence of title the Secretary of the Interior is hereby authorized, in his discretion, to accept title on behalf of the United States to the following described land conveyed to William W. Kiskadden by warranty deed numbered 174403 from Mrs. Arah Chapman, recorded August 24, 1916, in book 339, page 231, records of Larimer County, Colorado: Beginning at the northeast corner of the southwest quarter of section 31, township 5 north, range 73 west, sixth principal meridian, Colorado; thence south four hundred and eighty feet; thence west two hundred feet; thence north 27 degrees 30 minutes west five hundred and forty-one feet; thence east four hundred and fifty feet to the place of beginning, containing approximately three and fifty-eight one-hundredths acres, and in exchange therefor to issue a patent for that portion of the northeast quarter of the southwest quarter and that portion of the southeast quarter of the northwest quarter of section 31, township 5 north, range 73 west, sixth principal

Naval Petroleum Reserve No. 1.
Production of petroleum for national defense.

Repeal.
34 U. S. C., Supp. IV, § 524 note.

Ante, p. 203.

July 14, 1945

[S. 24]

[Public Law 143]

Approval of contract.

July 14, 1945

[S. 100]

[Public Law 144]

William W. Kiskadden.
Exchange of lands.

meridian, Colorado, more particularly described as follows: Beginning at a point from whence the center quarter-section corner of section 31 bears south 79 degrees no minutes east, three hundred and sixty and nine-tenths feet; thence south four hundred and eighty feet to a point from whence the east quarter corner of section 31 bears north 79 degrees 22 minutes east, two thousand six hundred and seventy-three and six-tenths feet; thence west two hundred feet; thence north 27 degrees 30 minutes west, five hundred and forty-one feet; thence east four hundred and fifty feet to the point of beginning, containing approximately three and five-tenths acres: *Provided*, That the land conveyed to the United States, other than the land to be patented, shall, upon acceptance of title thereto, become a part of the Rocky Mountain National Park, Colorado, and become subject to all laws and regulations applicable to said park.

Approved July 14, 1945.

[CHAPTER 297]

AN ACT

To revive and reenact the Act entitled "An Act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Mississippi, and Helena, Arkansas, and for other purposes", approved May 17, 1939.

July 14, 1945
[S. 454]
[Public Law 145]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved May 17, 1939, heretofore extended by Acts of Congress approved May 27, 1940, and July 14, 1941, and February 12, 1944, creating the Arkansas-Mississippi Bridge Commission and authorizing such Commission to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at or near Friar Point, Mississippi, and Helena, Arkansas, be, and is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Mississippi River.
Bridge, Friar Point,
Miss.—Helena, Ark.
53 Stat. 747; 54
Stat. 222; 55 Stat. 590;
58 Stat. 11.

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

Approved July 14, 1945.

[CHAPTER 298]

AN ACT

To amend an Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609).

July 14, 1945
[S. 497]
[Public Law 146]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the purchase of public lands for home and other sites", approved June 1, 1938 (52 Stat. 609), is hereby amended by striking out the words "prescribed: *Provided further*, That this Act shall not apply to any lands in the Territory of Alaska", and by inserting in lieu thereof the words "prescribe: *Provided further*, That any employee of the Department of the Interior, stationed in Alaska, notwithstanding such employment, may, in the discretion of the Secretary, purchase or lease one such tract in the Territory of Alaska, except business sites, under this Act".

Purchase of public
lands for home, etc.,
sites.

43 U. S. C. § 682a.

Interior Department
employees in
Alaska.

Approved July 14, 1945.

[CHAPTER 299]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Saint Croix River at or near Hudson, Wisconsin.

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 Saint Croix River at or near Hudson, Wisconsin, authorized to be built by the States of Minnesota and Wisconsin, jointly or separately, by an Act of Congress approved July 17, 1942, as extended by the Act of Congress approved June 22, 1943, are hereby extended until the end of one and three years, respectively, after the date of the termination of the unlimited national emergency proclaimed by the President on May 27, 1941.

Approved July 14, 1945.

[CHAPTER 300]

AN ACT

To transfer certain lands situated in Rapides Parish, Louisiana, to board of supervisors of Louisiana State University and Agricultural and Mechanical College.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the written consent of the majority of directors of the Louisiana Rural Rehabilitation Corporation, the Secretary of Agriculture is hereby directed to convey, grant, transfer, and quitclaim forthwith to the board of supervisors of Louisiana State University and Agricultural and Mechanical College, subject to a covenant on the part of such board to use such property for the establishment and maintenance of an agricultural and vocational school, all right, title, claim, interest, equity, and estate in and to the following-described lands administered by the Secretary as trustee under an agreement of transfer, dated March 31, 1937, with the Louisiana Rural Rehabilitation Corporation and situated in the Parish of Rapides, State of Louisiana, together with the improvements thereon and the rights and the appurtenances thereunto belonging or appertaining, to wit:

Three thousand one hundred and thirteen acres, more or less, located in Rapides Parish, Louisiana, and known as the Boeuf Bayou farms project of the Farm Security Administration of the War Food Administration, within the United States Department of Agriculture.

SEC. 2. Until such time as the functions, powers, and duties of the War Food Administrator or the War Food Administration are terminated, the authority vested in the Secretary of Agriculture by this Act shall be exercised by the War Food Administrator.

SEC. 3. The transfer of such lands under this Act is hereby found to be in the general interest of rural rehabilitation and shall not be deemed to impose any liability upon the Secretary of Agriculture (or War Food Administrator, as the case may be) with respect to his obligations under such agreement of transfer of March 31, 1937.

Approved July 14, 1945.

July 14, 1945

[S. 527]

[Public Law 147]

Saint Croix River.
Bridge, Hudson,
Wis.

56 Stat. 661; 57 Stat.
161.

55 Stat. 1647.
50 U. S. C., Supp.
IV, app., note prec. § 1.

July 14, 1945

[S. 660]

[Public Law 148]

Louisiana State
University and Agri-
cultural and Mechan-
ical College.
Conveyance.

Condition.

Authority.

Liability.

[CHAPTER 301]

AN ACT

To amend section 3 of the San Carlos Act (43 Stat. 475-476), as supplemented and amended, and for other purposes.

July 14, 1945
[S. 812]
[Public Law 149]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the San Carlos Act, approved June 7, 1924 (43 Stat. 475-476), as amended and supplemented, be, and it is hereby, amended so as to provide that the construction charges on account of non-Indian lands in the San Carlos Federal irrigation project shall be repaid in variable annual payments, to be determined by the number of acre-feet of water stored in the San Carlos Reservoir on March 1 each year beginning on the 1st day of March 1945; the amount of each such annual payment shall be fixed and determined in accordance with the following schedule:

San Carlos Irrigation project, Ariz.
Construction charges on non-Indian lands.

Repayment.

When stored water (other than dead storage) in the San Carlos Reservoir on March 1 of each year is:	The annual construction charge payment due December 1 of the following year shall be:
0 to 100,000 acre-feet.....	\$12,500
Over 100,000 but not over 200,000 acre-feet.....	25,000
Over 200,000 but not over 250,000 acre-feet.....	37,500
Over 250,000 but not over 300,000 acre-feet.....	50,000
Over 300,000 but not over 350,000 acre-feet.....	75,000
Over 350,000 but not over 400,000 acre-feet.....	100,000
Over 400,000 acre-feet.....	125,000

SEC. 2. The variable repayment schedule provided for in section 1 hereof shall go into effect for the fiscal year beginning July 1, 1945, and ending June 30, 1946, and the first such annual payment shall become due and payable December 1, 1946.

Effective date of schedule.

SEC. 3. The term "construction charges" shall mean the unpaid balance of the principal obligations due the United States under the terms of the repayment contract dated June 8, 1931, between the United States and the San Carlos Irrigation and Drainage District, as amended, including all annual installments deferred in whole or in part: *Provided*, That the sum of \$25,000 shall be paid December 1, 1945, on the deferred installment due December 1, 1945, under the amended repayment contract: *Provided further*, That none of the deferred installments shall bear interest during the periods deferred.

"Construction charges."

Deferred installments.

SEC. 4. The Secretary of the Interior is hereby authorized and directed to enter into a supplemental agreement with the San Carlos Irrigation and Drainage District modifying the repayment provisions of the existing repayment contract, as amended, in accordance herewith.

Supplemental agreement.

Approved July 14, 1945.

[CHAPTER 302]

AN ACT

Authorizing the conveyance of certain lands to the city of Cheyenne, Wyoming.

July 14, 1945
[S. 911]
[Public Law 150]

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 hereby authorized and directed to convey to the city of Cheyenne, Wyoming, subject to any and all valid existing rights or claims, for use in connection with the water supply system of the city, and for the protection of its reservoirs, the following-described lands: The north half of section 2, township 13 north, range 70 west, containing three hundred and twenty-six and eighty-six one-hundredths acres, more or less; the northwest quarter of section 4, township 13 north, range 70 west, containing one hundred

Cheyenne, Wyo.
Conveyance of certain lands to city.

and sixty-one and twenty-nine one-hundredths acres, more or less; the south half of the north half, the northeast quarter of the northeast quarter, the south half of the southeast quarter, and the southeast quarter of the southwest quarter of section 22, township 14 north, range 70 west, aggregating three hundred and twenty acres, more or less; the west half of the northwest quarter, the southeast quarter of the northeast quarter, and the north half of the south half of section 26, township 14 north, range 70 west, aggregating two hundred and eighty acres, more or less; the southeast quarter of the southwest quarter of section 30, township 15 north, range 70 west, containing forty acres, more or less; and the southeast quarter of the northwest quarter of section 30, township 15 north, range 70 west, containing forty acres, more or less, sixth principal meridian, Wyoming, upon condition that the city shall make payment for the said lands at their appraised price as fixed by the Secretary of the Interior, but at not less than \$1.25 per acre, within six months after the approval of this Act: *Provided*, That there shall be reserved to the United States all oil, gas, coal, or other mineral deposits in the lands, together with the right to prospect for, mine, and remove the same under regulations to be issued by the Secretary of the Interior.

Mineral reservation.

Use by city for water supply.

SEC. 2. The lands granted pursuant to this Act shall be used by the city of Cheyenne, Wyoming, for the purposes of its water supply system and the protection of its reservoirs, and for no other purpose, and if said lands or any part thereof shall be abandoned for such use, said lands or such parts shall revert to the United States. The Secretary of the Interior is hereby authorized and empowered to declare a forfeiture of the grant if at any time he shall determine that the city has for more than one year abandoned the lands for the use herein indicated, and such order of the Secretary shall be final and conclusive, and thereupon and thereby the lands shall be restored to the public domain free from the operation of this Act.

Approved July 14, 1945.

[CHAPTER 303]

AN ACT

July 14, 1945

[H. R. 3291]

[Public Law 151]

To provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in 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 annual basic salary of any officer or member of the Metropolitan Police, the United States Park Police, the White House Police, or the Fire Department of the District of Columbia, whose rate of compensation is governed by the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia", approved July 1, 1930, as amended, is hereby increased by 20 per centum of that part thereof which is not in excess of \$1,200 per annum, plus 10 per centum of that part thereof which is in excess of \$1,200 per annum but not in excess of \$4,600 per annum, plus 5 per centum of that part thereof which is in excess of \$4,600 per annum.

SEC. 2. In lieu of overtime pay and night pay differential, officers and members of the Metropolitan Police, the United States Park Police, the White House Police, and the Fire Department of the District of Columbia shall be paid additional compensation at the rate of 8 per centum of their annual basic salaries as provided for in section 1 of this Act.

District of Columbia.
Salary adjustments for policemen and firemen.
Anie, p. 318.

46 Stat. 839.
D. C. Code §§ 4-106, 405, 503-505, 801, 802; Supp. IV, §§ 4-106, 405.

Additional compensation in lieu of overtime, etc., pay.

SEC. 3. The provisions of this Act shall not apply to pilots and marine engineers of the Fire Department whose salaries were increased by an Act entitled "An Act to amend an Act entitled 'An Act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia', approved June , 1945".

Pilots and marine engineers, Fire Department. *Post*, p. 662.

Ante, p. 318.

SEC. 4. This Act shall take effect on July 1, 1945.
Approved July 14, 1945.

[CHAPTER 312]

AN ACT

Granting the consent of Congress to the State of North Dakota to construct, maintain, and operate a free highway bridge across the Missouri River.

July 16, 1945
[S. 233]
[Public Law 152]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of North Dakota to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, from McLean County to either Mercer County or Oliver County, North Dakota, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act: *Provided*, That this Act shall be null and void unless actual construction of the bridge herein referred to be commenced within two years and completed within four years from the date of approval hereof.

Missouri River. Bridge, McLean County, N. Dak.

34 Stat. 84.
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.
Approved July 16, 1945.

[CHAPTER 313]

AN ACT

Authorizing the construction of a free highway bridge across the Yellowstone River near Fairview, Montana.

July 16, 1945
[S. 234]
[Public Law 153]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the States of North Dakota and Montana, jointly or severally, are hereby authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Yellowstone River, at a point suitable to the interests of navigation, near Fairview, Montana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act: *Provided*, That this Act shall be null and void unless actual construction of the bridge herein referred to be commenced within two years and completed within four years from the date of approval hereof.

Yellowstone River. Bridge, near Fairview, Mont.

34 Stat. 84.
33 U. S. C. §§ 491-498.

SEC. 2. There are hereby conferred upon the States of North Dakota and Montana all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings

Acquisition of real estate, etc.

therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 16, 1945.

[CHAPTER 314]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Columbia River in Clatsop County, Oregon.

July 16, 1945
[S. 574]
[Public Law 154]

Columbia River.
Bridge, Clatsop
County, Oregon.

48 Stat. 949; 49 Stat.
1066, 1104; 50 Stat. 563;
52 Stat. 445; 53 Stat.
1206; 54 Stat. 1222;
57 Stat. 73.

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 Columbia River in Clatsop County, Oregon, authorized to be built by the Oregon-Washington Bridge Board of Trustees by an Act of Congress approved June 13, 1934, as amended, as heretofore extended by Acts of Congress approved August 30, 1935, January 27, 1936, August 5, 1937, May 26, 1938, August 5, 1939, December 16, 1940, and May 3, 1943, are further extended one and three years, respectively, from May 3, 1945.

Approved July 16, 1945.

[CHAPTER 318]

JOINT RESOLUTION

Relating to the appropriation for the roofs and skylights over the Senate and House wings of the Capitol, and for other purposes.

July 17, 1945
[S. J. Res. 31]
[Public Law 155]

U. S. Capitol.
Reconstruction of
roofs, etc.
54 Stat. 629; 56 Stat.
342.

Additional amounts
authorized; merger of
funds.

Senate wing.

House wing.

Contract.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriation of \$585,000 provided in the Second Deficiency Appropriation Act, approved June 27, 1940, as amended and carried forward by the Act of June 8, 1942, for the reconstruction of the roofs and skylights over the Senate and House wings of the United States Capitol, together with such additional amounts as may be provided hereafter for such purpose, shall be available also for the substitution of reinforced concrete roof slab for the skylights over the Senate and House Chambers, reconstruction of ceilings, redecoration, acoustical treatment, improved lighting, and other alterations, changes, and improvements in such Chambers: *Provided further,* That there is hereby authorized to be appropriated, to be merged with, and to be available for the same purposes and for expenditure in the same manner as the appropriation heretofore made, such additional amounts as may be necessary for the additional improvements herein authorized: *Provided further,* That the project, insofar as it affects the Senate wing of the Capitol, shall be carried forward by the Architect of the Capitol in accordance with plans to be approved by a committee of five Senators, to be appointed by the President pro tempore of the Senate, upon recommendation of the chairman of the Senate Committee on Public Buildings and Grounds: *Provided further,* That the project, insofar as it affects the House wing of the Capitol, shall be carried forward by the Architect of the Capitol in accordance with plans to be approved by a committee of five Representatives to be appointed by the Speaker of the House of Representatives, upon recommendation of the chairman of the House Committee on Public Buildings and Grounds.

SEC. 2. The Architect of the Capitol is authorized to enter into a contract or contracts for carrying out the provisions of this joint

resolution for a total amount not exceeding \$861,000 in addition to the aforesaid appropriation of \$585,000 heretofore provided in the Second Deficiency Appropriation Act of June 27, 1940.

Approved July 17, 1945.

[CHAPTER 319]

AN ACT

Making appropriations for war agencies for the fiscal year ending June 30, 1946, and for other purposes.

July 17, 1945
[H. R. 3368]
[Public Law 156]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the support of war agencies for the fiscal year ending June 30, 1946, namely:

National War Agencies
Appropriation
Act, 1946.
Post, pp. 634, 635,
641.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE FOR EMERGENCY MANAGEMENT

COMMITTEE ON FAIR EMPLOYMENT PRACTICE

Salaries and expenses: For completely terminating the functions and duties of the Committee on Fair Employment Practice, including such of the objects and limitations specified in the appropriation for such agency for the fiscal year 1945 as may be incidental to its liquidation, \$250,000: *Provided*, That if and until the Committee on Fair Employment Practice is continued by an Act of Congress, the amount named herein may be used for its continued operation until an additional appropriation shall have been provided: *Provided further*, That in no case shall this fund be available for expenditure beyond June 30, 1946.

Termination.

58 Stat. 536.

Amount available
for continued operation.

NATIONAL WAR LABOR BOARD

Salaries and expenses: For all necessary expenses of the National War Labor Board, including salaries at not to exceed \$10,000 per annum each for the eight public members of the Board; travel expenses (not to exceed \$720,000), including travel of new appointees and transportation of their immediate families in accordance with regulations prescribed by the President, and expenses of transportation of household goods and personal effects in accordance with the Act of October 10, 1940 (5 U. S. C. 73c-1), from the places of their actual residence at the time of appointment to places of employment outside continental United States, and for such expenses on return of civilian officers and employees from their posts of duty outside continental United States to the places of their actual residence at time of assignment to duty outside the United States; not to exceed \$45,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); printing and binding (not to exceed \$30,000); payment at the rates not in excess of those fixed by law for witnesses attending in United States courts (28 U. S. C. 600c), of fees, mileage, and subsistence of witnesses appearing at hearings held by the National War Labor Board or its agents in connection with the performance of its functions, which payment of fees, mileage, and subsistence shall be subject to certification by the Chairman of the Board, or his designee, as to the necessity therefor; actual transportation and other necessary expenses, and not to exceed \$25 per diem in lieu of subsistence, whether or not in a travel

Travel expenses.

54 Stat. 1105.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

28 U. S. C., Supp.
IV, § 600c.

status, of other members, alternate members, and associate members of the Board while serving as such without other compensation from the United States; \$13,320,000: *Provided*, That those provisions of section 201 of the Independent Offices Appropriation Act, 1946, making appropriations available for travel and subsistence of persons employed or serving intermittently or without other compensation while away from their homes or regular places of business shall apply to public, labor, or industry members of the regional boards, committees, commissions, or panels, or public hearings officers of the National War Labor Board, whether employed intermittently or indefinitely, and the term "consultants" as used in section 201, National War Agencies Appropriation Act, 1945, and title I, under the head "Office for Emergency Management First Deficiency Appropriation Act, 1943," and paragraph (a), general provisions, National War Agencies Appropriation Act, 1944, shall be construed to include such persons: *Provided further*, That no part of the funds appropriated in this paragraph shall be used in connection with investigation, hearings, directives or orders concerning bargaining units composed in whole or in part of agricultural laborers, as that term is defined in the Social Security Act in section 409, title 42, United States Code. None of the persons receiving compensation on a per diem when-actually-employed basis and employed intermittently or indefinitely shall be entitled to any of the benefits of the Sick Leave Act of March 14, 1936 (49 Stat. 1162), or of the Annual Leave Act of March 14, 1936 (49 Stat. 1161), as amended, or of any other provisions of law pertaining to sick or annual leave.

OFFICE OF ALIEN PROPERTY CUSTODIAN

Expenses.

The Alien Property Custodian is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him all necessary expenses incurred by the Office of Alien Property Custodian in carrying out the powers and duties conferred on the Alien Property Custodian pursuant to the Trading with the Enemy Act of October 6, 1917, as amended (50 U. S. C. App.): *Provided*, That not to exceed \$2,500,000 shall be available for the entire fiscal year 1946 for the general administrative expenses of the Office of Alien Property Custodian, including the salary of the Alien Property Custodian at \$10,000 per annum; printing and binding; not to exceed \$4,400 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); rent in the District of Columbia; not to exceed \$70,000 for the temporary employment of persons or organizations by contract or otherwise for special services without regard to the civil service and classification laws; and all other necessary general administrative expenses: *Provided further*, That on or before November 1, 1945, the Alien Property Custodian shall make a report to the Appropriations Committees of the Senate and the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred in connection with the activities of the Office of Alien Property Custodian: *Provided further*, That nothing herein contained authorizing expenditures by the Alien Property Custodian during the fiscal year 1946 shall be construed as validating or invalidating expenditures by the Custodian during prior fiscal years.

OFFICE OF DEFENSE TRANSPORTATION

Post, p. 635.

Salaries and expenses: For all necessary expenses of the Office of Defense Transportation, including salary of the Director at not to exceed \$12,000, and the Deputy Director at \$10,000, traveling expenses

Traveling expenses.

Ante, p. 131.

"Consultants."
58 Stat. 545; 57 Stat.
22, 535.

Restriction on use
of funds.

49 Stat. 625; 53 Stat.
1377.

42 U. S. C. § 409 (D).

5 U. S. C. §§ 30f-30k.
5 U. S. C. §§ 29a,
30b-30e; Supp. IV,
§§ 30b, 30e note.

40 Stat. 411.
50 U. S. C. app.
§§ 1-31; Supp. IV, app.
§ 3 *et seq.*
Post, p. 634.

Penalty mail.
Post, p. 635.
58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Report to Congress.

Expenditures.

(not to exceed \$452,500, including reimbursement, at not to exceed 3 cents per mile, of employees or others rendering service to said Office for official travel performed by them in privately owned automobiles within the limits of their official stations); printing and binding (not to exceed \$47,500, including not to exceed \$1,800 for printing and binding outside the continental limits of the United States without regard to provisions of law governing printing and binding (44 U. S. C. 111)); not to exceed \$118,900 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364), payment, at rates not in excess of those fixed by law for witnesses attending in United States courts (28 U. S. C. 600c), of fees, mileage, and subsistence of witnesses appearing at hearings held by the Office of Defense Transportation in connection with the performance of its functions: *Provided*, That the payment of subsistence to witnesses shall be subject to certification by the Director of the Office of Defense Transportation or his designee, as to the necessity therefor; \$7,350,000: *Provided further*, That in operating any commercial railroad or truck line the Office of Defense Transportation shall pay whatever license or inspection fees and highway use compensation taxes such lines would have been obligated to pay had they continued in operation under the control of the owners thereof.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

28 U. S. C., Supp.
IV, § 600c.

License or inspection fees; taxes.

OFFICE OF ECONOMIC STABILIZATION

Salaries and expenses: For all necessary expenses of the Office of Economic Stabilization, including salaries of the Director at \$15,000 per annum and one assistant to the Director at \$9,000 per annum; temporary employment (not to exceed \$6,360) of persons or organizations by contract or otherwise, without regard to civil-service and classification laws; not to exceed \$2,250 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); traveling expenses (not to exceed \$4,500); purchase of one passenger automobile; and printing and binding (not to exceed \$2,000); \$196,250.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT

Salaries and expenses: For all necessary expenses of the Office of Scientific Research and Development, including the purchase of reports, documents, plans, or specifications; purchase for replacement purposes of one passenger automobile; the employment by contract or otherwise, without regard to civil-service or classification laws, at not to exceed \$25 per day for individuals, of engineers, scientists, civilian analysts, technicians, or other necessary professional personnel or firms, corporations, or other organizations thereof; printing and binding; travel expenses, including, when specifically authorized or approved by the Director of the Office, transportation of personal effects, of personnel to their first posts of duty outside continental United States, and return; reimbursement at not to exceed 3 cents per mile, of employees and others rendering service to the Government, for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations; travel expenses of personnel on official business outside continental United States and away from designated posts of duty, on assignment with military forces, without regard to the Standardized Government Travel Regulations other than paragraph 45; the cost of a compartment or such other accommodation as may be authorized by the Director for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment; not to exceed \$8,325

Travel expenses.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.
Research projects
for Federal agencies.

Indemnity provisions
in contracts.
31 U. S. C., Supp.
IV, § 665 note.

Transfer of funds.

Disposal of articles
of personalty.

for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and not to exceed \$6,000 for the entertainment of officials of other countries; \$70,000,000: *Provided*, That there may be paid from this appropriation to the National Academy of Sciences a sum not exceeding \$150,000 for the administrative and overhead expenses incurred by said Academy during the fiscal year 1946 in carrying out research projects for Federal agencies, and such sum shall be in addition to any reimbursement otherwise provided for: *Provided further*, That notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), the Office of Scientific Research and Development is authorized, in making contracts for the conduct of investigations or experiments, to agree on behalf of the United States to indemnify the contractor from such funds as may be hereafter appropriated for the purpose, against loss or damage to persons or property arising from such work: *Provided further*, That funds available to any agency of the Government for scientific, technical, or medical research, development, testing, construction of test models, experimental production, or the provision of facilities therefor, shall be available for transfer with the approval of the head of the agency involved, in whole or in part, to the Office of Scientific Research and Development, and funds so transferred shall be expendable in the same manner as this appropriation: *Provided further*, That the Office of Scientific Research and Development may sell, lease, lend, or otherwise dispose of, under such terms and conditions as it may deem advisable, devices, scientific or technical equipment, models, or other articles of personalty, developed, constructed, produced in or purchased for the performance of its scientific or medical contracts, except articles acquired for administrative purposes, and all receipts from such dispositions shall be covered into the Treasury as miscellaneous receipts.

OFFICE OF INTER-AMERICAN AFFAIRS

Temporary employ-
ment.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Free distribution of
publications, educa-
tional material, etc.

Transportation ex-
penses.

Salaries and expenses: For all necessary expenses of the Office of Inter-American Affairs, including salary of the Director at \$10,000 per annum; not to exceed \$15,000 for the temporary employment of persons or organizations by contract or otherwise without regard to the civil-service and classification laws; employment of aliens; travel expenses, not to exceed \$101,297; printing and binding, not to exceed \$12,000; not to exceed \$8,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); entertainment of officials and others of the other American republics; grants of money, property, or services to governmental and public or private nonprofit institutions and facilities in the United States and the other American republics; the free distribution, donation, or loan of publications, phonograph records, radio scripts, radio transcriptions, art works, motion-picture scripts, motion-picture films, educational material, and other material and equipment; such other gratuitous assistance as the Director may deem necessary and appropriate to carry out his program; expenses of transporting employees of the Office of Inter-American Affairs and their effects from their homes to their places of employment in the other American republics, or from their homes in the other American republics to their places of employment, and return, when specifically authorized by the Director; travel expenses of dependents and transportation of personal effects, from their places of employment to their homes in the United States or in the possessions of the United States or in the other American republics, of employees for whom such expenses were paid by the Government on their assignment to posts in

foreign countries: *Provided*, That corporations heretofore created or caused to be created by the Coordinator of Inter-American Affairs primarily for operation outside the continental United States shall determine and prescribe the manner in which their obligations shall be incurred and their expenses allowed and paid without regard to the provisions of law regulating the expenditure, accounting for and audit of Government funds, and may, in their discretion, employ and fix the compensation of officers and employees outside the continental limits of the United States without regard to the provisions of law applicable to the employment and compensation of officers and employees of the United States, but this proviso shall not be construed to exempt said corporations from the provisions of section 5 of the Act approved February 24, 1945 (Public, Numbered 4, Seventy-ninth Congress), or the provisions of the First Deficiency Appropriation Act, 1945, approved April 25, 1945, relative to the audit of all Government corporations by the General Accounting Office: *Provided further*, That the Director shall transmit to the President immediately upon the close of the fiscal year a complete financial report of the operations of such corporations; \$13,000,000, of which \$3,543,290 is for the payment of obligations incurred under the contract authorization of \$18,000,000 under this head in the National War Agencies Appropriation Act, 1944, and \$301,423 under the contract authorization of \$2,500,000 under this head in the National War Agency Appropriation Act, 1945: *Provided further*, That not to exceed \$25,000 of this appropriation shall be available to meet emergencies of a confidential character to be expended under the direction of the Director, who shall make a certificate of the amount of such expenditure which he may think it advisable not to specify and every such certificate shall be deemed a sufficient voucher for the amount therein certified: *Provided further*, That notwithstanding the provisions of section 3679, Revised Statutes (31 U. S. C. 665), the Director is authorized in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of such radio stations and facilities, from such funds as may be hereafter appropriated for the purpose, against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities.

Corporations for operation outside continental U. S.

Ante, p. 6.

Ante, p. 81.

Financial report.

57 Stat. 529; 58 Stat. 537.

Emergencies of a confidential character.

Use of international short-wave radio stations.
31 U. S. C., Supp. IV, § 665 note.

OFFICE OF WAR INFORMATION

Salaries and expenses: For all necessary expenses of the Office of War Information, including the employment of a Director and Associate Director at not exceeding \$12,000 and \$10,000 per annum, respectively; not to exceed \$45,800 for the temporary employment in the United States of persons by contract or otherwise without regard to the civil-service and classification laws; employment of aliens; employment of persons outside the continental limits of the United States without regard to the civil-service and classification laws; travel expenses (not to exceed \$267,500 for travel within the continental limits of the United States); expenses of transporting employees and their effects from their homes to their places of employment outside continental United States and return to their homes in the United States; reimbursement, at not to exceed 3 cents per mile, of employees or others rendering service to the Office of War Information for use by them of privately owned automobiles for transportation on official business within the limits of their official stations or places of service; purchase of radio time and purchase or rental of facilities for radio transmission; purchase, rental, construction, improvement, maintenance, and operation of facilities for radio transmission and reception, including real property outside the continental limits of the United

Director and Associate Director.

Temporary employment.

Travel expenses.

States and temporary sentry stations, guard barracks, and enclosures for the security of short-wave broadcasting facilities within the continental limits of the United States without regard to the provisions of section 355, Revised Statutes (40 U. S. C. 255), and other provisions of law affecting the purchase or rental of land and the construction of buildings thereon; advertising in foreign newspapers without regard to section 3828, Revised Statutes (44 U. S. C. 324); printing and binding (not to exceed \$1,000,000, for such expenses within the continental limits of the United States), including printing and binding outside the continental limits of the United States without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111); not to exceed \$56,250 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); purchase or rental and operation of photographic, reproduction, printing, duplicating, communication, and other machines, equipment, and devices; exchange of funds without regard to section 3651, Revised Statutes; acquisition, production, and free distribution of publications, phonograph records, radio transcriptions, motion-picture films, photographs and pictures, educational materials, and such other items as the Director may deem necessary to carry out the program of the Office of War Information, and sale or rental of such items by contract or otherwise to firms or individuals for use outside the continental limits of the United States; purchase, repair, and cleaning of uniforms for use by porters, drivers, messengers, watchmen, and other custodial employees outside continental United States; such gratuitous expenses of travel and subsistence as the Director deems advisable in the fields of education, travel, radio, press, and cinema; not to exceed \$125,000 for entertainment in the United States and abroad of officials and others in the fields of education, radio, press, and cinema of other countries and prior appropriations of the Office of War Information for this purpose shall be construed as having been available for expenditure in the United States; payment of the United States' share of the expenses of the maintenance, in cooperation with any other of the United Nations, of organizations and activities designed to receive and disseminate information relative to the prosecution of the war; \$35,000,000: *Provided*, That not more than \$31,135,270 (including living and quarters allowances) shall be allocated to the Overseas Operations Branch and not more than \$1,297,500 shall be allocated to the Domestic Operations Branch for the following functions only: Office of the Director; Book and Magazine Bureau; Foreign News Bureau; Graphics Bureau; News Bureau; Bureau of Special Services; Radio Bureau; Motion Picture Bureau, not exceeding \$36,840: *Provided further*, That notwithstanding the provisions of section 3679, Revised Statutes (31 U. S. C. 665), the Office of War Information is authorized in making contracts for the use of international short-wave radio stations and facilities, to agree on behalf of the United States to indemnify the owners and operators of said radio stations and facilities from such funds as may be hereafter appropriated for the purpose, against loss or damage on account of injury to persons or property arising from such use of said radio stations and facilities: *Provided further*, That not to exceed \$250,000 of this appropriation shall be available to meet emergencies of a confidential character to be expended under the direction of the Director, who shall make a certificate of the amount of such expenditure which he may think it advisable not to specify and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

No part of this or any other appropriation shall be expended by the Office of War Information for the preparation or publication of any pamphlet or other literature, except the United States Govern-

Printing and binding.

40 Stat. 1270.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

31 U. S. C. § 543.

Entertainment in U. S. and abroad.

Receipt and dissemination of war information.
U. S. share of expenses.

Allocation of funds.

Use of international short-wave radio stations.
31 U. S. C., Supp.
IV, § 665 note.

Emergencies of a confidential character.

Restriction on use of funds.
Exception.
U. S. Government Manual.

ment Manual, for distribution to the public within the United States.

The appropriation herein made for the Office of War Information shall constitute the total amount to be available for obligation by such agency during the fiscal year 1946 and shall not be supplemented by funds from any source except by reverse lend-lease.

This appropriation shall be available when authorized by the Director of the Office of War Information for furnishing of food, prepared or otherwise, and quarters to employees and others engaged in activities of the Office of War Information in the Far East, and for furnishing of quarters which may be required in other areas outside the continental limits of the United States, including the construction of quarters (when not otherwise available) outside the continental limits of the United States without regard to the provisions of section 355, Revised Statutes (40 U. S. C. 255), and other provisions of law affecting the purchase or rental of land and the construction of buildings thereon: *Provided*, That food and quarters furnished hereunder shall be on a basis of not less than cost, as determined by the Director, payment therefor to be by reduction of living and travel allowances, in accordance with standardized regulations prescribed by the President, or in the case of native employees as part compensation for service rendered, or cash. Not to exceed \$250,000 of the appropriations of the Office of War Information for prior fiscal years shall be construed as having been available for these purposes.

Food and quarters
for employees.

Basis; payment.

WAR PRODUCTION BOARD

Salaries and expenses: For all necessary expenses of the War Production Board, including salary of the Chairman at \$15,000 per annum, and salaries of six vice chairmen or principal officials at \$10,000 per annum each; the employment of aliens; the employment of expert witnesses; not to exceed \$20,000 for the temporary employment of persons or organizations, by contract or otherwise, without regard to the civil-service or classification laws; not to exceed \$5,000 for entertainment of officials of other countries when specifically authorized or approved by the Chairman; reimbursement at not to exceed 3 cents per mile, of employees for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations; not to exceed \$1,944,000 for travel expenses, including travel to and from their homes or regular places of business in accordance with the Standardized Travel Regulations, including travel in privately owned automobile (and including per diem in lieu of subsistence at place of employment), of persons employed intermittently away from their homes or regular places of business as compliance commissioners and receiving compensation on a per diem when actually employed basis; not to exceed \$210,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); not to exceed \$648,000 for printing and binding; and the rental, maintenance, and operation of one airplane; \$35,000,000: *Provided*, That appropriations of the War Production Board for the fiscal year 1943 shall be available for reimbursement of not to exceed 5 cents per mile to persons serving without other compensation from the United States, or at \$1 per annum, for expenses of travel performed by them in privately owned automobiles away from their designated posts of duty during said fiscal year.

Chairman.

Temporary employ-
ment.

Travel expenses.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

56 Stat. 709.

SMALLER WAR PLANTS CORPORATION

Smaller War Plants Corporation, administrative expenses: Not to exceed \$8,000,000 of the funds of the Smaller War Plants Corporation,

56 Stat. 351.
50 U. S. C., Supp.
IV, app. §§ 1101-1112.
Ante, p. 95.

56 Stat. 352.
50 U. S. C., Supp.
IV, app. § 1102.

Temporary employ-
ment.

38 Stat. 335.

41 U. S. C. § 5.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.
Nonadministrative
expenses.

56 Stat. 355.
50 U. S. C., Supp.
IV, app. § 1106.

Accounting.

42 Stat. 20.
31 U. S. C. § 1;
Supp. IV, § 16 *et seq.*

Post, p. 487.

Increase of revol-
ving fund.

50 U. S. C., Supp.
IV, app. §§ 1295 note,
1271 note, 601 note,
611 note.

Administrative ex-
penses.

46 U. S. C. § 1111b.

acquired in accordance with the Act of June 11, 1942 (Public Law 603), shall be available for the administrative expenses of such Corporation necessary to enable it to carry out the functions vested in it by such Act, to carry out the provisions of section 2 of such Act, and such other functions as may be lawfully delegated to the Corporation, including the salary of the Chairman of the Board at \$12,000 and the salaries of four members of the Board at not exceeding \$9,000 each per annum; not to exceed \$10,000 for the employment of aliens; not to exceed \$250,000 for the temporary employment of persons or organizations by contract or otherwise without regard to the civil-service and classification laws for special services, including audits notwithstanding section 5 of the Act of April 6, 1914 (5 U. S. C. 55); printing and binding; reimbursement, at not to exceed 3 cents per mile, of employees for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations; procurement of supplies, equipment, and services without regard to section 3709 of the Revised Statutes where the amount involved in any one case does not exceed \$300; not to exceed \$50,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and rent in the District of Columbia: *Provided*, That, as determined by the chairman of the Board of Directors, or such officer as may be designated by the Board of Directors for the purpose, expenditures (including expenditures for services performed on a force account or contract or fee basis) necessary in acquiring, operating, maintaining, improving, or disposing of real or personal property belonging to the Corporation or in which it has an interest (except property acquired for the administrative purposes of the Corporation), including expenses of collections of pledged collateral and expenses of service and administration of its loans, advances, and property under section 6 of said Act of June 11, 1942, shall be considered as nonadministrative expenses for the purposes hereof and not to exceed \$1,000,000 of the funds of the Corporation shall be available for the objects named in this proviso: *Provided further*, That no part of said \$8,000,000 shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant, and all such expenses shall be accounted for and audited in accordance with the Budget and Accounting Act.

WAR SHIPPING ADMINISTRATION

War Shipping Administration, revolving fund: To increase the War Shipping Administration revolving fund, \$367,000,000, which fund shall be available for carrying on all the activities and functions of the War Shipping Administration as prescribed in Executive Orders 9054, 9350, 9387, 9495, and 9336, dated February 7, 1942; June 10, 1943; October 15, 1943; November 2, 1944; and April 24, 1943; including costs incidental to the acquisition, operation, loading, discharging, and use of vessels transferred for use of any department or agency of the United States, and for all administrative expenses, including expenses of the Maritime War Emergency Board (not to exceed \$14,682,000 in the fiscal year 1946), including the employment and compensation of persons in the District of Columbia and elsewhere in accordance with laws applicable to the employment and compensation of persons by the United States Maritime Commission except section 201 (b) of the Merchant Marine Act, 1936 (49 Stat. 1985); expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; reimbursement, at not to exceed 3 cents per mile, of

employees for expenses incurred by them in official travel in privately owned automobiles within the limits of their official stations; actual transportation and other necessary expenses and not to exceed \$25 per diem in lieu of subsistence of persons serving while away from their permanent homes or regular places of business in an advisory capacity to or employed by the Administration without other compensation from the United States or at \$1 per annum; printing and binding; lawbooks, books of reference, periodicals, and newspapers; teletype services; maintenance, repair, rental in foreign countries, and operation of passenger-carrying automobiles; travel expenses, including transportation of effects under regulations prescribed by the Administrator, of employees from their homes to their posts of duty outside continental United States (excluding Alaska) and return; necessary advance payments in foreign countries; reimbursement of employees for loss of personal effects in case of marine or aircraft disaster; not to exceed \$500 for entertainment of officials of other countries when specifically authorized by the Administrator; and the employment, on a contract or fee basis, of persons, firms, or corporations for the performance of special services, including legal services, without regard to section 3709 of the Revised Statutes or the civil-service and classification laws: *Provided*, That when vessels are transferred or assigned permanently by the War Shipping Administrator to other departments or agencies of the United States Government for operation by them, funds for the operation, loading, discharging, repairs, and alterations, or other use of such vessels may be transferred from this fund to the applicable appropriations of the department or agency concerned in such amounts as may be approved by the Bureau of the Budget: *Provided further*, That the Secretary of the Treasury is hereby authorized and directed to transfer the sum of \$50,000,000 from the marine and war risk insurance fund to the War Shipping Administration, revolving fund.

Special services.

41 U. S. C. § 5.

Transfer of funds.

Maritime training fund, War Shipping Administration: For the training, recruitment, repatriation, rehabilitation, and placement of personnel for the manning of the merchant marine, and the establishment and maintenance of policies respecting maritime labor relations and conditions, and for administrative expenses (not to exceed \$3,269,357) including all the administrative items of expenditure for which the appropriation "War Shipping Administration, revolving fund", is available; rent in the District of Columbia in connection with existing lease of office quarters; and not to exceed \$2,500 for contingencies for the Superintendent, United States Merchant Marine Academy, to be expended in his discretion, \$70,000,000: *Provided*, That not to exceed \$1,186,000 of this appropriation may be transferred to applicable appropriations of the United States Public Health Service for payment of salaries and other expenses of the Public Health Service in performing services for the War Shipping Administration: *Provided further*, That the unexpended balance on June 30, 1945, of the continuing appropriation "Maritime training fund, War Shipping Administration", shall be transferred to and merged with this appropriation, and the consolidated funds shall be available for the payment of obligations theretofore incurred under said continuing appropriation.

Personnel for manning merchant marine.

Ante, p. 480.

Transfer of funds.

58 Stat. 543.

State marine schools, War Shipping Administration: To reimburse the State of California, \$50,000; the State of Maine, \$50,000; the State of Massachusetts, \$50,000; the State of New York, \$50,000; and the State of Pennsylvania, \$50,000; for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911, as amended (34 U. S. C. 1121-1123); and for the maintenance and repair of vessels loaned by the United

Maintenance of marine schools and vessels.

36 Stat. 1353.
34 U. S. C., Supp. IV, §§ 1121, 1122.

States to the said States for use in connection with such State marine schools, \$75,000; in all, \$325,000.

OFFICE FOR EMERGENCY MANAGEMENT—GENERAL PROVISIONS

Delegation of authority.

(a) The head of any constituent agency may delegate to any official in such agency the authority to make appointments of personnel and he may also delegate to any official in the agency of which he is the head the authority to make other determinations necessary for the conduct of the administrative management within such agency.

Administration of oaths.

(b) Any employee of any of the constituent agencies is authorized, when designated for the purpose by the head of such agency, to administer to or take from any person an oath, affirmation, or affidavit, when such instrument is required in connection with the performance of the functions or activities of such agency.

Claims against U. S.
42 Stat. 1066.
31 U. S. C. §§ 215-217; Supp. IV, 215-217 notes.
Post, p. 662.

(c) The head of any of the constituent agencies is authorized, in connection with the operations of such agency, to consider, ascertain, adjust, determine, and certify claims against the United States in accordance with the Act of December 28, 1922 (31 U. S. C. 215), and to designate certifying officers in accordance with the Act of December 29, 1941, or to delegate authority to the head of any other agency to designate employees of such agency as certifying officers to certify vouchers payable against the funds of the constituent agency concerned.

55 Stat. 875.
31 U. S. C., Supp. IV, §§ 82b-82e.

Hire of motor vehicles.

(d) The appropriations for the constituent agencies under the Office for Emergency Management for the fiscal year 1946 shall be available for the hire of motor-propelled passenger-carrying vehicles.

OFFICE OF CENSORSHIP

Director and deputy director.

Travel expenses.

58 Stat. 304.
39 U. S. C., Supp. IV, § 321d.

41 U. S. C. § 5.
Expenses of a confidential character.

Salaries and expenses: For all necessary expenses of the Office of Censorship, including the employment of aliens as examiners or translators; the employment of a Director and a deputy director at not exceeding \$10,000 and \$9,000 per annum, respectively; not to exceed \$20,000 for temporary personal services without regard to civil-service and classification laws; travel expenses (not to exceed \$81,900); travel expenses of appointees from point of induction in continental United States to their first posts of duty outside continental United States and such expenses of employees returning from their places of employment outside continental United States to their homes in the United States or possessions or in foreign countries; reimbursement at not to exceed 3 cents per mile to employees for expenses incurred by them for official travel in privately owned automobiles within the limits of their official stations; printing and binding (not to exceed \$95,550); rental of news and other reporting services; rental and/or operation of photographic, communication, and other equipment and devices; hire of motor-propelled passenger-carrying vehicles; purchase of guard uniforms; purchase of special wearing apparel or equipment for protection of employees while engaged in their work; not to exceed \$8,200 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); not to exceed \$10,000 for scientific research on models, devices, and other items related to the functions of the Office of Censorship without regard to section 3709 of the Revised Statutes; \$13,000,000: *Provided*, That not to exceed \$5,000 of this appropriation shall be available for expenses of a confidential character, to be expended under the direction of the Director who shall make a certificate of the amount of each such expenditure which he may think it advisable not to specify and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

OFFICE OF STRATEGIC SERVICES

Post, p. 487.

Salaries and expenses: For all expenses necessary to enable the Office of Strategic Services to carry out its functions and activities, including salaries of a Director at \$10,000 per annum, one assistant director and one deputy director at \$9,000 per annum each; not to exceed \$3,500 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); travel expenses, including expenses outside the United States without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833), and any general provision for the fiscal year 1946 to the contrary; preparation and transportation of the remains of officers and employees who die abroad or in transit, while in the dispatch of their official duties, to their former homes in this country or to a place not more distant for interment, and for the ordinary expenses of such interment; rental of news-reporting services; purchase of or subscription to commercial and trade reports; the rendering of such gratuitous services and the disposition, free or otherwise, of such materials as the Director deems advisable; purchase or rental and operation of photographic, reproduction, duplicating and printing machines, equipment, and devices and radio-receiving and radio-sending equipment and devices; maintenance, operation, repair, and hire of motor-propelled or horse-drawn passenger-carrying vehicles and vessels of all kinds; printing and binding; exchange of funds without regard to section 3651, Revised Statutes (31 U. S. C. 543); purchase and free distribution of firearms, guard uniforms, special clothing, and other personal equipment; the cost of a compartment or such other accommodations as may be authorized by the Director for security when authorized personnel are required to transport secret documents or hand baggage containing highly technical and valuable equipment; \$20,000,000, of which amount such sums as may be authorized by the Bureau of the Budget may be transferred to other departments or agencies of the Government, either as advance payment or reimbursement of appropriation, for the performance of any of the functions or activities for which this appropriation is made: *Provided*, That \$10,500,000 of this appropriation may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds or the employment of persons in the Government service, and \$10,000,000 of such \$10,500,000 may be expended for objects of a confidential nature, such expenditures to be accounted for solely on the certificate of the Director of the Office of Strategic Services and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

Director, assistant and deputy directors.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.44 Stat. 688.
5 U. S. C., Supp.
IV, § 823.

Transportation of remains of officers and employees.

Vehicles and vessels.

Exchange of funds.

Transfer of funds.

Objects of a confidential nature.

PETROLEUM ADMINISTRATION FOR WAR

Salaries and expenses: For all necessary expenses of the Petroleum Administration for War in performing its functions as prescribed by the President (Fed. Reg., December 4, 1942), including not to exceed \$250,000 for personal services without regard to the civil-service and classification laws but no part of this sum shall be used to compensate any person who has been transferred from a classification pay status to an ungraded pay status; printing and binding not to exceed \$20,000; not to exceed \$2,000 for the entertainment of officials of other countries; not to exceed \$22,500 for deposit in the general fund of the Treasury for cost of penalty mail, as required by section 2 of the Act of June 28, 1944 (Public Law 364); and not to exceed \$263,700 for travel expenses; \$3,968,200: *Provided*, That section 3709, Revised Statutes, shall not apply to any purchase or

3 CFR, Cum. Supp.,
p. 1228.58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

41 U. S. C. § 5.

service rendered under this appropriation when the aggregate amount involved does not exceed \$300.

INDEPENDENT OFFICES

OFFICE OF WAR MOBILIZATION AND RECONVERSION

Post, p. 633.

For all necessary expenses of the Office of War Mobilization and Reconversion, including the Office of Contract Settlement, the Surplus Property Board, and the Retraining and Reemployment Administration, in carrying out the provisions of the Act of October 3, 1944 (Public Law 458), the Act of July 1, 1944 (Public Law 395), the Act of October 3, 1944 (Public Law 457), and all other powers, duties, and functions which may be lawfully vested in the Office of War Mobilization and Reconversion, including fees and expenses of witnesses; printing and binding; not to exceed \$11,900 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); and purchase of two passenger automobiles; \$3,955,400.

58 Stat. 785, 649, 765.
50 U. S. C., Supp. IV, app. §§ 1651-1678;
41 U. S. C., Supp. IV, §§ 101-125; 50 U. S. C., Supp. IV, app. §§ 1611-1646.
Post, p. 646.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.
Post, p. 641.

58 Stat. 766.
50 U. S. C., Supp. IV, app. §§ 1611-1646.
Post, p. 646.

50 U. S. C., Supp. IV, app. § 601 note.

Ante, p. 132.

58 Stat. 766.
50 U. S. C., Supp. IV, app. §§ 1611-1646.
Post, pp. 646, 641.

Ante, p. 67.

For all expenses necessary to enable the disposal agencies designated by or pursuant to the Surplus Property Act of 1944 to carry out the disposal functions vested in them by or pursuant to said Act, including the objects authorized under the appropriation for the Office of War Mobilization and Reconversion, \$40,000,000, to be for allocation or reimbursement by the Surplus Property Board, with the concurrence of the Director of War Mobilization and Reconversion, to such agencies in such amounts as shall be approved by the Bureau of the Budget, including, in the case of Government corporations, reimbursement for expenditures incurred by them during prior fiscal years in connection with the disposal of surplus property under said Act and under Executive Order 9425: *Provided*, That these funds shall be available only for expenses incident to the care, handling, transfer, and other disposition by a disposal agency of property other than that under its control as an owning agency as defined in said Act and expenses of other Government agencies designated by the Board to render special advisory service in connection therewith: *Provided further*, That the provisions of section 203 of the Independent Offices Appropriation Act, 1946, restricting the availability of appropriations for the purchase, maintenance, or operation of aircraft, shall not apply to expenditures incident to the disposal of aircraft under the authority of the Surplus Property Act of 1944 (Act of October 3, 1944, Public Law 457). The appropriation, "Surplus property program", in the amount of \$14,999,000 carried under the heading "Procurement Division", in the Treasury Department Appropriation Act, 1946, is hereby transferred to and consolidated with this appropriation and the limitations contained in such transferred appropriation shall be applicable only to such amount of \$14,999,000.

SELECTIVE SERVICE SYSTEM

Salaries and expenses: For all expenses necessary for the operation and maintenance of the Selective Service System as authorized by the Selective Training and Service Act of 1940 (50 U. S. C. App. 301); including not to exceed \$435,000 for printing and binding and not to exceed \$1,043,000 for expenditure through other Federal agencies, and through State agencies without regard to section 3648 of the Revised Statutes, for gathering of medical and social history information on registrants; not to exceed \$1,775,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); expenses incident to the granting of nonmonetary awards, including citations, insignia,

54 Stat. 835.
50 U. S. C. app. §§ 301-318; Supp. IV, §§ 302-315.
Ante, p. 166.
31 U. S. C. § 529.

58 Stat. 394.
39 U. S. C., Supp. IV, § 321d.

emblems, and devices, to civilian employees of the Selective Service System and others rendering service to the System in recognition of faithful and meritorious services; and, under such rules or regulations as may be prescribed by the Director of Selective Service, expenses of emergency medical care, including hospitalization, of registrants who suffer illness or injury, and the transportation, and burial, of the remains of registrants who suffer death, while acting under orders issued under the selective-service law but such burial expenses shall not exceed \$150 in any one case; \$52,000,000: *Provided*, That such amounts as may be necessary shall be available for the planning, directing, and operation of a program of work of national importance under civilian direction, either independently or in cooperation with governmental or nongovernmental agencies, and the assignment and delivery thereto of individuals found to be conscientiously opposed to participation in work of the land or naval forces, which cooperation with other agencies may include the furnishing of funds to and acceptance of money, services, or other forms of assistance from such nongovernmental agencies for the more effectual accomplishment of the work; and for the pay and allowances of such individuals at rates not in excess of those paid to persons inducted into the Army under the Selective Service System, and such privileges as are accorded such inductees: *Provided further*, That the travel of persons engaged in the administration of the Selective Service System, including commissioned, warrant, or enlisted personnel of the Army, Navy, Marine Corps, or their reserve components, including not to exceed \$5,000 for attendance at meetings of societies or associations for the purpose of obtaining or imparting information concerning functions of the Selective Service System and reimbursement at not to exceed 3 cents per mile of employees or others rendering service to the Government for expenses incurred by them in performance of official travel in privately owned automobiles within the limits of their official stations, may be ordered by the Director or by such persons as he may authorize: *Provided further*, That no person traveling hereunder shall be allowed travel expenses on the mileage basis unless such expenses are authorized by regulation of the service to which he belongs.

Conscientious ob-
jectors.
Work program.

Travel expenses.

DEPARTMENT OF THE INTERIOR

WAR RELOCATION AUTHORITY

Salaries and expenses: For all necessary expenses of the War Relocation Authority, \$25,000,000, including expenses incident to the extension of the program provided for in Executive Order 9102 to persons of Japanese ancestry not evacuated from military areas and the administration and operation of the emergency refugee shelter at Fort Ontario, New York, provided for in the President's message of June 12, 1944, to the Congress (H. Doc. 656); salary of the Director at not to exceed \$10,000 per annum; employment of aliens; not to exceed \$20,000 for the employment of persons or organizations, by contract or otherwise, without regard to the civil service and classification laws; traveling expenses, not to exceed \$313,200; reimbursement, at not to exceed 3 cents per mile, of employees for official travel performed by them in privately owned automobiles within the limits of their official stations; printing and binding, not to exceed \$14,900; procurement of supplies and equipment (with or without personal services); the leasing to others of land acquired for the program; purchase of uniforms for internal security officers; transfer of household goods and effects as provided by the Act of October 10, 1940, including travel expenses, of employees transferred from other Federal

Ante, p. 375.

3 CFR, Cum. Supp.
p. 1123.

Director.

54 Stat. 1105.
5 U. S. C. § 736-1.

Payments in lieu of taxes.

Disability or death compensation.
5 U. S. C. § 796; Supp. IV, § 796 note.

Nonapplicability.

Delegation of authority.

Travel of evacuees.

agencies to the Authority at its request; not to exceed \$10,000 for payment to States or political subdivisions thereof, or other local public taxing units, of sums in lieu of taxes against real property acquired by the Authority for the purposes hereof; for payments for the performance of governmental services required in connection with the administration of the program; the disposal, by public or private sale, of goods or commodities produced or manufactured in the performance of activities hereunder, the proceeds of which shall be deposited in the Treasury as miscellaneous receipts: *Provided*, That the provisions of the Act of February 15, 1934 (48 Stat. 351), as amended, relating to disability or death compensation and benefits, shall apply to persons receiving from the United States compensation in the form of subsistence, cash advances, or other allowances in accordance with regulations prescribed by the Director of the War Relocation Authority for work performed in connection with such program and, effective August 5, 1944, in connection with the administration and operation of such emergency refugee shelter: *Provided further*, That this provision shall not apply in any case coming within the purview of the workmen's compensation laws of any State, Territory, or possession, or in which the claimant has received or is entitled to receive similar benefits for injury or death: *Provided further*, That the Secretary of the Interior may delegate to any official in the War Relocation Authority the authority to make appointments of personnel and he may also delegate to any official in the War Relocation Authority the authority to make other determinations necessary for the conduct of administrative management within the Authority: *And provided further*, That the limitation placed on the amount available for travel expenses for the War Relocation Authority shall not apply to travel of evacuees and their escorts incident to transfers and relocation.

GENERAL PROVISIONS

SEC. 102. The appropriations in this Act for salaries and expenses shall be available, in addition to the objects specified under each head, for personal services in the District of Columbia and elsewhere; contract stenographic reporting services; lawbooks, books of reference, newspapers and periodicals; maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; acceptance and utilization of voluntary and uncompensated services; and traveling expenses, including expenses of attendance at meetings of organizations concerned with the work of the agency from whose appropriation such expenses are paid.

Travel expenses.

Expenditure of funds set apart for special projects.

SEC. 103. Whenever sums are set apart from the appropriations in this Act for special projects (classified in the estimates submitted to Congress as or under "Other contractual services") expenditures may be made therefrom for traveling expenses, printing and binding, and purchase of motor-propelled passenger-carrying vehicles without regard to the limitations specified for such objects under the respective heads, but within such amounts as the Bureau of the Budget may approve therefor and such Bureau shall report to Congress each such limitation determined by it: *Provided*, That such limitations shall not apply where the special projects are performed by non-Government agencies.

War agencies.
Services performed for, by other Government agencies.
47 Stat. 417.
31 U. S. C., Supp. IV, § 68a.

SEC. 104. With the prior approval of the Bureau of the Budget and under authority of section 601 of the Act of June 30, 1932, as amended (31 U. S. C. 686), orders for work or services to be performed by other agencies of the Government may be placed by any of the agencies whose appropriations are contained in this Act, but no agency shall perform work or render services with or without reimbursement

(including the detail or loan of personnel) for any of the agencies whose appropriations are contained in this Act except in pursuance of orders approved or authorized in accordance with regulations prescribed by said Bureau or under specific authority of other law. This provision shall not apply to the Office of Strategic Services.

SEC. 105. The foregoing sections 102, 103, and 104 shall have no application to appropriations for the War Shipping Administration.

SEC. 106. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

SEC. 107. This Act may be cited as the "National War Agencies Appropriation Act, 1946."

Approved July 17, 1945.

OSS.
Ante, p. 483.

WSA.
Ante, p. 480.

Persons advocating
overthrow of U. S.
Government.

Affidavit.

Penalty.

Short title.

[CHAPTER 320]

AN ACT

To authorize the Secretary of the Interior to modify the provisions of a contract for the purchase of a power plant for use in connection with the San Carlos irrigation project.

July 21, 1945
[H. R. 1656]

[Public Law 157]

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, with the consent of the Christmas Copper Corporation, to extend to December 31, 1946, the provisions of the contract entered into on June 19, 1942, whereby the United States agreed to purchase the Diesel electric-generating plant of said corporation for use in connection with the San Carlos Indian irrigation project, and whereby said corporation agreed to accept delivery of electric energy from the United States prior to December 31, 1944, in partial payment for such plant; to modify the contract thus extended so as to require that electric energy delivered to said corporation during the period beginning January 1, 1945, be paid for by credit under the contract at the rates established by the general rates schedule for the San Carlos Indian irrigation project system in effect at the time of delivery; and to delete from the contract the provision reserving a first right to said corporation to use seven hundred and fifty kilowatts of power. The terms of the contract thus extended shall be subject to the right of the United States to remove the Diesel plant from its present location or to sell or otherwise dispose of it, which action may be taken in the discretion of the Secretary of the Interior. In the event of such removal or disposition of the Diesel plant, any remaining balance of the purchase price shall be liquidated and discharged prior to December 31, 1946, in the same manner as though such plant had not been disposed of or removed.

San Carlos Irriga-
tion project, Ariz.
Contract for pur-
chase of power plant,
modification.

Approved July 21, 1945.

[CHAPTER 321]

AN ACT

To fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes.

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

TITLE I—SALARY SCHEDULES

Section 1. That on and after July 1, 1945, the salaries of teachers, school officers, and certain other employees of the Board of Education of the District of Columbia shall be as follows, and wherever the term "other employees" is used in this Act, it shall be interpreted to include only those employees of the Board of Education whose positions are included in the following schedule:

"Other employees."

ARTICLE I—SALARIES OF TEACHERS, SCHOOL LIBRARIANS, AND RESEARCH ASSISTANTS

CLASS 1—TEACHERS IN ELEMENTARY SCHOOLS

Group A: A basic salary of \$1,900 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$2,900 per year is reached.

Group B: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,300 per year is reached.

CLASS 2—TEACHERS IN JUNIOR HIGH SCHOOLS

Group A: A basic salary of \$1,900 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$2,900 per year is reached.

Group B: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,300 per year is reached.

Group C: A basic salary of \$2,100 per year, with an annual increase in salary of \$100 for twelve years, or until a maximum salary of \$3,300 per year is reached.

Group D: A basic salary of \$3,400 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,700 per year is reached.

CLASS 3—TEACHERS IN SENIOR HIGH SCHOOLS

Group A: A basic salary of \$2,100 per year, with an annual increase in salary of \$100 for twelve years, or until a maximum salary of \$3,300 per year is reached.

Group B: A basic salary of \$3,400 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,700 per year is reached.

CLASS 4—SCHOOL LIBRARIANS

Group A: A basic salary of \$1,900 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$2,900 per year is reached.

Group B: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,300 per year is reached.

July 21, 1945
[H. R. 3376]
[Public Law 158]

District of Columbia Teachers' Salary Act of 1945.
Post, p. 502.

CLASS 5—TEACHERS IN VOCATIONAL HIGH SCHOOLS

Group A: A basic salary of \$1,900 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$2,900 per year is reached.

Group B: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,300 per year is reached.

Group C: A basic salary of \$2,100 per year, with an annual increase in salary of \$100 for twelve years, or until a maximum salary of \$3,300 per year is reached.

Group D: A basic salary of \$3,400 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,700 per year is reached.

CLASS 6—RESEARCH ASSISTANTS

Group A: A basic salary of \$1,900 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$2,900 per year is reached.

Group B: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,300 per year is reached.

Group C: A basic salary of \$2,100 per year, with an annual increase in salary of \$100 for twelve years, or until a maximum salary of \$3,300 per year is reached.

Group D: A basic salary of \$3,400 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,700 per year is reached.

CLASS 7—INSTRUCTORS IN TEACHERS COLLEGES

Group A: A basic salary of \$2,100 per year, with an annual increase in salary of \$100 for twelve years, or until a maximum salary of \$3,300 per year is reached.

Group B: A basic salary of \$3,400 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,700 per year is reached.

CLASS 8—ASSISTANT LIBRARIANS IN TEACHERS COLLEGES

Group A: A basic salary of \$2,100 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$2,900 per year is reached.

Group B: A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for three years, or until a maximum salary of \$3,300 per year is reached.

CLASS 9—CHIEF LIBRARIANS IN TEACHERS COLLEGES

A basic salary of \$3,400 per year, with an annual increase in salary of \$100 for four years, or until a maximum salary of \$3,800 per year is reached.

CLASS 10—ASSISTANT PROFESSORS IN TEACHERS COLLEGES

A basic salary of \$3,400 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$4,200 per year is reached.

CLASS 11—ASSOCIATE PROFESSORS IN TEACHERS COLLEGES

A basic salary of \$3,900 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$4,700 per year is reached.

CLASS 12—PROFESSORS IN TEACHERS COLLEGES

A basic salary of \$4,400 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$5,200 per year is reached.

ARTICLE II—SALARIES OF ADMINISTRATIVE AND SUPERVISORY OFFICERS AND EMPLOYEES IN THE DEPARTMENT OF SCHOOL ATTENDANCE AND WORK PERMITS**CLASS 13—PRINCIPALS IN ELEMENTARY SCHOOLS WITH SIXTEEN OR MORE ROOMS, AND PRINCIPALS IN AMERICANIZATION SCHOOLS**

A basic salary of \$3,700 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$4,500 per year is reached.

CLASS 14—ASSISTANT PRINCIPALS IN JUNIOR HIGH SCHOOLS

A basic salary of \$3,700 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$4,500 per year is reached.

CLASS 15—ASSISTANT PRINCIPALS IN VOCATIONAL HIGH SCHOOLS

A basic salary of \$3,900 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$4,700 per year is reached.

CLASS 16—ASSISTANT PRINCIPALS IN SENIOR HIGH SCHOOLS

A basic salary of \$3,900 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$4,700 per year is reached.

CLASS 17—HEADS OF DEPARTMENTS

A basic salary of \$3,900 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$4,700 per year is reached.

CLASS 18—PRINCIPALS OF JUNIOR HIGH SCHOOLS

A basic salary of \$4,200 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$5,000 per year is reached.

CLASS 19—PRINCIPALS OF VOCATIONAL HIGH SCHOOLS

A basic salary of \$4,700 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$5,500 per year is reached.

CLASS 20—PRINCIPALS OF SENIOR HIGH SCHOOLS

A basic salary of \$4,700 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$5,500 per year is reached.

CLASS 21—ASSISTANT DIRECTORS

A basic salary of \$3,900 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$4,700 per year is reached.

CLASS 22—DIRECTORS

A basic salary of \$4,700 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$5,500 per year is reached.

CLASS 23—DIVISIONAL DIRECTORS

A basic salary of \$4,700 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$5,500 per year is reached.

CLASS 24—CHIEF EXAMINER

A basic salary of \$4,700 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$5,500 per year is reached.

CLASS 25—PRESIDENTS OF TEACHERS COLLEGES

A basic salary of \$6,000 per year, with an annual increase in salary of \$200 for five years, or until a maximum salary of \$7,000 per year is reached.

CLASS 26—ASSOCIATE SUPERINTENDENTS

A basic salary of \$6,000 per year, with an annual increase in salary of \$200 for five years, or until a maximum salary of \$7,000 per year is reached.

CLASS 27—ASSISTANT TO THE SUPERINTENDENT (IN CHARGE OF BUSINESS ADMINISTRATION)

A basic salary of \$7,000 per year, with an annual increase in salary of \$200 for five years, or until a maximum salary of \$8,000 per year is reached.

CLASS 28—FIRST ASSISTANT SUPERINTENDENTS

A basic salary of \$7,000 per year, with an annual increase in salary of \$200 for five years, or until a maximum salary of \$8,000 per year is reached.

CLASS 29—SUPERINTENDENT OF SCHOOLS

A basic salary of \$10,000 per year, with an annual increase in salary of \$1,000 for two years, or until a maximum salary of \$12,000 per year is reached.

DEPARTMENT OF SCHOOL ATTENDANCE AND WORK PERMITS**CLASS 30—DIRECTOR**

A basic salary of \$3,900 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$4,700 per year is reached.

CLASS 31—CHIEF ATTENDANCE OFFICERS

A basic salary of \$3,000 per year, with an annual increase in salary of \$100 for eight years, or until a maximum salary of \$3,800 per year is reached.

CLASS 32—ATTENDANCE OFFICERS

A basic salary of \$1,900 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$2,900 per year is reached.

CLASS 33—CENSUS SUPERVISORS

A basic salary of \$1,900 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$2,900 per year is reached.

CLASS 34—CHILD LABOR INSPECTORS

A basic salary of \$1,900 per year, with an annual increase in salary of \$100 for ten years, or until a maximum salary of \$2,900 per year is reached.

The teachers, school officers, and other employees provided for in this title, during the first year of service after the effective date of this Act shall receive compensation in accordance with the provisions of sections 4, 5, 6, 8, and 9 of this Act.

TITLE II—CLASSIFICATION AND ASSIGNMENT OF EMPLOYEES

SEC. 2. The Board of Education is hereby authorized to establish the eligibility requirements and prescribe such methods of appointment or promotion for teachers, officers, and other employees as it may deem proper. The Board of Education is hereby authorized, empowered, and directed, on written recommendation of the superintendent of schools, to classify and assign all teachers, school officers, and other employees to the salary classes and positions in the foregoing salary schedule: *Provided*, That teachers, school officers, and other employees on probationary or permanent status shall not be required to take any examinations, either mental or physical, to be continued in the positions in which they are employed on June 30, 1945, or to which they may be transferred and assigned under the provisions of section 6 of this Act.

SEC. 3. The Board of Education, on recommendation of the superintendent of schools, is authorized, empowered, and directed to assign, at the time of appointment, teachers, school officers, or other employees hereafter appointed to the salary classes and positions in the foregoing salary schedule in accordance with previous experience, eligibility qualifications possessed, and the character of the duties to be performed by such persons: *Provided*, That the first year of service of any newly appointed teacher, school officer, or other employees shall be probationary: *And provided further*, That such teacher, school officer, or other employee shall receive his first longevity increase on the date of his permanent appointment.

TITLE III—METHOD OF ASSIGNMENT OF EMPLOYEES TO SALARIES

SEC. 4. For the fiscal year ending June 30, 1946, every teacher, school officer, or other employee in the service of the Board of Education on permanent or probationary tenure on June 30, 1945, shall receive the

Eligibility requirements; appointment; promotion.

Classification and assignment of teachers, etc.

Teachers, etc., in positions on June 30, 1945.

Continuance of employment.

Teachers, etc., hereafter appointed. Assignment.

Probationary period.

First longevity increase. Post, p. 502.

salary provided in the foregoing schedule for his class or position in accordance with the following rules:

(a) For the purposes of the following provisions of this section, the annual compensation received by any teacher, school officer, or other employee shall be defined as the annual compensation received by such employee on June 30, 1945, under the provisions of articles I to V, inclusive, of the Act of June 4, 1924, as amended, exclusive of any additional compensation or wartime bonus.

(b) Teachers, school officers, or other employees except those assigned to salary class 25 shall receive an increase in their annual compensation at the rate of \$300 at the beginning of the fiscal year ending June 30, 1946, and shall be placed in the salary schedule of the class and group to which they shall be transferred and assigned under provisions of section 6, so they will receive this rate of increase in compensation: *Provided*, That all teachers, school officers, and other employees shall receive during the fiscal year ending June 30, 1946, the minimum or basic salary of the class and group to which they shall be transferred and assigned in all instances where the minimum or basic salary of said class and group exceeds by more than \$300 the annual compensation received by any such employee on June 30, 1945: *Provided further*, That all school officers assigned to salary class 25 shall receive during the fiscal year ending June 30, 1946, the basic salary of the class plus two annual increases as provided for this class: *Provided further*, That all permanent teachers, school officers, and other employees whose salaries are increased at the rate of not more than \$300 per annum during the fiscal year ending June 30, 1946, shall receive one annual increase in salary in the amount provided in title I of this Act for his class or class and group and if entitled to a longevity increase on July 1, 1945, under the provisions of the Act of June 4, 1924, as amended, shall receive one additional annual increase in salary in the amount provided in title I of this Act for his class or class and group in addition to the foregoing compensation increases provided for in this section: *Provided further*, That the salaries assigned to teachers, school officers, and other employees under the provisions of this section shall be in lieu of the compensation to which said employees are entitled during the fiscal year ending June 30, 1945, as provided by the Act of June 4, 1924, as amended, and the Act approved April 1, 1943 (57 Stat. 57), and the Act approved March 11, 1944 (Stat.), which provide temporary increases for certain employees of the Board of Education: *And provided further*, That no teacher, school officer, or other employee shall receive compensation during the fiscal year ending June 30, 1946, at a rate less than his annual compensation as of June 30, 1945, plus one annual increase in salary in the amount provided in title I of this Act for his class or class and group, and the temporary increases in compensation provided under the said Acts of April 1, 1943, and March 11, 1944.

SEC. 5. Every teacher, school officer, or other employee in the service of the Board of Education on probationary tenure on June 30, 1945, or who may be appointed or promoted thereafter shall receive his first longevity increase on the date of his permanent appointment or promotion.

SEC. 6. Teachers, school officers, and other employees in the service of the Board of Education on July 1, 1945, shall be placed in the salary classes and positions of the foregoing salary schedules as follows:

(a) Teachers in kindergartens and elementary schools, assigned to salary class 1, group A, under the Act of June 4, 1924, as amended,

Rules.

Annual compensation defined.
43 Stat. 367-374.
D. C. Code §§ 31-610 to 629.
Post, p. 500.

Increases.

Infra.

Presidents of teachers colleges.
Ante, p. 491.

Permanent teachers, etc.
Post, p. 502.

Ante, p. 488.

Ante, p. 488.

Assigned salaries to be in lieu of other designated compensation.
43 Stat. 367.
D. C. Code § 31-610.
Post, p. 500.
58 Stat. 116.
D. C. Code, Supp. IV, § 31-626 note.

Minimum compensation.

Ante, p. 488.

Post, p. 502.

Teachers, etc., on probationary tenure. First longevity increase.
Post, p. 502.

Teachers, etc., in service on July 1, 1945. Placement.
Ante, p. 488; post, p. 502.

Post, p. 500.

shall be transferred and assigned to salary class 1, group A, of the foregoing schedule;

Post, p. 500.

(b) Teachers in kindergartens and elementary schools, assigned to salary class 1, group B, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 1, group B, of the foregoing schedule;

(c) Teachers in junior high schools, assigned to salary class 2, group A, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 2, group A, of the foregoing schedule;

(d) Teachers in junior high schools, assigned to salary class 2, group B, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 2, group B, of the foregoing schedule;

(e) Teachers in junior high schools, assigned to salary class 2, group C, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 2, group C, of the foregoing schedule;

(f) Teachers in junior high schools, assigned to salary class 2, group D, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 2, group D, of the foregoing schedule;

(g) Teachers in senior high schools, assigned to salary class 3, group A, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 3, group A, of the foregoing schedule;

(h) Teachers in senior high schools, assigned to salary class 3, group B, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 3, group B, of the foregoing schedule;

(i) Librarians in senior high school and visual instruction libraries, assigned to salary class 4, group A, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 4, group A, of the foregoing schedule;

(j) Librarians in senior high school and visual instruction libraries, assigned to salary class 4, group B, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 4, group B, of the foregoing schedule;

43 Stat. 367; 49 Stat. 1194.
D. C. Code §§ 31-610 to 31-615.
Post, p. 500.

(k) Teachers in vocational or trade schools, assigned by the Board of Education to salary class 2 of article I of the Act of June 4, 1924, as amended, under the authority of the Act of April 10, 1936, shall be transferred and assigned as follows:

(1) Vocational school teachers in salary class 2, group A, shall be assigned to salary class 5, group A, of the foregoing schedule;

(2) Vocational school teachers in salary class 2, group B, shall be assigned to salary class 5, group B, of the foregoing schedule;

(3) Vocational school teachers in salary class 2, group C, shall be assigned to salary class 5, group C, of the foregoing schedule; and

(4) Vocational school teachers in salary class 2, group D, shall be assigned to salary class 5, group D, of the foregoing schedule;

(l) Research assistants, assigned by the Board of Education to salary class 2 of article I of the Act of June 4, 1924, as amended, under the authority of the Act of April 5, 1939, shall be transferred and assigned as follows:

43 Stat. 367; 53 Stat. 568.
D. C. Code §§ 31-610; 31-623.
Post, p. 500.

(1) Research assistants in salary class 2, group A, shall be assigned to salary class 6, group A, of the foregoing schedule,

(2) Research assistants in salary class 2, group B, shall be assigned to salary class 6, group B, of the foregoing schedule,

(3) Research assistants in salary class 2, group C, shall be assigned to salary class 6, group C, of the foregoing schedule, and

(4) Research assistants in salary class 2, group D, shall be assigned to salary class 6, group D, of the foregoing schedule;

(m) Teachers in the teachers colleges, established under the Act of February 25, 1929, assigned to salary class 3, group A, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 7, group A, of the foregoing schedule;

(n) Teachers in the teachers colleges, established under the Act of February 25, 1929, assigned to salary class 3, group B, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 7, group B, of the foregoing schedule;

(o) Librarians in the teachers colleges, established under the Act of February 25, 1929, assigned to salary class 4, group A, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 8, group A, of the foregoing schedule;

(p) Librarians in the teachers colleges, established under the Act of February 25, 1929, assigned to salary class 4, group B, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 8, group B, of the foregoing schedule;

(q) Assistant professors, assigned by the Board of Education to salary class 11 of article II of the Act of June 4, 1924, under the authority of the 1934 and subsequent District of Columbia Appropriation Acts, shall be transferred and assigned to salary class 10 of the foregoing schedule;

(r) Professors, assigned by the Board of Education to salary class 12 of article II of the Act of June 4, 1924, under the authority of the 1932 and subsequent District of Columbia Appropriation Acts, shall be transferred and assigned to salary class 12 of the foregoing schedule;

(s) Teaching principals with from four to seven rooms, assigned to salary class 5 under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 1, group B, of the foregoing schedule;

(t) Teaching principals with from eight to fifteen rooms, assigned to salary class 6 under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 1, group B, of the foregoing schedule;

(u) Administrative principals with sixteen or more rooms, and principals in Americanization schools, assigned to salary class 7, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 13 of the foregoing schedule;

(v) Assistant principals in junior high schools, assigned to salary class 11, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 14 of the foregoing schedule;

(w) Assistant principals in senior high schools, assigned to salary class 11, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 16 of the foregoing schedule;

(x) Heads of departments, assigned to salary class 11, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 17 of the foregoing schedule;

(y) Principals of junior high schools, assigned to salary class 8, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 18 of the foregoing schedule;

(z) Principals of vocational or trade schools, assigned by the Board of Education to salary class 8 of article II of the Act of June 4, 1924, as amended, under the authority of the Act of April 10, 1936, shall be transferred and assigned to salary class 19 of the foregoing schedule;

(aa) Principals of senior high schools, assigned to salary class 9, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 20 of the foregoing schedule;

(ab) Directors of evening and summer schools, directors of manual arts, and any other directors, assigned to salary class 10, under the Act

45 Stat. 1276; 43 Stat. 367.
D. C. Code §§ 31-114, 118, 610.
Post, p. 500.

43 Stat. 369.
D. C. Code § 31-610.
48 Stat. 233.
Post, p. 500.

46 Stat. 1391.

49 Stat. 1194.
D. C. Code § 31-612.
Post, p. 500.

of June 4, 1924, as amended, shall be transferred and assigned to salary class 21 of the foregoing schedule;

(ac) The employees with the title of teacher in the normal school and director of penmanship in the elementary schools and junior high schools, established under the provisions of section 2 of the Act of June 4, 1924, and assigned to salary class 3, group B, in article I of that Act, shall be transferred and assigned to salary class 7, group B, of the foregoing schedule, with the title of supervisor of penmanship;

(ad) Supervising principals, assigned to salary class 12, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 23 of the foregoing schedule;

(ae) Chief Examiner of the Board of Examiners, assigned under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 24 of the foregoing schedule;

(af) Presidents of teachers colleges, assigned by the Board of Education, to the salary class for first assistant superintendents, in article II of the Act of June 4, 1924, under the authority of the 1931 and subsequent District of Columbia Appropriation Acts, shall be transferred and assigned to salary class 25 of the foregoing schedule;

(ag) Assistant superintendents, assigned under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 26 of the foregoing schedule;

(ah) First assistant superintendents, assigned under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 28 of the foregoing schedule, and the first assistant superintendent in charge of business affairs shall be transferred and assigned to salary class 27 of the foregoing schedule;

(aj) Director of Department of School Attendance and Work Permits, assigned under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 30 of the foregoing schedule;

(ak) Chief attendance officers, assigned under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 31 of the foregoing schedule;

(al) Attendance officers, assigned under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 32 of the foregoing schedule;

(am) Child-labor inspectors, assigned by the Board of Education to the salary class for census inspectors, under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 34 of the foregoing schedule;

(an) Teachers in salary classes 1, 2, and 3, under the Act of June 4, 1924, as amended, not otherwise herein provided for, shall be placed in salary class 1, group A; salary class 2, group A or group C; salary class 3, group A; salary class 5, group A or group C; or salary class 7, group A, of the foregoing schedule, as determined by the Board of Education in accordance with the eligibility qualifications possessed and the character of duties to be performed by such teachers;

(ao) All teachers, school officers, and other employees in the service of the Board of Education on July 1, 1945, not specifically mentioned in the provisions of this section shall be placed in the salary classes and positions in the foregoing schedule as determined by the Board in accordance with the eligibility qualifications possessed and the character of duties to be performed by such teachers, school officers, and other employees;

(ap) All teachers, school officers, or other employees, appointed after the effective date of this Act, shall be placed in the salary classes and positions in the foregoing schedule by the said Board, and all teachers, librarians, research assistants, instructors in the teachers colleges, attendance officers, census supervisors, and child-labor inspec-

43 Stat. 370.
D. C. Code § 31-610.
46 Stat. 966.
Post, p. 500.

Employees not specifically mentioned.

Teachers, etc., appointed after effective date of this Act. Placement; longevity increases.

tors appointed after the effective date of this Act shall receive longevity increases for placement either according to the number of years of experience required by the Board of Education or the number of years of like experience acceptable to and approved by the Board of Education in accredited schools, schools systems, colleges, universities, other recognized institutions, trades and industries, previous to probationary appointment in the public schools of the District of Columbia: *Provided*, That in crediting previous experience of any person who has been absent from his duties because of naval or military service in the armed forces of the United States or its allies, the Board of Education is hereby authorized to include such naval or military service as the equivalent of approved experience: *Provided further*, That on July 1, 1945, and thereafter, no teacher or any other employee entitled to longevity increases for placement shall be placed in the foregoing salary schedule for more than the fifth year of accepted and approved experience in salary class 1, group A; salary class 2, group A or group C; salary class 3, group A; salary class 4, group A; salary class 5, group A or group C; salary class 6, group A or group C; salary class 7, group A; and salary class 8, group A, or for more than the fourth year of accepted and approved experience in salary classes 32, 33, and 34 in the foregoing schedule: *And provided further*, That any increase in the number of years of previous experience allowable for placement credit or any new allowances for longevity increases for placement provided for in this section which were not included in the Act of June 4, 1924, as amended, shall not apply to any probationary or permanent teacher or other probationary or permanent employee in the service of the Board of Education on June 30, 1945;

(aq) No provision in this Act shall be interpreted as preventing any teacher, school officer, or other employee of the Board of Education who has been granted leave to enter the armed forces of the United States or its allies from receiving any annual longevity increase or increases to which he otherwise would be entitled when he returns to service in the public schools.

Service in armed forces.
Experience credit.

Post, p. 500.

Service in armed forces.
Longevity increases, etc.

TITLE IV—METHOD OF PROMOTION OF EMPLOYEES

SEC. 7. On July 1, 1946, and on the first day of each fiscal year thereafter, if his work is satisfactory, every permanent teacher, school officer, or other employee shall receive an annual increase in salary within his salary class or position as hereinbefore provided without action of the Board of Education: *Provided*, That in the case of trade teachers in the vocational schools the Board of Education is authorized and directed to credit approved training and experience in the trades in the same manner and in the same extent as though it were experience in and training for teaching.

Annual salary increases.

Trade teachers.

SEC. 8. On and after July 1, 1945, teachers, school officers, and other employees promoted from a lower to a higher salary class or position shall receive a salary in the salary class or position to which promoted which is next above the salary in the salary class or position from which promoted.

Promotions to higher salary class or position.
Salary.

SEC. 9. Every teacher, instructor, librarian, and research assistant in the service on July 1, 1945, except as herein otherwise provided, and every teacher, instructor, librarian, and research assistant thereafter appointed shall be assigned according to eligibility to group A or group C, and shall be promoted to group B or group D according to eligibility on the basis of such evidence of superior teaching or other superior service and of increased professional attainments as the Board of Education may prescribe: *Provided*, That teachers, instructors, librarians, and research assistants receiving salaries in

Teachers, instructors, librarians, and research assistants.
Assignment; promotion.

Assignment to group B or D without examination, etc.
Post, p. 502.

group B or group D on June 30, 1945, shall be transferred and assigned to group B or group D in their respective salary classes in accordance with section 6 without further examinations or additional qualifications, and teachers, instructors, librarians, and research assistants receiving salaries in group A or group C on July 1, 1945, who are on eligible lists for promotions to group B or group D shall be eligible during the period of their eligibility for promotions to group B or group D in those classes in the foregoing salary schedule which have replaced the classes in which they were eligible on July 1, 1945: *Provided further*, That any person who has not received for at least one year the maximum salary of group A in any salary class, or group C in salary classes 2, 5, or 6, shall not be eligible for promotion to group B in any salary class, or group D in salary classes 2, 5, or 6, but this provision shall not apply during the period of eligibility to teachers, instructors, librarians, and research assistants who on July 1, 1945, are on the Board of Education's approved eligible lists for promotion to group B or group D. The number of group B and group D salaries shall be divided proportionately between the teachers, instructors, librarians, and research assistants in the white schools, and the teachers, instructors, librarians, and research assistants in the colored schools on the basis of the enrollment of pupils in the respective white and colored schools on the last school day of the first advisory period of the first semester in each school year, or as near that day as practicable.

Eligibility for promotion to group B or D.

Restriction.

Division of number of group B and D salaries between white schools and colored schools.
Basis.

Principals in elementary schools.

SEC. 10. Teachers shall be promoted to be principals in the elementary schools, on the basis of such evidence of superior teaching, of administrative ability, and of increased professional attainments as the Board of Education may prescribe.

TITLE V—ACCOMPANYING LEGISLATION

Elementary schools. Classification of principals.

SEC. 11. For the purpose of determining the classification of principals in the elementary schools, it shall be the duty of the Board of Education, on the recommendation of the Superintendent of Schools, to designate the number of rooms in each elementary school building or approved combination of elementary school buildings.

First Assistant Superintendents of Schools.

SEC. 12. There shall be two First Assistant Superintendents of Schools, one white First Assistant Superintendent for the white schools who, under the direction of the Superintendent of Schools, shall have general supervision over the white schools; and one colored First Assistant Superintendent for the colored schools who, under the direction of the Superintendent of Schools, shall have sole charge of all employees, classes, and schools in which colored children are taught. The First Assistant Superintendents shall perform such other duties as may be prescribed by the Superintendent of Schools.

Boards of examiners. Membership.

SEC. 13. Boards of examiners for carrying out the provisions of the statutes with reference to examinations of teachers shall consist of the Superintendent of Schools and not less than four nor more than six members of the supervisory or teaching staff of the white schools for the white schools, and of the Superintendent of Schools and not less than four nor more than six members of the supervisory or teaching staff of the colored schools for the colored schools. The designations of members of the supervisory or teaching staff for membership on these boards shall be made annually by the Board of Education on the recommendation of the Superintendent of Schools.

Chief examiners.

SEC. 14. There shall be appointed by the Board of Education, on the recommendation of the Superintendent of Schools, a chief

examiner for the board of examiners for white schools: *Provided*, That an Associate Superintendent in the colored schools shall be designated by the Superintendent of Schools as chief examiner for the board of examiners for the colored schools: *Provided further*, That except as herein otherwise provided, all members of the respective boards of examiners shall serve without additional compensation.

SEC. 15. The Board of Education, on recommendation of the Superintendent of Schools, is hereby authorized to appoint annual substitute teachers, who shall qualify for said positions by meeting such eligibility requirements as the said board may prescribe and who shall be assigned to the lowest class to which eligible for the type of work to be performed, but who shall not be entitled to the longevity allowance of said class: *Provided*, That the said board shall prescribe the amount to be deducted from the salary of any absent teacher for whom an annual substitute may perform service: *And provided further*, That the above authorization for the appointment of annual substitute teachers shall not be construed to prevent the Board of Education from the employment of other substitute teachers under regulations to be prescribed by the said board.

SEC. 16. When necessary, the Board of Education, on written recommendation of the Superintendent of Schools, is authorized and empowered to appoint temporary teachers: *Provided*, That such appointments shall be made for a limited period not to extend beyond June 30 of the fiscal year in which the appointments are made, and the Board of Education is authorized to terminate the services of any temporary teachers at any time, on the written recommendation of the Superintendent of Schools: *And provided further*, That all temporary teachers shall be assigned to the basic salary of the class in which service is to be performed and shall not be entitled to longevity allowance in said class.

SEC. 17. The Board of Education is hereby authorized to conduct as parts of the public-school system, a department of school attendance and work permits, night schools, vacation schools, Americanization schools, and other activities, under and within appropriations made by Congress, and on the written recommendation of the Superintendent of Schools to fix and prescribe the salaries, other than those herein specified, to be paid to the employees of the said departments and activities.

SEC. 18. All employees assigned to salary classes 1 to 12, inclusive, and all attendance officers assigned to salary class 32 in the foregoing schedule, shall be classified as teachers for pay-roll purposes and their annual salaries shall be paid in ten monthly installments in accordance with existing law.

SEC. 19. Attendance officers in the department of school attendance and work permits assigned to class 32 in the foregoing schedule shall be entitled, in accordance with regulations made by the Board of Education, to cumulative sick leave with pay at the rate of ten days per calendar year, the total accumulation not to exceed sixty days; and in the event of any further absence of any attendance officer the Board of Education, on written recommendation of the Superintendent is hereby authorized to appoint a substitute who shall be paid at a rate fixed by the said Board and the amount paid to such substitute shall be deducted from the salary of the absent attendance officer. Such attendance officers shall not be entitled to annual or sick leave under any other law.

SEC. 20. The rates of salary herein designated shall become effective on July 1, 1945, and the estimates of the expenditures for the operation

Annual substitute teachers.

Pay deduction from salary of absent teacher.

Other substitute teachers.

Temporary teachers.

Service limitation.

Salary assignment.

Night schools and other activities.

Salaries of employees.

Employees classified as teachers for pay-roll purposes. *Post*, p. 501.

Attendance officers. Sick leave; limitation. *Post*, p. 501.

Substitute. Appointment; pay.

Rates effective July 1, 1945. Preparation of future estimates.

of the public-school system of the District of Columbia shall hereafter be prepared in conformity with the classification and compensation of employees herein provided. During the fiscal year ending June 30, 1946, no teacher, school officer, or other employee of the Board of Education whose salary is included in the foregoing schedule shall receive any increase in compensation other than as provided in this Act.

Repeals.

SEC. 21. The following Acts or parts of Acts are hereby repealed:
So much of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia", approved June 20, 1906, as amended, as is inconsistent herewith.

34 Stat. 316.

All of the Act entitled "An Act to amend the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes", approved June 4, 1924.

43 Stat. 367.

So much of section 2 of article III of the Act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925, as reads: "and who shall be paid the same salary as said directors."

43 Stat. 808.
D. C. Code § 31-212.

All of the Act entitled "An Act to amend certain sections of the Teachers' Salary Act, approved June 4, 1924, and for other purposes", approved February 28, 1929.

45 Stat. 1343.
D. C. Code §§ 31-610, 620, 621.

All of the Act entitled "An Act to amend the Teachers' Salary Act of the District of Columbia, approved June 4, 1924, as amended, in relation to raising the trade or vocational schools to the level of junior high schools, and for other purposes", approved April 10, 1936, with the exception of section 4, thereof.

49 Stat. 1194.
D. C. Code § 31-611
et seq.

All of the Act entitled "An Act to provide for the appointment of research assistants in the public schools of the District of Columbia, and for other purposes", approved April 5, 1939, with the exception of section 4 thereof.

53 Stat. 568.
D. C. Code § 31-623.

All of the Act entitled "An Act to amend section 9, article V, of an Act entitled 'An Act to amend the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia", approved June 20, 1906, as amended and for other purposes', approved April 5, 1939.

53 Stat. 571.
D. C. Code § 31-628.

So much of the District of Columbia Appropriation Act, 1944, as reads:

57 Stat. 324.

"Hereafter the salaries of the presidents of the teachers' colleges shall be included in the salary schedule for the First Assistant Superintendent; the salaries of teachers-college professors shall be included in salary class 12 for supervising principals; and the salaries of teachers-college assistant professors shall be included in salary class 11 for heads of departments and assistant principals; said schedule and classes being prescribed in the Act of June 4, 1924 (43 Stat. 367)."

Temporary teachers.
Ante, p. 499.

All of the Act entitled "An Act to amend section 16 of the Act entitled 'An Act to amend the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia", approved June 20, 1906, as amended, and for other purposes', approved June 4, 1924.", approved April 27, 1945.

Ante, p. 99.
Leave for educational improvement.

SEC. 22. After the effective date of this Act, the Act entitled "An Act to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes

of educational improvement, and for other purposes", approved June 12, 1940, shall apply to employees of the Board of Education whose salaries are fixed by this Act.

SEC. 23. This Act may be cited as "District of Columbia Teachers' Salary Act of 1945".

SEC. 24. This Act shall become effective as of July 1, 1945, except that sections 18 and 19, insofar as they apply to attendance officers, shall become effective July 1, 1946.

Approved July 21, 1945.

[CHAPTER 322]

JOINT RESOLUTION

To provide for the observance and celebration of the one hundred and fiftieth anniversary of the signing of the treaty with the Indians of the Northwest Territory, known as the Treaty of Greene Ville.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the Treaty of Greene Ville Celebration Commission (hereinafter referred to as the "Commission") and to be composed of eight commissioners, as follows: The President of the United States; two Members of the Senate, one from each of the two major parties, to be appointed by the President pro tempore of the Senate; two Members of the House of Representatives, one from each of the two major parties, to be appointed by the Speaker of the House of Representatives; and three individuals from private life, to be appointed by the President of the United States. The commissioners shall serve without compensation and shall select a chairman from among their number.

SEC. 2. It shall be the duty of the Commission to prepare and carry out a comprehensive plan for the observance and celebration of the one hundred and fiftieth anniversary of the signing on August 3, 1795, in what is now the State of Ohio, of the Treaty of Greene Ville by General Anthony Wayne and representatives of the Indians of the Northwest Territory. In the preparation of such plan, the Commission shall cooperate with the Treaty of Greene Ville Sesquicentennial Commission, Incorporated, in order that there may be proper coordination and correlation of plans for such observance and celebration.

SEC. 3. (a) Without regard to the civil-service laws or the Classification Act of 1923, as amended, the Commission is authorized to appoint and prescribe the duties and fix the compensation of a director and such other employees as are necessary in the execution of its functions.

(b) The Commission may make such expenditures as are necessary to carry out the purposes of this joint resolution, including all necessary traveling expenses and subsistence expenses incurred by the commissioners. All expenditures of the Commission shall be allowed and paid upon presentation of itemized vouchers therefor, approved by the Chairman of the Commission.

(c) The Commission shall cease to exist within six months after the date of the expiration of the celebration.

Approved July 21, 1945.

54 Stat. 349.
D. C. Code §§ 31-632
to 31-637.
Short title.

Effective dates.
Post, p. 502.

July 21, 1945
[H. J. Res. 195]
[Public Law 159]

Treaty of Greene
Ville Celebration
Commission.

Composition.

Purpose.

7 Stat. 49.

Cooperation with
designated commis-
sion.

Director, etc.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 et seq.
Act, p. 298 et seq.

Expenditures.

Termination.

[CHAPTER 326]

AN ACT

To permit amendment of the existing compact or agreement between the State of Ohio and the Commonwealth of Pennsylvania relating to Pymatuning Lake.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress of the United States is hereby granted to the State of Ohio and the Commonwealth of Pennsylvania to amend the compact or agreement relating to Pymatuning Lake which was approved by the Act of August 28, 1937, entitled "An Act to approve a compact or agreement between the State of Ohio and the Commonwealth of Pennsylvania relating to Pymatuning Lake", so as to permit the use on any specified part of such lake, subject to such restrictions or requirements as may be prescribed in such amendment, of boats equipped with motors of not exceeding a six-horsepower rating.

Approved July 24, 1945.

[CHAPTER 326-A]

JOINT RESOLUTION

To amend the District of Columbia Teachers' Salary Act of 1945.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That effective on the date of enactment of the District of Columbia Teachers' Salary Act of 1945, such Act is amended in the following respects:

(1) Section 3 is amended by inserting before the period at the end thereof a comma and the following: "subject to the limitations of section 5".

(2) The third proviso of paragraph (b) of section 4 of such Act is amended by striking out the word "permanent".

(3) Paragraph (b) of section 4 of such Act is amended by inserting before the period at the end thereof a comma and the following: "and if entitled to a longevity increase on July 1, 1945, under the provisions of the Act of June 4, 1924, as amended, one additional annual increase in salary in the amount provided in title I of this Act for his class or class and group".

(4) Section 5 of such Act is amended by inserting after "1945," the following: "whose annual compensation as defined in section 4 is increased under the provisions of this Act at the rate of not more than \$400 during the fiscal year ending June 30, 1946".

(5) Section 5 of such Act is further amended by striking out the word "thereafter" and inserting in lieu thereof "after June 30, 1945".

(6) Section 6 of such Act is amended by inserting after paragraph (ah) the following new paragraph:

"(ai) Superintendent of Schools, assigned under the Act of June 4, 1924, as amended, shall be transferred and assigned to salary class 29 of the foregoing schedule;"

(7) The first proviso of section 9 of such Act is amended by striking out "group C on July 1, 1945, who" and inserting in lieu thereof the following: "group C who, on July 1, 1945,"

(8) Section 24 of such Act is amended to read as follows:

"SEC. 24. This Act shall become effective as of July 1, 1945."

Approved July 24, 1945.

July 24, 1945

[H. R. 3294]

[Public Law 160]

Pymatuning Lake.
Amendment of com-
pact.

50 Stat. 865.

July 24, 1945

[H. J. Res. 228]

[Public Law 160-A]

Ante, p. 488.

Ante, p. 492.

Ante, p. 493.

Ante, p. 500.

Ante, p. 493.

Ante, p. 496.

Ante, p. 500.

Ante, p. 497.

Ante, p. 501.

[CHAPTER 328]

AN ACT

To amend the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", as amended.

July 28, 1945
[S. 714]
[Public Law 161]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", as amended, is amended by adding at the end thereof the following new sentence:

"Failure to give notice of injury or to file claim for compensation for disability or death within the time and in the manner prescribed by this Act shall not bar the claim of any person thereunder if such claim is filed within five years after the injury or death and if the Commission shall find (1) that such failure was due to circumstances beyond the control of the person claiming benefits, or (2) that such person has shown sufficient cause or reason in explanation thereof, and material prejudice to the interest of the United States has not resulted from such failure; and upon such finding the Commission may waive compliance with the applicable provisions of the Act."

SEC. 2. That the first paragraph of section 10 of such Act is amended by striking therefrom the words "within six years", and the words "subject to the modification that no compensation shall be paid where the death takes place more than one year after the cessation of disability resulting from such injury, or, if there has been no disability preceding death, more than one year after the injury,"; and by deleting the comma and adding a colon following the word "pay" therein; and that section 11 of such Act is amended by striking therefrom the words "within six years", and the last sentence of such section.

SEC. 3. That subdivision (G) of section 10 of such Act is hereby amended by striking therefrom the words "for a period of eight years" and "before that time", and by substituting the word "until" for the word "unless" therein.

SEC. 4. That section 42 of such Act is hereby amended by adding at the end thereof the following new paragraph:

"Whenever the Commission shall find that the amount of compensation, as provided by other provisions of this Act, payable to employees of the United States who are neither citizens nor residents of the United States, any Territory, or Canada, or payable to any dependents of such employees, is substantially disproportionate to compensation for disability or death which may be payable in similar cases under local law, regulation, custom, or otherwise, at the place outside the United States, any Territory, or Canada, where such employees may be working at the time of injury, the Commission may provide for payment of compensation upon such basis as will be reasonably in accord with prevailing local payments in similar cases, (1) by the adoption or adaptation of the substantive features (by a schedule or otherwise) of local workmen's compensation provisions, or other local law, regulation or custom applicable in cases of personal injury or death, or (2) by establishing and promulgating, for specific classes of employees, areas or places, special schedules of compensation for injury and death (including schedules for the loss or loss of use of members and functions of the body); and irrespective of the basis adopted may at any time modify or limit therein (a) the maximum monthly and total aggregate payments for injury and death (including modification and limitation of medical or other benefits), and (b) the percentages of the employee's wage payable as compensation for such injury or death, and to modify, limit, or redesignate the class or

U. S. Employees' Compensation Act, amendments.
39 Stat. 747.
5 U. S. C. § 770.

Notice of injury or filing of claim.
Time limitation; finding by Commission.
Post, p. 504.

Death benefits, etc.
39 Stat. 744.
5 U. S. C. § 760.
Post, p. 504.

39 Stat. 745.
5 U. S. C. § 761.

39 Stat. 745.
5 U. S. C. § 760 (G).
Post, p. 504.

39 Stat. 750.
5 U. S. C. § 763;
Supp. IV, § 763.

Adjudication of payments to employees not citizens or residents of U. S., Canada, etc.

Adaptation of local laws, etc.

Special schedules of compensation.

classes of beneficiaries entitled to death benefits, including the designation of persons, representatives, or groups, who would be entitled under local law or custom to payment on account of death, whether or not included in the classes of beneficiaries otherwise specified in this Act. In the cases of such noncitizens and nonresidents, the Commission or its designees are authorized to make lump-sum awards (in the manner prescribed by section 14 of this Act), whenever the Commission or its authorized designee shall deem such settlement to be for the best interest of the United States, and also in any such cases to compromise and pay claims for any benefits so provided for, including claims in which there is a dispute as to jurisdiction or other facts, or questions of law. Compensation so payable shall be in lieu of all other compensation from the United States for the same injury or death, and any payment so made shall for all purposes be considered as compensation under this Act and as satisfaction of all liability of the United States in respect to the particular injury or death. The Commission may delegate to any officer, agency, or employee of the United States, with such limitations and right of review as it deems advisable, authority to process, adjudicate, commute by lump-sum award, compromise, and pay any claim or class of claims for compensation, and to provide other benefits, locally, under this paragraph, in accordance with such regulations and instructions as the Commission shall deem necessary, and for such purpose the Commission is authorized to provide or transfer funds (including reimbursement of amounts paid under this Act). Should the Commission find (1) that conditions prevent the establishment of facilities for processing and adjudicating claims of such noncitizens and nonresidents, or (2) that such noncitizens and nonresidents are alien enemies, the Commission may waive the application of this Act, in whole or in part, and for such period or periods of time as the Commission shall fix. The provisions of this paragraph may be applied retrospectively as the Commission may determine, and, where necessary, with such adjustment of compensation and benefits as the Commission may find to be proper. The action of the Commission or its designees in allowing or denying any payment under this Act shall be final and conclusive for all purposes and with respect to all questions of law and fact, and not subject to review by any other official of the United States, or by any court by mandamus or otherwise, and credit shall be allowed in the accounts of any certifying or disbursing officer for payments in accordance with such action. Wherever used in this section, the geographical reference to the United States shall mean the continental United States."

SEC. 5. (a) The amendments to such Act shall be applicable retrospectively as follows:

(1) The amendment in section 1 of this Act shall apply to injury and death cases, whether or not reported or acted upon, where the injury (or injury causing death) occurred on or after December 7, 1940.

(2) The amendment in section 2 shall be applicable in any case of death following injury where the injury occurred prior to the date of approval of this Act and the employee is receiving or is entitled to receive compensation for injury on or after such date.

(3) The amendment in section 3 shall be applicable in any case where a beneficiary, affected by the provisions of section 10 (G) of such Act, (a) is receiving compensation (or whose claim is in the process of initial adjudication) on the date of the approval of this Act, or (b) whose compensation has been terminated by reason of the limitation provisions of such section 10 (G) within three years prior to the date of such approval, should be found by the Commission to be suffering hardship at the time of approval of this Act by reason of such termination.

Lump-sum awards.
39 Stat. 746.
5 U. S. C. § 764.

Payments to be in lieu of other U. S. compensation.

Delegation of authority.

Adverse conditions; alien enemies.

Application of provisions.

Applicability of amendments.

(b) In any case where an employee employed by the United States within the purview of such Act or any extension thereof suffers disability or death after capture, detention, or other restraint by an enemy of the United States, during the present war, such disability or death shall in the administration of such Act be deemed to have resulted from injury occurring while in the performance of duty, whether or not the employee was engaged in the course of his employment when taken by the enemy: *Provided*, That this subparagraph shall not apply in the case of any person (1) whose residence is at or in the vicinity of the place from whence he was thus taken, and (2) who was not living there solely by virtue of the exigencies of his employment, unless such person was so taken while he was engaged in the course of his employment: *Provided further*, That compensation for disability or death shall not be paid during any period of time during which the disabled person (or the dependents of such person, or any one of them) should receive or be entitled to receive any pay, other benefit, or gratuity from the United States on account of detention by the enemy or by reason of the same disability or death, unless such pay, benefit, or gratuity is refunded or renounced.

U. S. employees.
Disability or death
after capture by enemy.

Approved July 28, 1945.

[CHAPTER 329]

AN ACT

To provide the transfer by the Secretary of War of the Roseburg Rifle Range, Douglas County, Oregon, to the Reconstruction Finance Corporation, and for other purposes.

July 28, 1945
[H. R. 715]
[Public Law 162]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of War is authorized and directed to transfer to the Reconstruction Finance Corporation, in exchange for the tract of land transferred to the United States under subsection (b), all the right, title, and interest of the United States in and to the military reservation known as the Roseburg Rifle Range, situated in Douglas County, Oregon, and more particularly described as follows:

Roseburg Rifle
Range, Douglas
County, Oreg.
Transfer to RFC.

Beginning at the quarter section corner between sections 17 and 18, township 27 south, range 5 west, of the Willamette meridian; thence north ten chains; thence east ten chains; thence south ten chains; thence south six degrees and thirty minutes west fourteen and fifty-three one-hundredths chains to northeast corner of lot 8 in First Brookside Addition to Roseburg, Oregon; thence south thirty-one and thirty one-hundredths chains to the southeast corner of said lot 8, thence west along East Avenue three chains to southwest corner of lot 8, thence north thirty and twenty-five one-hundredths chains to northwest corner; thence south sixty-nine degrees west five and twenty-five one-hundredths chains to a point south from place of beginning; thence north eighteen and forty one-hundredths chains to place of beginning, containing thirty-four and eighteen one-hundredths acres, all in sections 17 and 20, township 27 south, range 5 west, of the Willamette meridian, in Douglas County, State of Oregon.

(b) The Reconstruction Finance Corporation is authorized and directed to (1) acquire, subject to the approval of the National Guard Bureau of the War Department, all right, title, and interest in and to a tract of land in the vicinity of Roseburg, Oregon, suitable for use as a target range by the Roseburg State Guard unit, and (2) transfer all its right, title, and interest in and to such tract of land to the United States, without cost to the United States.

Tract in exchange.

Approved July 28, 1945.

[CHAPTER 330]

JOINT RESOLUTION

Relating to the marketing of fire-cured and dark air-cured tobacco under the Agricultural Adjustment Act of 1938, as amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 312 (a) of the Agricultural Adjustment Act of 1938, as amended, relating to the finding of the total supply of tobacco, the reserve supply level, and the amount of the national marketing quota, and the provisions of section 313 of said Act relating to the apportionment of the national marketing quota for tobacco among the States and farms, national marketing quotas for fire-cured and dark air-cured tobacco for the marketing years 1946-1947, 1947-1948, and 1948-1949, shall be proclaimed and the national marketing quota and State and farm acreage allotments shall be the same for the marketing year 1946-1947 as were established for the marketing year 1943-1944, and the farm acreage allotments for the marketing years 1947-1948 and 1948-1949 shall be increased or decreased in the ratio which the national marketing quota for the 1943-1944 marketing year bears to the amount of tobacco which the Secretary determines to be required to make the carry-over at the beginning of the marketing year equal the reserve supply level: *Provided, however,* That an additional acreage not in excess of 5 per centum of the total acreage allotted to all farms in each State for the 1943-1944 marketing year shall be allotted each year by the local committees among farms in the State in accordance with regulations prescribed by the Secretary so as to establish allotments which the committee find will be fair and equitable in relation to the past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; and crop-rotation practices, and an additional acreage equal to not more than 5 per centum of the acreage allotted to all farms for the 1943-1944 marketing year shall be allotted each year to farms on which no tobacco was produced in the last five years in accordance with the provisions of subsection (g) of section 313 applicable to farms on which no tobacco was produced during the last five years. The foregoing provisions of this section shall not have the effect of modifying or repealing any other provisions of said Act.

SEC. 2. Notwithstanding any other provision of law, the Commodity Credit Corporation is authorized and directed, beginning with the 1945 crop, to make available upon any crop of fire-cured, dark air-cured and Virginia sun-cured tobacco, if producers have not disapproved marketing quotas for such tobacco for the marketing year beginning with the calendar year in which such crop is harvested, loans or other price support at, in the case of fire-cured tobacco, 75 per centum of the loan rate for burley tobacco for the corresponding crop and, in the case of dark air-cured and Virginia sun-cured tobacco, at 66 $\frac{2}{3}$ per centum of such burley tobacco loan rate.

Approved July 28, 1945.

[CHAPTER 332]

AN ACT

Relating to the payment of subsidies by the Commodity Credit Corporation and the Reconstruction Finance Corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the amount of funds authorized to be expended by Commodity Credit Corporation pursuant to section 3 of the Act of April 12, 1945 (Public, 30, Seventy-ninth Congress), shall be increased by such amounts as may from time to time be determined by the Secretary of Agriculture as follows:

July 28, 1945
[H. J. Res. 98]
[Public Law 163]

Fire-cured and dark
air-cured tobacco.
Marketing quotas.
52 Stat. 46.
7 U. S. C., Supp.
IV, § 1312 (a).
52 Stat. 47.
7 U. S. C., Supp.
IV, § 1313.

Additional acreage.

53 Stat. 1261.
7 U. S. C. § 1313 (g).

Commodity Credit
Corporation loans.

July 31, 1945
[S. 1270]
[Public Law 164]

Subsidy payments.
Meat, butter, and
flour.
Ante, p. 51.

(1) Not to exceed with respect to livestock and livestock products, \$595,000,000, (2) not to exceed with respect to wheat and wheat products, \$190,000,000; and (3) not to exceed with respect to butterfat and butter, \$100,000,000: *Provided*, That the amounts authorized to be expended pursuant to section 1 of the Act of June 23, 1945 (Public Law 88, Seventy-ninth Congress), for subsidy payments on meat, butter, and flour shall be reduced correspondingly.

Ante, p. 260.

Approved July 31, 1945.

[CHAPTER 333]

AN ACT

To amend section 8 of the Act entitled "An Act to amend the Act entitled 'An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes', approved July 11, 1916, as amended and supplemented, and for other purposes", approved July 13, 1943.

July 31, 1945
[H. R. 169]
[Public Law 165]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the case of each and every State which, prior to January 1, 1947, shall have constructed or acquired any toll bridges, including interstate toll bridges, serving the approved system of Federal-aid highways, and which has caused or, prior to January 1, 1947, shall cause any such toll bridge or toll bridges to be made free, the Federal Works Administrator shall be, and he is hereby, authorized to pay out of the regular and secondary Federal-aid road funds apportioned to such State not to exceed 50 per centum of such amount as may be approved by the Federal Works Administrator as the current reasonable value of the physical property, exclusive of rights-of-way, of any such bridge, or not to exceed 50 per centum of the bonds or other obligations created and issued for the construction of such bridge which shall remain unpaid and outstanding, or such percentage of the amount by which such outstanding bonds or other obligations shall exceed any funds accumulated or provided for their amortization, on the date such bridge is made free, whichever shall be least: *Provided*, That no payment of Federal funds shall be made on account of any such bridge which was not constructed in accordance with plans and specifications which would meet the standards required under the Federal Highway Act at the time such bridge was constructed: *Provided further*, That no such payment shall be made which will exceed 50 per centum of the current reasonable value of the physical properties of any such bridge, nor shall such payment in the case of any bridge which was constructed or acquired with the aid of Federal funds or with the aid of a grant from the Federal Government exceed 50 per centum of the current reasonable value of the physical properties of such bridge which remains after deducting therefrom the share of cost or of grant already paid by the Federal Government, or shall not exceed 50 per centum of the bonds or other obligations created and issued for the construction of such bridge which shall remain unpaid and outstanding, or such percentage of the amount by which such outstanding bonds or other obligations shall exceed any funds accumulated or provided for their amortization, on the date such bridge is made free, whichever shall be least, and any amount so paid on account of any such bridge from regular Federal-aid road funds shall be used for matching unobligated regular Federal-aid road funds available to the State for expenditure in the improvement of highways on the system of Federal-aid highways, and any amount so paid on account of any such bridge from secondary Federal-aid road funds shall be used for matching unobligated secondary Federal-aid road funds available to the State for expenditure in the improvement of secondary or feeder roads.

Toll bridges.

Payments to States from designated funds.

Prohibited payments.

Limitation on payments.

Use of payments from regular Federal-aid road funds.

From secondary Federal-aid road funds.

Approved July 31, 1945.

[CHAPTER 334]

AN ACT

July 31, 1945
[H. R. 2032]

[Public Law 166]

Authorizing general shore-line investigations at Federal expense, and to repeal an Act for the improvement and protection of the beaches along the shores of the United States, approved June 26, 1936.

Shore-line investigations.

46 Stat. 945.
33 U. S. C. § 426.

Publication of useful data.

Cost.

"Shores."

Application of existing law.

Exception.

Report by Board.

46 Stat. 945.
33 U. S. C. § 426.

Additional requirement.

Expenses.

49 Stat. 1682.
33 U. S. C. §§ 427-430.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to participating in cooperative investigations and studies with agencies of the various States as authorized in section 2 of the River and Harbor Act, approved July 3, 1930, it shall be the duty of the Chief of Engineers, through the Beach Erosion Board, to make general investigations with a view to preventing erosion of the shores of the United States by waves and currents and determining the most suitable methods for the protection, restoration, and development of beaches; and to publish from time to time such useful data and information concerning the erosion and protection of beaches and shore lines as the Board may deem to be of value to the people of the United States. The cost of the general investigations herein authorized shall be borne wholly by the United States. As used in this Act, the word "shores" includes the shore lines of the Atlantic and Pacific Oceans, the Gulf of Mexico, the Great Lakes, Lake Champlain, and estuaries and bays directly connected therewith.

SEC. 2. All provisions of existing law relating to examinations and surveys and to works of improvement of rivers and harbors shall apply, insofar as practicable, to examinations and surveys and to works of improvement relating to shore protection; except that all projects having to do with shore protection shall be referred for consideration and recommendation to the Beach Erosion Board instead of to the Board of Engineers for Rivers and Harbors.

SEC. 3. The Beach Erosion Board, in making its report on any cooperative investigation and studies under the provisions of section 2 of the River and Harbor Act, approved July 3, 1930, relating to shore protection work shall, in addition to any other matters upon which it may be required to report, state its opinion as to (a) the advisability of adopting the project; (b) what public interest, if any, is involved in the proposed improvement; and (c) what share of the expense, if any, should be borne by the United States.

SEC. 4. Any expenses incident and necessary in the undertaking of the general investigations authorized herein may be paid from funds hitherto or hereafter appropriated for examinations, surveys, and contingencies for rivers and harbors.

SEC. 5. The Act of June 26, 1936 (Public, Numbered 834, Seventy-fourth Congress), is hereby repealed.

Approved July 31, 1945.

[CHAPTER 335]

AN ACT

July 31, 1945
[H. R. 2285]

[Public Law 167]

To authorize the Secretary of Agriculture to grant and convey to Springfield Township, Montgomery County, Pennsylvania, certain lands of the United States in Springfield Township, Montgomery County, Pennsylvania, for highway purposes and for ornamental-park purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized and directed to grant and convey to Springfield Township, Montgomery County, Pennsylvania, upon the conditions and limitations hereinafter expressed, three parcels of land, hereinafter described, which are parts of the property encompassed by Eastern Regional Laboratory, Bureau of Agricultural Chemistry and Engineering, United States Department of Agriculture,

Springfield Township,
Montgomery County, Pa.
Conveyance of lands.

parcel 1 and parcel 2 to be held and used by the township for highway purposes, and parcel 3 to be held, used, and maintained as an ornamental park. The three parcels of land are situated in Springfield Township, Montgomery County, Pennsylvania, and bounded and described in accordance with a plan and survey thereof prepared for Springfield Township by David W. Bainbridge, registered professional engineer, January 18, 1940, and approved by the Board of Commissioners of Springfield Township, January 22, 1940, as follows to wit:

Parcel 1: Beginning at the point of intersection of the northeasterly line of East Lane (forty feet wide) as opened by the court of quarter sessions of Montgomery County, Pennsylvania, in October 1922, with the southeasterly line of Mermaid Avenue (thirty-three feet wide) as opened by the said court of quarter sessions in October 1887; thence extending along the said southeasterly line of Mermaid Avenue north thirty-seven degrees nine minutes thirty seconds east two hundred and four and thirty-five one-hundredths feet to an angle; thence continuing along the said southeasterly line of Mermaid Avenue north twelve degrees forty-nine minutes east one hundred and sixty-five and fifteen one-hundredths feet to an angle, a point in the southeasterly line of Mermaid Avenue as opened by the said court of quarter sessions in December 1899; thence north thirty-seven degrees thirty-six minutes east forty and fifty-six one-hundredths feet to the point of intersection with the southeasterly line of Mermaid Avenue as it is proposed to be widened to fifty feet; thence south twelve degrees forty-nine minutes west one hundred and eighty-five and one one-hundredths feet to an angle; thence south thirty-seven degrees nine minutes thirty seconds west two hundred and thirteen and seventy one-hundredths feet to a point of curve; thence extending southwardly and southeastwardly on a curve to the left having a radius of eight feet the arc distance of twelve and sixty-two one-hundredths feet to a point; thence south thirty-six degrees forty-seven minutes thirty seconds west five feet to a point in the afore-mentioned northeasterly line of East Lane; thence north fifty-three degrees twelve minutes thirty seconds west sixteen and fifty-eight one-hundredths feet to the first-mentioned point and place of beginning.

Parcel 2: Beginning at a point on the southwesterly line of Mermaid Avenue south fifty-two degrees twelve minutes thirty seconds east one hundred and thirty-three and seventy-one one-hundredths feet distant from the angle point of the southeasterly and southwesterly lines of Mermaid Avenue as opened by the Court of Quarter Sessions of Montgomery County, Pennsylvania, in December 1899, where the said highway is in juxtaposition to Flourtown Avenue (formerly known as Apple Street) northwest thereof; thence south fifty-two degrees twelve minutes thirty seconds east eighty and thirty-one one-hundredths feet to a point; thence south seventy-six degrees nine minutes thirty seconds west three hundred and eighteen and eighteen one-hundredths feet to a point of curve; thence continuing southwestwardly on a curve to the left having a radius of seventy-two feet the arc distance of forty-eight and forty-five one-hundredths feet to a point on the southeasterly line of Mermaid Avenue; thence extending along the southeasterly line of Mermaid Avenue north thirty-seven degrees thirty-six minutes east one hundred and twenty-eight and twenty-seven one-hundredths feet to a point of curve; thence southwardly and southeastwardly on a converse curve to the right having a radius of eight feet the arc distance of nineteen and seventy-five one-hundredths feet to a point; thence extending along the northwesterly line of the proposed relocation of Mermaid Avenue north

seventy-six degrees nine minutes thirty seconds east two hundred and one and sixty-five one-hundredths feet to a point of curve; thence continuing northwardly and northwestwardly on a curve to the left having a radius of eight feet the arc distance of seventeen and ninety-two one-hundredths feet to the first-mentioned point and place of beginning.

Parcel 3: Beginning at the angle point of the southeasterly and southwesterly lines of Mermaid Avenue as opened by the court of quarter sessions of Montgomery County, Pennsylvania, in December 1899, where the said highway is in juxtaposition to Flourtown Avenue (formerly known as Apple Street) northwest thereof; thence extending along the said southwesterly line of Mermaid Avenue south fifty-two degrees twelve minutes thirty seconds east one hundred and thirty-three and seventy-one one-hundredths feet to a point of curve; thence extending southwardly and southwestwardly on a curve to the right having a radius of eight feet the arc distance of seventeen and ninety-two one-hundredths feet to a point; thence extending along the northwesterly line of the proposed relocation of Mermaid Avenue south seventy-six degrees nine minutes thirty seconds west two hundred and one and sixty-five one-hundredths feet to a point of curve; thence extending westwardly and northwestwardly on a curve to the right having a radius of eight feet and the arc distance of nineteen and seventy-five one-hundredths feet to a point on the southeasterly line of Mermaid Avenue; thence extending along the said southeasterly line of Mermaid Avenue north thirty-seven degrees thirty-six minutes east one hundred and sixty-six and fourteen one-hundredths feet to the first-mentioned point and place of beginning.

Conditions.

The land in parcel 3 is to be granted and conveyed subject to the conditions that Springfield Township, Montgomery County, Pennsylvania, shall accept and use such land solely for ornamental-park purposes; that the area shall not be used as a building site; and that if such township shall at any time cease to use such land for ornamental-park purposes, or shall permit the use of such land for any other purposes, or shall alienate, or attempt to alienate the land, the land shall revert to the United States of America.

Approved July 31, 1945.

[CHAPTER 336]

AN ACT

July 31, 1945
[H. R. 2522]
[Public Law 168]

To authorize the Secretary of State to continue to completion the collecting, editing, and publishing of official papers relating to the Territories of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State is authorized to continue to completion the work of collecting, copying, arranging, editing, copy reading, and index making of the official papers relating to the Territories of the United States as initiated and carried on under the Act approved March 3, 1925, as amended to date (5 U. S. C. 167-168C), and to have them issued as a Government publication, of which four hundred and twenty copies shall be delivered to the Superintendent of Documents, Government Printing Office, for distribution to the libraries heretofore designated by the Governors of the various States, one hundred copies for the use of the Department of State, and one hundred copies for distribution by the Joint Committee on Printing, and for this purpose there is hereby authorized to be appropriated, out of any money in the Treasury not

Territorial papers of
the U. S.
Collecting, editing,
etc.

43 Stat. 1104.

Appropriation
authorized.

otherwise appropriated, sums of not more than \$30,000 for any one year: *Provided*, That no expenditure shall be made for printing authorized hereunder until six months after the end of hostilities in the present war.

Approved July 31, 1945.

Printing.

[CHAPTER 337]

AN ACT

To amend the Act entitled "An Act to provide for the issuance of devices in recognition of the services of merchant sailors", approved May 10, 1943 (57 Stat. 81), and for other purposes.

July 31, 1945

[H. R. 2581]

[Public Law 169]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the issuance of devices in recognition of the services of merchant sailors", approved May 10, 1943 (57 Stat. 81), is amended by adding at the end thereof a new section to read as follows:

Merchant seamen's service insignia.

50 U. S. C., Supp. IV, app. §§ 753-753e.

"SEC. 7. The manufacture, sale, possession, or display of any insignia, decoration, medal, award, or device, or the ribbon, button, or rosette thereof, or any colorable imitation of any insignia, decoration, medal, award, or device, provided for in this Act, or the Act of April 11, 1942 (Public Law 524, Seventy-seventh Congress; 56 Stat. 217), or any Executive order issued thereunder, or Executive Order 9472 of August 29, 1944 (9 F. R. 10613), or section 216 of the Merchant Marine Act, 1936, as amended, or in any rule or regulation issued pursuant to any such Acts or Executive orders, is prohibited, except as authorized under any such Acts or Executive orders, or any rule or regulation issued pursuant thereto. Whoever violates any provision of this section shall be punished by a fine not exceeding \$250 or by imprisonment not exceeding six months, or both."

Manufacture, sale, etc.

50 U. S. C., Supp. IV, app. §§ 751, 752.

52 Stat. 965.
46 U. S. C. § 1126;
Supp. IV, § 1126.

Punishment.

Approved July 31, 1945.

[CHAPTER 338]

AN ACT

To amend the Act approved January 2, 1942, as amended, approved April 22, 1943, entitled "An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries".

July 31, 1945

[H. R. 3111]

[Public Law 170]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended by the Act of April 22, 1943 (57 Stat. 66), be, and hereby is, further amended by inserting an additional section at the end thereof to read as follows:

Damages by U. S. forces abroad.

Claims.
31 U. S. C., Supp. IV, § 224d.

"SEC. 8. This Act shall be applicable, notwithstanding other provisions hereof, to claims of inhabitants of the Philippine Islands arising in such islands which would be within the provisions of the Act but for the fact that the Philippine Islands is not foreign territory: *Provided*, That such claims arising out of accidents or incidents occurring in time of war may on good cause shown be presented within one year after peace is established."

Philippine Islands.

Approved July 31, 1945.

[CHAPTER 339]

AN ACT

July 31, 1945

[H. R. 3314]

[Public Law 171]

To provide for the participation of the United States in the International Monetary Fund and the International Bank for Reconstruction and Development.

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

SHORT TITLE

Bretton Woods
Agreements Act.

SECTION 1. This Act may be cited as the "Bretton Woods Agreements Act".

ACCEPTANCE OF MEMBERSHIP

"Fund."

"Bank."

SEC. 2. The President is hereby authorized to accept membership for the United States in the International Monetary Fund (hereinafter referred to as the "Fund"), and in the International Bank for Reconstruction and Development (hereinafter referred to as the "Bank"), provided for by the Articles of Agreement of the Fund and the Articles of Agreement of the Bank as set forth in the Final Act of the United Nations Monetary and Financial Conference dated July 22, 1944, and deposited in the archives of the Department of State.

APPOINTMENT OF GOVERNORS, EXECUTIVE DIRECTORS, AND ALTERNATES

Dual functions of
appointees.

Terms of office.

Alternates.

Terms of office.

Compensation.

SEC. 3. (a) The President, by and with the advice and consent of the Senate, shall appoint a governor of the Fund who shall also serve as a governor of the Bank, and an executive director of the Fund and an executive director of the Bank. The executive directors so appointed shall also serve as provisional executive directors of the Fund and the Bank for the purposes of the respective Articles of Agreement. The term of office for the governor of the Fund and of the Bank shall be five years. The term of office for the executive directors shall be two years, but the executive directors shall remain in office until their successors have been appointed.

(b) The President, by and with the advice and consent of the Senate, shall appoint an alternate for the governor of the Fund who shall also serve as alternate for the governor of the Bank. The President, by and with the advice and consent of the Senate, shall appoint an alternate for each of the executive directors. The alternate for each executive director shall be appointed from among individuals recommended to the President by the executive director. The terms of office for alternates for the governor and the executive directors shall be the same as the terms specified in subsection (a) for the governor and executive directors.

(c) No person shall be entitled to receive any salary or other compensation from the United States for services as a governor, executive director, or alternate.

NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND
FINANCIAL PROBLEMS

Establishment.

Composition.

SEC. 4. (a) In order to coordinate the policies and operations of the representatives of the United States on the Fund and the Bank and of all agencies of the Government which make or participate in making foreign loans or which engage in foreign financial, exchange or monetary transactions, there is hereby established the National Advisory Council on International Monetary and Financial Problems (hereinafter referred to as the "Council"), consisting of the Secretary of the Treasury, as Chairman, the Secretary of State, the Secretary

of Commerce, the Chairman of the Board of Governors of the Federal Reserve System, and the Chairman of the Board of Trustees of the Export-Import Bank of Washington.

(b) (1) The Council, after consultation with the representatives of the United States on the Fund and the Bank, shall recommend to the President general policy directives for the guidance of the representatives of the United States on the Fund and the Bank.

(2) The Council shall advise and consult with the President and the representatives of the United States on the Fund and the Bank on major problems arising in the administration of the Fund and the Bank.

(3) The Council shall coordinate, by consultation or otherwise, so far as is practicable, the policies and operations of the representatives of the United States on the Fund and the Bank, the Export-Import Bank of Washington and all other agencies of the Government to the extent that they make or participate in the making of foreign loans or engage in foreign financial, exchange or monetary transactions.

(4) Whenever, under the Articles of Agreement of the Fund or the Articles of Agreement of the Bank, the approval, consent or agreement of the United States is required before an act may be done by the respective institutions, the decision as to whether such approval, consent, or agreement, shall be given or refused shall (to the extent such decision is not prohibited by section 5 of this Act) be made by the Council, under the general direction of the President. No governor, executive director, or alternate representing the United States shall vote in favor of any waiver of condition under article V, section 4, or in favor of any declaration of the United States dollar as a scarce currency under article VII, section 3, of the Articles of Agreement of the Fund, without prior approval of the Council.

(5) The Council from time to time, but not less frequently than every six months, shall transmit to the President and to the Congress a report with respect to the participation of the United States in the Fund and the Bank.

(6) The Council shall also transmit to the President and to the Congress special reports on the operations and policies of the Fund and the Bank, as provided in this paragraph. The first report shall be made not later than two years after the establishment of the Fund and the Bank, and a report shall be made every two years after the making of the first report. Each such report shall cover and include: The extent to which the Fund and the Bank have achieved the purposes for which they were established; the extent to which the operations and policies of the Fund and the Bank have adhered to, or departed from, the general policy directives formulated by the Council, and the Council's recommendations in connection therewith; the extent to which the operations and policies of the Fund and the Bank have been coordinated, and the Council's recommendations in connection therewith; recommendations on whether the resources of the Fund and the Bank should be increased or decreased; recommendations as to how the Fund and the Bank may be made more effective; recommendations on any other necessary or desirable changes in the Articles of Agreement of the Fund and of the Bank or in this Act; and an over-all appraisal of the extent to which the operations and policies of the Fund and the Bank have served, and in the future may be expected to serve, the interests of the United States and the world in promoting sound international economic cooperation and furthering world security.

(7) The Council shall make such reports and recommendations to the President as he may from time to time request, or as the Council may consider necessary to more effectively or efficiently accomplish

Recommendations.

Coordination of policies and operations.

Decisions on acts requiring approval of U. S.

Restriction on voting.

Periodic reports.

Special reports.

Scope.

the purposes of this Act or the purposes for which the Council is created.

Information concerning activities of designated agencies.

(c) The representatives of the United States on the Fund and the Bank, and the Export-Import Bank of Washington (and all other agencies of the Government to the extent that they make or participate in the making of foreign loans or engage in foreign financial, exchange or monetary transactions) shall keep the Council fully informed of their activities and shall provide the Council with such further information or data in their possession as the Council may deem necessary to the appropriate discharge of its responsibilities under this Act.

CERTAIN ACTS NOT TO BE TAKEN WITHOUT AUTHORIZATION

SEC. 5. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States (a) request or consent to any change in the quota of the United States under article III, section 2, of the Articles of Agreement of the Fund; (b) propose or agree to any change in the par value of the United States dollar under article IV, section 5, or article XX, section 4, of the Articles of Agreement of the Fund, or approve any general change in par values under article IV, section 7; (c) subscribe to additional shares of stock under article II, section 3, of the Articles of Agreement of the Bank; (d) accept any amendment under article XVII of the Articles of Agreement of the Fund or article VIII of the Articles of Agreement of the Bank; (e) make any loan to the Fund or the Bank. Unless Congress by law authorizes such action, no governor or alternate appointed to represent the United States shall vote for an increase of capital stock of the Bank under article II, section 2, of the Articles of Agreement of the Bank.

DEPOSITORIES

SEC. 6. Any Federal Reserve bank which is requested to do so by the Fund or the Bank shall act as its depository or as its fiscal agent, and the Board of Governors of the Federal Reserve System shall supervise and direct the carrying out of these functions by the Federal Reserve banks.

PAYMENT OF SUBSCRIPTIONS

SEC. 7. (a) Subsection (c) of section 10 of the Gold Reserve Act of 1934, as amended (U. S. C., title 31, sec. 822a), is amended to read as follows:

“(c) The Secretary of the Treasury is directed to use \$1,800,000,000 of the fund established in this section to pay part of the subscription of the United States to the International Monetary Fund; and any repayment thereof shall be covered into the Treasury as a miscellaneous receipt.”

(b) The Secretary of the Treasury is authorized to pay the balance of \$950,000,000 of the subscription of the United States to the Fund not provided for in subsection (a) and to pay the subscription of the United States to the Bank from time to time when payments are required to be made to the Bank. For the purpose of making these payments, the Secretary of the Treasury is authorized to use as a public-debt transaction not to exceed \$4,125,000,000 of the proceeds of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payment under this subsection of the subscription of the United States to the Fund or the Bank and repayments thereof shall be treated as public-debt transactions of the United States.

48 Stat. 342.
31 U. S. C., Supp.
IV, § 822a.

Fund.

Payment of balance.

Bank.

Use of U. S. securities.

40 Stat. 288.
31 U. S. C. § 774 (2);
Supp. IV, § 754a *et seq.*
Ante, pp. 47, 48, 59.

(c) For the purpose of keeping to a minimum the cost to the United States of participation in the Fund and the Bank, the Secretary of the Treasury, after paying the subscription of the United States to the Fund, and any part of the subscription of the United States to the Bank required to be made under article II, section 7 (i), of the Articles of Agreement of the Bank, is authorized and directed to issue special notes of the United States from time to time at par and to deliver such notes to the Fund and the Bank in exchange for dollars to the extent permitted by the respective Articles of Agreement. The special notes provided for in this subsection shall be issued under the authority and subject to the provisions of the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include the purposes for which special notes are authorized and directed to be issued under this subsection, but such notes shall bear no interest, shall be non-negotiable, and shall be payable on demand of the Fund or the Bank, as the case may be. The face amount of special notes issued to the Fund under the authority of this subsection and outstanding at any one time shall not exceed in the aggregate the amount of the subscription of the United States actually paid to the Fund, and the face amount of such notes issued to the Bank and outstanding at any one time shall not exceed in the aggregate the amount of the subscription of the United States actually paid to the Bank under article II, section 7 (i), of the Articles of Agreement of the Bank.

(d) Any payment made to the United States by the Fund or the Bank as a distribution of net income shall be covered into the Treasury as a miscellaneous receipt.

OBTAINING AND FURNISHING INFORMATION

SEC. 8. (a) Whenever a request is made by the Fund to the United States as a member to furnish data under article VIII, section 5, of the Articles of Agreement of the Fund, the President may, through any agency he may designate, require any person to furnish such information as the President may determine to be essential to comply with such request. In making such determination the President shall seek to collect the information only in such detail as is necessary to comply with the request of the Fund. No information so acquired shall be furnished to the Fund in such detail that the affairs of any person are disclosed.

(b) In the event any person refuses to furnish such information when requested to do so, the President, through any designated governmental agency, may by subpoena require such person to appear and testify or to appear and produce records and other documents, or both. In case of contumacy by, or refusal to obey a subpoena served upon any such person, the district court for any district in which such person is found or resides or transacts business, upon application by the President or any governmental agency designated by him, shall have jurisdiction to issue an order requiring such person to appear and give testimony or appear and produce records and documents, or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(c) It shall be unlawful for any officer or employee of the Government, or for any advisor or consultant to the Government, to disclose, otherwise than in the course of official duty, any information obtained under this section, or to use any such information for his personal benefit. Whoever violates any of the provisions of this subsection shall, upon conviction, be fined not more than \$5,000, or imprisoned for not more than five years, or both.

(d) The term "person" as used in this section means an individual, partnership, corporation or association.

Issuance of special notes.

Interest, etc.

40 Stat. 288.
31 U. S. C. § 774
(2); Supp. IV, § 754a
et seq.
Ante, pp. 47, 48, 59.

Limitation on amount.

Enforcement procedure.

Unlawful disclosure.

Penalty.

"Person."

FINANCIAL TRANSACTIONS WITH FOREIGN GOVERNMENTS IN DEFAULT

Johnson Debt Default Act, amendment.
48 Stat. 574.

SEC. 9. The Act entitled "An Act to prohibit financial transactions with any foreign government in default on its obligations to the United States", approved April 13, 1934 (U. S. C., title 31, sec. 804a), is amended by adding at the end thereof a new section to read as follows:

Sale or purchase of bonds, etc.

"SEC. 3. While any foreign government is a member both of the International Monetary Fund and of the International Bank for Reconstruction and Development, this Act shall not apply to the sale or purchase of bonds, securities, or other obligations of such government or any political subdivision thereof or of any organization or association acting for or on behalf of such government or political subdivision, or to the making of any loan to such government, political subdivision, organization, or association."

Loans.

JURISDICTION AND VENUE OF ACTIONS

SEC. 10. For the purpose of any action which may be brought within the United States or its Territories or possessions by or against the Fund or the Bank in accordance with the Articles of Agreement of the Fund or the Articles of Agreement of the Bank, the Fund or the Bank, as the case may be, shall be deemed to be an inhabitant of the Federal judicial district in which its principal office in the United States is located, and any such action at law or in equity to which either the Fund or the Bank shall be a party shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of any such action. When either the Fund or the Bank is a defendant in any such action, it may, at any time before the trial thereof, remove such action from a State court into the district court of the United States for the proper district by following the procedure for removal of causes otherwise provided by law.

STATUS, IMMUNITIES AND PRIVILEGES

SEC. 11. The provisions of article IX, sections 2 to 9, both inclusive, and the first sentence of article VIII, section 2 (b), of the Articles of Agreement of the Fund, and the provisions of article VI, section 5 (i), and article VII, sections 2 to 9, both inclusive, of the Articles of Agreement of the Bank, shall have full force and effect in the United States and its Territories and possessions upon acceptance of membership by the United States in, and the establishment of, the Fund and the Bank, respectively.

STABILIZATION LOANS BY THE BANK

SEC. 12. The governor and executive director of the Bank appointed by the United States are hereby directed to obtain promptly an official interpretation by the Bank as to its authority to make or guarantee loans for programs of economic reconstruction and the reconstruction of monetary systems, including long-term stabilization loans. If the Bank does not interpret its powers to include the making or guaranteeing of such loans, the governor of the Bank representing the United States is hereby directed to propose promptly and support an amendment to the Articles of Agreement for the purpose of explicitly authorizing the Bank, after consultation with the Fund, to make or guarantee such loans. The President is hereby authorized and directed to accept an amendment to that effect on behalf of the United States.

STABILIZATION OPERATIONS BY THE FUND

SEC. 13. (a) The governor and executive director of the Fund appointed by the United States are hereby directed to obtain promptly an official interpretation by the Fund as to whether its authority to use its resources extends beyond current monetary stabilization operations to afford temporary assistance to members in connection with seasonal, cyclical, and emergency fluctuations in the balance of payments of any member for current transactions, and whether it has authority to use its resources to provide facilities for relief, reconstruction, or armaments, or to meet a large or sustained outflow of capital on the part of any member.

(b) If the interpretation by the Fund answers in the affirmative any of the questions stated in subsection (a), the governor of the Fund representing the United States is hereby directed to propose promptly and support an amendment to the Articles of Agreement for the purpose of expressly negating such interpretation. The President is hereby authorized and directed to accept an amendment to that effect on behalf of the United States.

FURTHER PROMOTION OF INTERNATIONAL ECONOMIC RELATIONS

SEC. 14. In the realization that additional measures of international economic cooperation are necessary to facilitate the expansion and balanced growth of international trade and render most effective the operations of the Fund and the Bank, it is hereby declared to be the policy of the United States to seek to bring about further agreement and cooperation among nations and international bodies, as soon as possible, on ways and means which will best reduce obstacles to and restrictions upon international trade, eliminate unfair trade practices, promote mutually advantageous commercial relations, and otherwise facilitate the expansion and balanced growth of international trade and promote the stability of international economic relations. In considering the policies of the United States in foreign lending and the policies of the Fund and the Bank, particularly in conducting exchange transactions, the Council and the United States representatives on the Fund and the Bank shall give careful consideration to the progress which has been made in achieving such agreement and cooperation.

Declaration of U. S. policy.

Approved July 31, 1945.

[CHAPTER 340]

AN ACT

To facilitate reconversion, and for other purposes.

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 "Tax Adjustment Act of 1945".

July 31, 1945
[H. R. 3633]
[Public Law 172]

Tax Adjustment Act
of 1945.

SEC. 2. INCREASE IN EXCESS-PROFITS TAX SPECIFIC EXEMPTION.

(a) **IN GENERAL.**—Section 710 (b) (1) of the Internal Revenue Code is amended to read as follows:

"(1) **SPECIFIC EXEMPTION.**—A specific exemption of \$25,000, except that in the case of a taxable year beginning in 1945 and ending in 1946, the specific exemption shall be an amount equal to the sum of (A) an amount which bears the same relation to \$10,000 which the number of days in such taxable year prior to January 1, 1946, bears to the total number of days in such taxable year and (B) an amount which bears the same relation to \$25,000

54 Stat. 975.
26 U. S. C., Supp.
IV, § 710 (b) (1).
Post, p. 571.

which the number of days in such taxable year after December 31, 1945, bears to the total number of days in such taxable year; and in the case of a mutual insurance company (other than life or marine) which is an interinsurer or reciprocal underwriter, a specific exemption of \$50,000;”

54 Stat. 969.
26 U. S. C., Supp.
IV, § 729 (b) (2).

(b) **RETURN REQUIREMENT.**—Section 729 (b) (2) of the Internal Revenue Code is amended by striking out “\$10,000 or, in the case of a mutual insurance company (other than life or marine) which is an interinsurer or reciprocal underwriter, is not greater than \$50,000” and inserting in lieu thereof “the specific exemption provided in section 710 (b) (1)”.

Ante, p. 517; *post*, p.
571.
53 Stat. 58.
26 U. S. C., Supp.
IV, § 141 (c).

(c) **CONSOLIDATED RETURNS.**—Section 141 (c) of the Internal Revenue Code is amended by striking out “of \$10,000” and inserting in lieu thereof “as”.

(d) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendments made by this section shall be applicable to taxable years beginning after December 31, 1945, and to taxable years beginning in 1945 and ending in 1946.

SEC. 3. CHANGES IN PROVISIONS RELATING TO POSTWAR REFUND OF EXCESS-PROFITS TAX.

56 Stat. 936.
26 U. S. C., Supp.
IV, § 780 (a).

(a) The first sentence of section 780 (a) of the Internal Revenue Code is amended by striking out the words “the date of cessation of hostilities in the present war” and substituting in lieu thereof the following: “December 31, 1943”.

56 Stat. 936.
26 U. S. C., Supp.
IV, § 780 (b).

(b) Section 780 (b) of the Internal Revenue Code is amended by striking out the words “three months before the date of maturity of bonds for such year under subsection (c)” and inserting in lieu thereof the following: “July 1, 1945”.

56 Stat. 937.
26 U. S. C., Supp.
IV, § 780 (c).

(c) Section 780 (c) of the Internal Revenue Code is amended (1) by inserting in the last sentence after the words “to which this section applies” the following: “shall be payable at the option of the owner on or after January 1, 1946, and”, and (2) by striking out the last two lines from the table at the end thereof.

56 Stat. 937.
26 U. S. C., Supp.
IV, § 781 (a).

(d) Section 781 (a) of the Internal Revenue Code is amended by striking out the words “three months before the date of maturity of the bonds for such year” and inserting in lieu thereof the following: “July 1, 1945”.

56 Stat. 59.
26 U. S. C., Supp.
IV, § 781 (b).

(e) The last sentence of section 781 (b) of the Internal Revenue Code is amended by striking out the words “the time of the maturity of bonds issued with respect to such taxable year” and substituting in lieu thereof the following: “January 1, 1946”.

56 Stat. 938.
26 U. S. C., Supp.
IV, § 781 (c).

(f) Section 781 (c) of the Internal Revenue Code is amended to read as follows:

“(c) **TAX PAYMENTS AFTER CUT-OFF DATE.**—In the case of a payment of the tax imposed by this subchapter shown on the return for any taxable year for which a credit is provided in section 780 (a), or the payment of a deficiency in respect of such tax for any such taxable year, on or after July 1, 1945, the amount of the credit under section 780 (a) for such taxable year attributable to such payment shall be paid the taxpayer in cash. No interest for the period after December 31, 1945, shall be assessed or collected on that portion of the tax or deficiency so paid equal to the credit under section 780 (a) attributable to such payment. If after January 1, 1946, there is any credit under section 780 (a) remaining in favor of the taxpayer attributable to any taxable year for which a credit is provided in section 780 (a), such remainder shall be paid to the taxpayer in cash. No amount of any payment made under this subsection to a taxpayer shall be included in gross income.”

Supra.

(g) Section 783 of the Internal Revenue Code is amended by inserting at the end thereof the following new subsection:

56 Stat. 938.
26 U. S. C., Supp.
IV, § 783.

“(e) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1943.—The provisions of this section shall not apply to taxable years beginning after December 31, 1943.”

(h) Subchapter E of Chapter 2 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

54 Stat. 975.
26 U. S. C. §§ 710-
752; Supp. IV, §§ 710-
783.
Post, p. 568.

“SEC. 784. TEN PER CENTUM CREDIT AGAINST EXCESS PROFITS TAX.

“(a) ALLOWANCE.—Against the tax imposed by this subchapter for any taxable year beginning after December 31, 1943, there shall be allowed as a credit an amount equal to 10 per centum of such tax.

“(b) SPECIAL INTEREST PROVISION.—No interest shall be allowed or paid upon any overpayment of tax resulting from the application of subsection (a) to a taxable year ending before December 31, 1945, unless, in the return made for such taxable year, the taxpayer claims a credit under such subsection.”

SEC. 4. EXTENSIONS OF TIME FOR PAYMENT OF TAXES BY CORPORATIONS EXPECTING CARRY-BACKS, AND TENTATIVE CARRY-BACK ADJUSTMENTS.

(a) Chapter 37 of the Internal Revenue Code is amended by adding at the end thereof the following new sections:

53 Stat. 464.
26 U. S. C. §§ 3770-
3778; Supp. IV, §§
3770-3772.
Post, pp. 523, 526,
574.

“SEC. 3779. EXTENSIONS OF TIME FOR PAYMENT OF TAXES BY CORPORATIONS EXPECTING CARRY-BACKS.

“(a) IN GENERAL.—If a corporation, in any taxable year ending on or after September 30, 1945, files with the collector a statement, as provided in subsection (b), with respect to an expected net operating loss carry-back or unused excess profits credit carry-back from such taxable year, the time for payment of all or part of any tax imposed by chapter 1 or 2 for the taxable year immediately preceding such taxable year shall be extended, to the extent and subject to the conditions and limitations hereinafter provided in this section.

“(b) CONTENTS OF STATEMENT.—The statement with respect to an expected carry-back referred to in subsection (a) of this section shall be sworn to in the manner prescribed by section 52 in the case of a return and shall be filed at such time and in such manner and form as the Commissioner, with the approval of the Secretary, may by regulations prescribe. Such statement shall set forth that the corporation expects to have a net operating loss carry-back, as provided in section 122 (b), or an unused excess profits credit carry-back, as provided in section 710 (c) (3), from the taxable year in which such statement is made, and shall set forth, in such detail and with such supporting data and explanation as such regulations shall require—

53 Stat. 27.
26 U. S. C. § 52.

“(1) the estimated amount of the expected net operating loss or unused excess profits credit;

“(2) the reasons, facts, and circumstances which cause the corporation to expect such net operating loss or unused excess profits credit;

“(3) the amount of the reduction, attributable to the expected carry-back, in the aggregate of the taxes previously determined for all taxable years affected by the carry-back prior to the taxable year of the expected loss or unused credit; such taxes previously determined being ascertained in accordance with the method prescribed in section 3801 (d); and such reduction being determined by applying the expected carry-back in the manner provided by law to the items on the basis of which such taxes were determined

53 Stat. 867.
26 U. S. C. § 122 (b);
Supp. IV, § 122 (b).
56 Stat. 900.
26 U. S. C., Supp.
IV, § 710 (c) (3).

53 Stat. 473.
26 U. S. C., Supp.
IV, § 3801 (d).

but such reduction being decreased by the amount of any credits under section 780 properly allocable to such reduction;

"(4) the tax or taxes and the amount thereof the time for payment of which is to be extended; and

"(5) such other information for the purpose of carrying out the provisions of this section as may be required by such regulations.

The collector shall, upon request, furnish a receipt for any statement filed, which shall set forth the date of such filing.

"(c) **AMOUNT TO WHICH EXTENSION RELATES AND INSTALLMENT PAYMENTS.**—The amount the time for payment of which may be extended under subsection (a) with respect to any tax shall not exceed the amount of such tax shown on the return, increased by any amount assessed as a deficiency (or as interest or additions to the tax) prior to the date of filing the statement and decreased by any amount paid or required to be paid prior to the date of such filing, and the total amount of the taxes the time for payment of which may be extended shall not exceed the amount stated under clause (3) of subsection (b). For the purposes of this subsection, an amount shall not be considered as required to be paid unless shown on the return or assessed as a deficiency (or as interest or addition to the tax), and an amount assessed as a deficiency (or as interest or additions to the tax) shall be considered to be required to be paid prior to the date of filing of the statement if the tenth day after notice and demand for its payment occurs prior to such date. If an extension of time under this section relates to only a part of a tax, the time for payment of the remainder shall be considered to be the dates on which payments would have been required if such remainder had been the tax and the taxpayer had elected to pay the tax in four equal instalments as provided in section 56 (b).

"(d) **PERIOD OF EXTENSION.**—The extension of time for payment provided in this section shall expire—

"(1) on the last day of the month in which falls the last date prescribed by law (including any extension of time granted the taxpayer) for the filing of the return for the taxable year of the expected net operating loss or unused excess profits credit, or

"(2) if an application for tentative carry-back adjustment provided in section 3780 with respect to such loss or unused credit is filed before the expiration of the period prescribed in clause (1), on the date on which notice is mailed by registered mail by the Commissioner to the taxpayer that such application is allowed or disallowed in whole or in part.

"(e) **REVISED STATEMENTS.**—Each statement filed under subsection (a) with respect to any taxable year shall be in lieu of the last statement previously filed with respect to such year. If the amount the time for payment of which is extended under a statement filed is less than the amount under the last statement previously filed the extension of time shall be terminated as to the difference between the two amounts.

"(f) **TERMINATION BY COMMISSIONER.**—The Commissioner is not required to make any examination of the statement, but he may make such examination thereof as he deems necessary and practicable. The Commissioner shall terminate the extension as to any part of the amount to which it relates which he deems should be terminated because, upon such examination, he believes that, as of the time such examination is made, all or any part of the statement clearly is in a material respect erroneous or unreasonable.

"(g) **PAYMENTS ON TERMINATION.**—If an extension of time is terminated under subsection (e) or (f) with respect to any amount, then—

56 Stat. 936.
26 U. S. C., Supp.
IV, § 780.
Ante, p. 518.

53 Stat. 31.
26 U. S. C., Supp.
IV, § 56 (b).

Post, p. 521.

"(1) no further extension of time shall be made under this section with respect to such amount, and

"(2) the time for payment of such amount shall be considered to be the dates on which payments would have been required if there had been no extension with respect to such amount and the taxpayer had elected to pay the tax in four equal instalments as provided in section 56 (b).

"(h) JEOPARDY.—If the Commissioner believes that collection of the amount to which an extension under this section relates is in jeopardy, he shall immediately terminate such extension and notice and demand shall be made by the collector for payment of such amount.

"(i) INTEREST.—In the case of an amount the time for payment of which has been extended, there shall be collected as part of such amount interest from the dates on which payments would have been required if there had been no extension and the taxpayer had elected to pay the tax in four equal instalments as provided in section 56 (b)—

"(1) upon so much of such amount as is satisfied under section 3780 (b) by applying or crediting thereto, within the period of extension, a decrease in tax determined in connection with an application under section 3780 (a), interest at the rate of 3 per centum per annum to the date of such satisfaction, except that on so much of such satisfied amount as is not in excess of the amount of the deficiencies assessed under section 3780 (b) and which is not so satisfied, the rate shall be 6 per centum per annum; and

"(2) upon the remainder of the amount the time for payment of which has been extended, interest at the rate of 6 per centum per annum to the date such amount is paid.

If the Commissioner determines that during the period of extension credit or refund of an overpayment has been allowed or made, or a deficiency assessed, affecting the amount to which the extension relates and that the taxpayer could not have taken such overpayment or deficiency into account in the statement or a revised statement, appropriate adjustment shall be made in the interest.

"SEC. 3780. TENTATIVE CARRY-BACK ADJUSTMENTS.

"(a) APPLICATION FOR ADJUSTMENT.—A taxpayer may file an application for a tentative carry-back adjustment of the taxes for prior taxable years affected by a net operating loss carry-back, provided in section 122 (b), or an unused excess profits credit carry-back, provided in section 710 (c) (3), from any taxable year ending on or after September 30, 1945. The application shall be verified in the manner prescribed by section 51 or section 52 in the case of a return of such taxpayer, and shall be filed, on or after the date of filing of the return for the taxable year of the net operating loss or unused excess profits credit from which the carry-back results and within a period of twelve months from the end of such taxable year, in the manner and form required by regulations prescribed by the Commissioner with the approval of the Secretary. The application shall set forth, in such detail and with such supporting data and explanation as such regulations shall require—

"(1) the amount of the net operating loss or unused excess profits credit;

"(2) the amount of the tax previously determined for each prior taxable year affected by such carry-back; the tax previously determined being ascertained in accordance with the method prescribed in section 3801 (d);

"(3) the amount of increase or decrease in each such tax, attributable to such carry-back; such increase or decrease being

53 Stat. 31.
26 U. S. C., Supp.
IV, § 56 (b).

53 Stat. 31.
26 U. S. C., Supp.
IV, § 56 (b).

Post, p. 522.

53 Stat. 867.
26 U. S. C., Supp.
IV, § 122 (b).
56 Stat. 900.
26 U. S. C., Supp.
IV, § 710 (c) (3).
53 Stat. 27.
26 U. S. C. §§ 51, 52;
Supp. IV, §§ 51, 52.

53 Stat. 473.
26 U. S. C., Supp.
IV, § 3801 (d).

determined by applying the carry-back in the manner provided by law to the items on the basis of which such taxes were determined. If an application under section 124 (j) for tentative adjustment of tax with respect to amortization has been previously filed but such adjustment has not been previously determined, then for the purposes of this section the assessments, applications, credits, and refunds provided for in section 124 (k) shall be considered as having previously been made upon the basis of such application under section 124 (j);

“(4) the amount by which the aggregate of such decreases exceeds the aggregate of such increases;

“(5) the unpaid amount of each such tax, not including any amount required to be shown under paragraph (6);

“(6) the amount, with respect to each tax for the taxable year immediately preceding the taxable year of such loss or unused credit, as to which an extension of time for payment under section 3779 is in effect; and

“(7) such other information for the purposes of carrying out the provisions of this section as may be required by such regulations.

An application under this subsection shall not constitute a claim for credit or refund.

“(b) ALLOWANCE OF ADJUSTMENTS.—Within a period of ninety days from the date on which an application for a tentative carry-back adjustment is filed under subsection (a), or from the last day of the month in which falls the last date prescribed by law (including any extension of time granted the taxpayer) for filing the return for the taxable year of the net operating loss or unused excess profits credit from which such carry-back results, whichever is the later, the Commissioner shall make, to the extent he deems practicable in such period, a limited examination of the application, to discover omissions and errors of computation therein, and shall determine the amount of the increase or decrease in each tax attributable to such carry-back upon the basis of the application and the examination, except that the Commissioner may disallow, without further action, any application which he finds contains errors of computation which he deems cannot be corrected by him within such ninety-day period or material omissions. Each such increase shall be deemed determined as a deficiency and shall be assessed, without regard to the restrictions on assessment in section 272. Each such decrease shall be applied against any unpaid amount of the tax decreased (including any amount of such tax as to which an extension of time under section 3779 is in effect) and any remainder shall be credited—

“(1) against the deficiencies (and additions to the tax) assessed under this subsection,

“(2) against any unsatisfied amount of any tax for the taxable year immediately preceding the taxable year of the net operating loss or unused excess profits credit the time for payment of which tax is extended under section 3779, and

any remainder shall, within such ninety-day period, be either credited against any income, war profits, or excess profits tax or instalment thereof then due from the taxpayer, or refunded to the taxpayer. The application, credit or refund of a decrease determined under this subsection shall be deemed a credit or refund of an overpayment within the meaning of sections 781 (b) and 3807 (b) (1).

“(c) ASSESSMENT OF ERRONEOUS ALLOWANCES.—If the Commissioner determines that the amount applied, credited or refunded under subsection (b) is in excess of the overassessment attributable to the carry-back with respect to which such amount was applied, credited

Post, p. 525.

Post, p. 526.

Ante, p. 519.

53 Stat. 82.
26 U. S. C. § 272;
Supp. IV, § 272.
Post, p. 673.
Ante, p. 519.

56 Stat. 937; 58 Stat.
75.
26 U. S. C., Supp.
IV, §§ 781 (b), 3807 (b)
(1).
Ante, p. 518.

or refunded, he may assess the amount of the excess as a deficiency as if it were due to a mathematical error appearing on the face of the return, as provided in section 272 (f). Upon making such assessment, the Commissioner shall schedule as an overassessment the decrease in any other tax resulting from the adjustments reflected in the computation of the deficiency.

53 Stat. 83.
26 U. S. C. § 272 (f).

“SEC. 3781. EXTENSION OF TIME AND TENTATIVE CARRY-BACK AND AMORTIZATION ADJUSTMENTS IN THE CASE OF CONSOLIDATED RETURNS.

“If the corporation seeking an extension of time under section 3779, a tentative carry-back adjustment under section 3780, or a tentative adjustment with respect to an amortization deduction under section 124 (j) and (k), made or was required to make a consolidated return, either for the taxable year within which the net operating loss or the unused excess profits credit arises or within which the election is made to terminate the amortization period, or for a preceding taxable year affected by such loss, credit, or election, the provisions of such sections shall apply only to such extent and subject to such conditions, limitations, and exceptions as the Commissioner, with the approval of the Secretary, may by regulations prescribe.”

Ante, pp. 519, 521.

Post, pp. 525, 526.

(b) Section 294 of the Internal Revenue Code is amended by adding at the end thereof the following new subsection:

53 Stat. 88.
26 U. S. C. § 294;
Supp. IV, § 294.

“(e) **SUBSTANTIAL OVERSTATEMENT OF EXPECTED CARRY-BACKS.**—If the time for payment of any tax or taxes for any taxable year is extended under section 3779, there shall be added to such tax or taxes an amount equal to 5 per centum of the penalty portion, if any, of the amount to which such extension relates, unless the taxpayer establishes to the satisfaction of the Commissioner that, as of the end of the taxable year in which such extension was made, there was reasonable cause to expect there would be no such penalty portion. The penalty portion shall be the excess of the amount to which such extension relates which is not paid by the end of the taxable year in which such extension is made over 125 per centum of the amount to which such extension relates which is satisfied by applying thereto a decrease in tax in respect of an application under section 3780 (a) less any amounts assessed in respect of such application which are not so satisfied.”

Ante, p. 519.

Ante, p. 521.

(c) Section 3777 of the Internal Revenue Code is amended by adding at the end thereof the following new subsection:

53 Stat. 466.
26 U. S. C. § 3777.
Post, p. 574.

“(c) **TENTATIVE CARRY-BACK ADJUSTMENTS.**—Any credit or refund allowed or made under section 3780 (b) shall be made without regard to the provisions of subsection (a). In any such case, if the credit or refund, reduced by any deficiency in such tax thereafter assessed and by deficiencies in any other tax resulting from adjustments reflected in the determination of the credit or refund, is in excess of \$75,000, there shall be submitted to such committee a report containing the matter specified in subsection (a) at such time after the making of the credit or refund as the Commissioner shall determine the correct amount of the tax.”

Ante, p. 522

SEC. 5. PERIOD OF LIMITATION IN CASE OF CARRY-BACKS.

(a) Section 322 (b) (5) of the Internal Revenue Code is amended by striking the words “or of a carry-back” where they appear in subparagraph (B) thereof, and by striking the last sentence and inserting in lieu thereof the following: “If the claim for credit or refund relates to an overpayment on account of the effect that the deductibility of such a debt or loss has on the application to the taxpayer of a carry-back, the period shall be either seven years from the date prescribed by law for filing the return for the year of the net operating loss or

56 Stat. 877.
26 U. S. C., Supp.
IV, § 322 (b) (5).

the unused excess profits credit which results in such carry-back or the period prescribed in paragraph (6), whichever expires the later. In the case of a claim described in this paragraph, the amount of the credit or refund may exceed the portion of the tax paid within the period prescribed in paragraph (2) or (3), whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of items described in this paragraph."

53 Stat. 91.
26 U. S. C. § 322 (b);
Supp. IV, § 322 (b).
Ante, p. 523.
Post, p. 569.

(b) Section 322 (b) of the Internal Revenue Code is amended by inserting immediately following paragraph (5) the following new paragraph:

"(6) SPECIAL PERIOD OF LIMITATION WITH RESPECT TO NET OPERATING LOSS CARRY-BACKS AND UNUSED EXCESS PROFITS CREDIT CARRY-BACKS.—If the claim for credit or refund relates to an overpayment attributable to a net operating loss carry-back or to an unused excess profits credit carry-back, in lieu of the three-year period of limitation prescribed in paragraph (1), the period shall be that period which ends with the expiration of the three-year period prescribed in paragraph (1) or the period prescribed in paragraph (3), whichever expires later, within which claim for credit or refund may be filed with respect to the taxable year of the net operating loss or the unused excess profits credit which results in such carry-back. In the case of such a claim, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in paragraph (2) or (3), whichever is applicable, to the extent of the amount of the overpayment attributable to such carry-back."

53 Stat. 92.
26 U. S. C., Supp.
IV, § 322 (d).

(c) Section 322 (d) of the Internal Revenue Code is amended by striking the period at the end thereof and inserting in lieu thereof the following: "; or (3), if such portion was not paid within the period described in clause (1), but the notice of deficiency was mailed within the period prescribed in subsection (b) (6) for the filing of a claim for credit or refund of an overpayment attributable to a carry-back, or such a claim was filed, that such portion does not exceed the amount of the overpayment attributable to a carry-back".

Supra.

53 Stat. 91.
26 U. S. C. § 322;
Supp. IV, § 322.
Ante, p. 523; *supra*;
post, pp. 569, 573.

(d) Section 322 of the Internal Revenue Code is amended by inserting immediately following subsection (f) the following new subsection:

"(g) OVERPAYMENTS ATTRIBUTABLE TO NET OPERATING LOSS CARRY-BACKS AND UNUSED EXCESS PROFITS CREDIT CARRY-BACKS.—If the allowance of a credit or refund of an overpayment of tax attributable to a net operating loss carry-back or to an unused excess profits credit carry-back is otherwise prevented by the operation of any law or rule of law other than section 3761, relating to compromises, such credit or refund may be allowed or made, if claim therefor is filed within the period provided in subsection (b) (6). If the allowance of an application, credit or refund of a decrease in tax determined under section 3780 (b) is otherwise prevented by the operation of any law or rule of law other than section 3761, such application, credit or refund may be allowed or made if application for a tentative carry-back adjustment is made within the period provided in section 3780 (a). In the case of any such claim for credit or refund or any such application for a tentative carry-back adjustment, the determination by any court, including The Tax Court of the United States, in any proceeding in which the decision of the court has become final, shall be conclusive except with respect to the net operating loss deduction and the unused excess profits credit adjustment, and the effect of such deduction or adjustment, to the extent that such deduction or adjustment is affected by a carry-back which was not in issue in such proceeding."

53 Stat. 462.
26 U. S. C. § 3761.

Ante, p. 522.

Ante, p. 521.

(e) Section 276 of the Internal Revenue Code is amended by inserting immediately following subsection (c) the following new subsection:

53 Stat. 87.
26 U. S. C. § 276.
Post, p. 569.

“(d) **NET OPERATING LOSS CARRY-BACKS AND UNUSED EXCESS PROFITS CREDIT CARRY-BACKS.**—A deficiency attributable to the application to the taxpayer of a net operating loss carry-back or an unused excess profits credit carry-back, including deficiencies which may be assessed pursuant to the provisions of section 3780 (b) and (c), may be assessed at any time prior to the expiration of the period within which a deficiency may be assessed with respect to the taxable year of the claimed net operating loss or unused excess profits credit resulting in such carry-back.”

Ante, p. 522.

(f) **EFFECTIVE DATE.**—The amendments made by this section shall be applicable with respect to all taxable years beginning after December 31, 1940, except that the amendment made by subsection (d) shall not be applicable to any taxable year with respect to which the taxpayer and the Commissioner have entered into a closing agreement under the provisions of section 3760, prior to the date of enactment of this Act, in any case in which it is expressly provided in such closing agreement that the tax liability for such taxable year is not to be affected by a net operating loss carry-back or by an unused excess profits credit carry-back.

53 Stat. 462.
26 U. S. C. § 3760.

SEC. 6. INTEREST IN CONNECTION WITH CARRY-BACKS.

(a) Section 292 of the Internal Revenue Code is amended by adding at the end thereof the following new subsection:

53 Stat. 88.
26 U. S. C., Supp.
IV, § 292.

“(c) **DEFICIENCY RESULTING FROM CARRY-BACK AND RELATED MATTERS.**—If any part of a deficiency is determined by the Commissioner to be attributable (A) to a carry-back to which an overpayment described in section 3771 (e), or a decrease determined under section 3780 (b), in any other tax is attributable, or (B) to an error in the amount or effect of a carry-back which resulted in a credit or refund of an overpayment with interest computed pursuant to section 3771 (e), or in a decrease determined under section 3780 (b), no interest shall be assessed or paid under subsection (a) with respect to such part of the deficiency for any period during which interest was not allowed with respect to such overpayment or for a period prior to the application of such decrease.”

56 Stat. 848.
26 U. S. C., Supp.
IV, § 3771 (e).
Infra.
Ante, p. 522.

(b) Section 3771 (e) of the Internal Revenue Code is amended by substituting a semicolon for the period at the end thereof and adding the following: “nor for any period beginning with the date of filing of an application under section 3780 (a) relating to such part of the overpayment and ending with the last date the Commissioner’s determination is required to be made under section 3780 (b); nor, in case an application is made under section 3780 (a), for any period before the first day of the month immediately following the month in which falls the last date prescribed by law (including any extension of time granted the taxpayer) for filing the return for the taxable year of the net operating loss or unused excess profits credit, or before the date on which the return is filed, whichever is later.”

56 Stat. 848.
26 U. S. C., Supp.
IV, § 3771 (e).

Ante, p. 521.

SEC. 7. TENTATIVE ADJUSTMENTS WITH RESPECT TO AMORTIZATION DEDUCTIONS.

Section 124 of the Internal Revenue Code is amended by inserting at the end thereof the following new subsections:

54 Stat. 968.
26 U. S. C. § 124;
Supp. IV, § 124.

“(j) **APPLICATION FOR TENTATIVE ADJUSTMENT.**—Any taxpayer who has filed a statement of election as prescribed in paragraph (4) of subsection (d) may, within ninety days from the date such statement is filed, or within ninety days from the date of enactment of this Act, whichever is the later, file an application for tentative adjustment

with respect to the taxes for taxable years prior to the taxable year in which such application is filed which are to be computed as required by paragraph (4) of subsection (d) as the result of such election. Such application shall be verified in the manner prescribed by section 51 or section 52 in the case of a return of such taxpayer and shall be made in such manner and form as shall be required by regulations prescribed by the Commissioner with the approval of the Secretary, and shall set forth, in such detail and with such supporting data and explanation as such regulations shall require, the recomputation of such taxes required by paragraph (4) of subsection (d) except that the tax for each taxable year to be recomputed shall be the tax for such year previously determined, ascertained in accordance with the method prescribed in section 3801 (d). If an application under section 3780 (a) for tentative carry-back adjustment has been previously filed, but such adjustment has not been previously determined, then for the purpose of subsection (j) and (k), the assessments, applications, credits, and refunds provided in section 3780 (b) shall be considered as having been previously made upon the basis of such application under section 3780 (a). Such recomputation of tax shall be made on the basis of the items on the basis of which the tax to be recomputed was determined. Such application shall also set forth the unpaid amount of each tax recomputed and such other information for the purpose of carrying out the provisions of subsections (j) and (k) as may be required by such regulations. An application under this subsection shall not constitute a claim for credit or refund.

“(k) ALLOWANCE OF ADJUSTMENT.—Within a period of ninety days from the filing of an application under subsection (j), the Commissioner shall make, to the extent he deems practical in such period, a limited examination of the application for omissions and errors of computation, and shall determine the amount of the increase or decrease in each tax to which such application relates, on the basis of the application and the examination, except that the Commissioner may disallow, without further action, any application which he finds contains material omissions, or errors of computation which he deems cannot be corrected by him within such ninety-day period. Each increase shall be deemed determined as a deficiency and assessed, without regard to the restrictions on assessment in section 272. Each decrease shall be applied against any unpaid amount of the tax decreased, and any remainder shall be credited against the deficiencies (and interest or additions to the tax) assessed under this subsection, and any remainder shall, within such ninety-day period, be either credited against any other income, war profits, or excess profits tax, or instalment thereof, due from the taxpayer, or refunded to the taxpayer. The application, credit, or refund of a decrease determined under this subsection shall be deemed a credit or refund of an overpayment within the meaning of section 781 (b).”

Approved July 31, 1945.

[CHAPTER 341]

AN ACT

To provide for increasing the lending authority of the Export-Import Bank of Washington, and for other purposes.

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 “Export-Import Bank Act of 1945”.

SEC. 2. (a) The Export-Import Bank of Washington, District of Columbia, a banking corporation organized under the laws of the District of Columbia as an agency of the United States, is continued

53 Stat. 27.
26 U. S. C. §§ 51, 52;
Supp. IV, §§ 51, 52.

53 Stat. 473.
26 U. S. C., Supp.
IV, § 3801 (d).
Ante, p. 521.

Ante, p. 522.

Ante, p. 525.

53 Stat. 82.
26 U. S. C. § 272;
Supp. IV, § 272.
Post, p. 673.

56 Stat. 937.
26 U. S. C., Supp.
IV, § 781 (b).
Ante, p. 613.

July 31, 1945
[H. R. 3771]
[Public Law 173]

Short title.

Export-Import
Bank of Washington.
Post, p. 666.

as an agency of the United States, and in addition to existing charter powers, and without limitation as to the total amount of obligations thereto of any borrower, endorser, acceptor, obligor, or guarantor at any time outstanding, it is hereby authorized and empowered to make loans, to discount, rediscount or guarantee notes, drafts, bills of exchange, and other evidences of debt, or participate in the same, for the purpose of aiding in the financing and facilitating of exports and imports and the exchange of commodities between the United States or any of its Territories or insular possessions and any foreign country or the agencies or nationals thereof. The Bank is hereby authorized to use all its assets, including capital and net earnings therefrom, and to use all moneys which have been or may hereafter be allocated to or borrowed by it, in the exercise of its functions as such agency.

(b) It is the policy of the Congress that the Bank in the exercise of its functions should supplement and encourage and not compete with private capital, and that loans, so far as possible consistently with carrying out the purposes of subsection (a), shall generally be for specific purposes, and, in the judgment of the Board of Directors, offer reasonable assurance of repayment.

SEC. 3. (a) (1) The management of the Export-Import Bank of Washington shall be vested in a Board of Directors consisting of the Administrator of the Foreign Economic Administration, who shall serve as Chairman, the Secretary of State, and three persons appointed by the President of the United States by and with the advice and consent of the Senate. The Secretary of State, to such extent as he deems it advisable, may designate to act for him in the discharge of his duties as a member of the Board of Directors any officer of the Department of State who shall have been appointed by and with the advice and consent of the Senate.

(2) If the Foreign Economic Administration ceases to exist in the Office for Emergency Management in the Executive Office of the President, the President of the United States shall appoint by and with the advice and consent of the Senate another member of the Board of Directors. The member so appointed shall serve for the remainder of the existing terms of the other three appointed members, but successors shall be appointed for terms of five years. After the Foreign Economic Administrator ceases to be a member of the Board of Directors the President of the United States shall, from time to time, designate one of the members of the Board to serve as Chairman.

(3) Of the five members of the Board, not more than three shall be members of any one political party. Each of the appointed directors shall devote his time not otherwise required by the business of the United States principally to the business of the Bank. Before entering upon his duties each of the directors so appointed and each officer of the Bank shall take an oath faithfully to discharge the duties of his office. The terms of the appointed directors shall be five years, except that the terms of the directors first appointed shall run from the date of appointment until June 30, 1950. Whenever a vacancy occurs among the directors so appointed, the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the director whose place he is selected to fill. Each of the appointed directors shall receive a salary at the rate of \$12,000 per annum, unless he is an officer of the Bank, in which event he may elect to receive the salary of such officer. No director, officer, attorney, agent, or employee of the Bank shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any corporation, partnership, or association in which he is directly or indirectly personally interested.

(b) A majority of the Board of Directors shall constitute a quorum.

Additional powers.

Use of assets, etc.

Policy of Congress.

Loans.

Board of Directors.
Composition.

Infra.

Secretary of State.

Appointment of another member of Board if FEA ceases to exist.

Terms.

Vacancies.

Salary.

Questions affecting personal interests, etc.

Quorum.

Bylaws.

(c) The Board of Directors shall adopt such bylaws as are necessary for the proper management and functioning of the Export-Import Bank of Washington, and may amend the same.

Advisory Board.
Composition.

(d) There shall be an Advisory Board consisting of the Chairman of the Export-Import Bank of Washington, who shall serve as Chairman, the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, and the Chairman of the Board of Governors of the Federal Reserve System, which shall meet at the call of the Chairman. The Advisory Board may make such recommendations to the Board of Directors as it deems advisable, and the Board of Directors shall consult the Advisory Board on major questions of policy.

Interim management
of affairs of
Bank.

(e) Until October 31, 1945, or until at least two of the members of the Board of Directors to be appointed have qualified as such directors, whichever is the earlier, the affairs of the Bank shall continue to be managed by the existing Board of Trustees.

Bank an independ-
ent agency.

(f) The Export-Import Bank of Washington shall constitute an independent agency of the United States and neither the Bank nor any of its functions, powers, or duties shall be transferred to or consolidated with any other department, agency, or corporation of the Government unless the Congress shall otherwise by law provide.

Capital stock.
Payment.

SEC. 4. The Export-Import Bank of Washington shall have a capital stock of \$1,000,000,000 subscribed by the United States. Payment for \$1,000,000 of such capital stock shall be made by the surrender to the Bank for cancellation of the common stock heretofore issued by the Bank and purchased by the United States. Payment for \$174,000,000 of such capital stock shall be made by the surrender to the Bank for cancellation of the preferred stock heretofore issued by the Bank and purchased by the Reconstruction Finance Corporation. Payment for the \$825,000,000 balance of such capital stock shall be subject to call at any time in whole or in part by the Board of Directors of the Bank. For the purpose of making payments of such balance, the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payment under this section of the subscription of the United States to the Bank and repayments thereof shall be treated as public-debt transactions of the United States. Certificates evidencing stock ownership of the United States shall be issued by the Bank to the President of the United States, or to such other person or persons as he may designate from time to time, to the extent of the common and preferred stock surrendered and other payments made for the capital stock of the Bank under this section.

Financing of pay-
ments.

40 Stat. 288.
31 U. S. C. § 774(2);
Supp. IV, § 754a *et seq.*
Ante, pp. 47, 48, 59.

Certificates evidenc-
ing stock ownership.
Issuance.Payments to RFC
for preferred stock.

40 Stat. 288.
31 U. S. C. § 774(2);
Supp. IV, § 754a *et seq.*
Ante, pp. 47, 48, 59.

Dividends.

SEC. 5. (a) The Secretary of the Treasury shall pay to the Reconstruction Finance Corporation the par value of the preferred stock upon its surrender to the Bank for cancellation. For the purpose of making such payments to the Reconstruction Finance Corporation the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payment under this subsection to the Reconstruction Finance Corporation shall be treated as public-debt transactions of the United States.

(b) Any dividends on the preferred stock accumulated and unpaid to the date of its surrender for cancellation shall be paid to the Reconstruction Finance Corporation by the Bank.

Issuance of notes,
etc., by Bank.

Aggregate amount.

SEC. 6. The Export-Import Bank of Washington is authorized to issue from time to time for purchase by the Secretary of the Treasury its notes, debentures, bonds, or other obligations; but the aggregate

amount of such obligations outstanding at any one time shall not exceed two and one-half times the authorized capital stock of the Bank. Such obligations shall be redeemable at the option of the Bank before maturity in such manner as may be stipulated in such obligations and shall have such maturity and bear such rate of interest as may be determined by the Board of Directors of the Bank with the approval of the Secretary of the Treasury. The Secretary of the Treasury is hereby authorized and directed to purchase any obligations of the Bank issued hereunder and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payment under this section of the purchase price of such obligations of the Bank and repayments thereof by the Bank shall be treated as public-debt transactions of the United States.

Purchase of obligations by Treasury.

40 Stat. 288.
31 U. S. C. § 774(2);
Supp. IV, § 754a *et seq.*
Ante, pp. 47, 48, 59.

SEC. 7. The Export-Import Bank of Washington shall not have outstanding at any one time loans and guaranties in an aggregate amount in excess of three and one-half times the authorized capital stock of the Bank.

Limitation on outstanding loans and guaranties.

SEC. 8. The provisions of the existing charter of the Bank relating to the term of its existence, to the management of its affairs, and to its capital stock are superseded by the provisions of this Act and the Bank shall be exempt from compliance with any provisions of law relating to the amendment of certificates of incorporation or to the retirement or increase of stock of District of Columbia corporations and from the payment of any fee or tax to the Recorder of Deeds of the District of Columbia determined upon the value or amount of capital stock of the Bank or any increase thereof.

Term of existence of Bank, etc.

Exemption.

SEC. 9. The Export-Import Bank of Washington shall transmit to the Congress semiannually a complete and detailed report of its operations. The report shall be as of the close of business on June 30 and December 31 of each year.

Semiannual reports to Congress.

SEC. 10. Section 9 of the Act of January 31, 1935 (49 Stat. 4, ch. 2), as amended, is repealed.

Repeal.
15 U. S. C. § 713b;
Supp. IV, § 713b.

SEC. 11. Notwithstanding the provisions of the Act of April 13, 1934 (48 Stat., ch. 112, p. 574), any person, including any individual, partnership, corporation, or association, may act for or participate with the Export-Import Bank of Washington in any operation or transaction, or may acquire any obligation issued in connection with any operation or transaction, engaged in by the Bank.

31 U. S. C. § 804a.

Approved July 31, 1945.

[CHAPTER 342]

JOINT RESOLUTION

Providing for membership of the United States in the Food and Agriculture Organization of the United Nations.

July 31, 1945
[H. J. Res. 145]
[Public Law 174]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the Food and Agriculture Organization of the United Nations (hereinafter referred to as the "Organization") the Constitution of which is set forth in appendix I of the First Report to the Governments of the United Nations by the Interim Commission on Food and Agriculture, dated August 1, 1944.

"Organization."

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum not exceeding \$625,000 during the first fiscal year of the Organization and sums

Appropriations authorized.
Post, p. 663.

not exceeding \$1,250,000 annually thereafter as may be required for expenditure under the direction of the Secretary of State, for the payment by the United States of its proportionate share in the expenses of the Organization.

Integration of functions, etc.

SEC. 3. In adopting this joint resolution, it is the sense of the Congress that the Government of the United States should use its best efforts to bring about, as soon as practicable, the integration of the functions and the resources of the International Institute of Agriculture with those of the Organization, in a legal and orderly manner, to effect one united institution in such form as to provide an adequate research, informational, and statistical service for the industry of agriculture.

New obligations.

SEC. 4. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States accept any amendment under paragraph 1 of article XX of the Constitution of the Organization involving any new obligation for the United States.

SEC. 5. In adopting this joint resolution the Congress does so with the understanding that paragraph 2 of article XIII does not authorize the Conference of the Organization to so modify the provisions of its Constitution as to involve any new obligation for the United States.

Approved July 31, 1945.

[CHAPTER 343]

AN ACT

For the relief of the Borough of Beach Haven, Ocean County, New Jersey.

July 31, 1945
[H. R. 1595]

[Public Law 175]

Borough of Beach
Haven, Ocean County,
N. J.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Borough of Beach Haven, Ocean County, New Jersey, the sum of \$2,300. The payment of such sum shall be in full settlement of all claims of the said Borough of Beach Haven against the United States on account of property damage sustained on March 3, 1944, when a Navy Department airplane collided with the roof of the borough's elevated water tank: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 363]

JOINT RESOLUTION

To establish the first week in October of each year as National Employ the Physically Handicapped Week.

August 11, 1945

[H. J. Res. 23]

[Public Law 176]

National Employ
the Physically Handi-
capped Week.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the first week in October of each year shall be designated as National Employ the Physically Handicapped Week. During said week, appropriate ceremonies are to be held throughout the Nation, the purpose of which will be to enlist public support for and interest in the employment of otherwise qualified but physically handicapped workers.

The President is hereby requested to issue a suitable proclamation each year, and the Governors of States, mayors of cities, and heads of other instrumentalities of government, as well as leaders of industry, educational and religious groups, labor, veterans, women, farm, scientific and professional, and all other organizations and individuals at interest are invited to participate.

Approved August 11, 1945.

Post, p. 881.

[CHAPTER 364]

AN ACT

To amend sections 2720 (a) and 3260 (a) of the Internal Revenue Code relating to the transfer tax, and the tax on manufacturers and dealers, in the case of certain small-gauge guns.

August 11, 1945

[H. R. 122]

[Public Law 177]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2720 (a) of the Internal Revenue Code is amended to read as follows:

“(a) **RATE.**—There shall be levied, collected, and paid upon firearms transferred in the continental United States a tax at the rate of \$200 for each firearm: *Provided,* That the transfer tax on any gun with two attached barrels, twelve inches or more in length, from which only a single discharge can be made from either barrel without manual reloading, or any gun designed to be held in one hand when fired and having a barrel twelve inches or more in length from which only a single discharge can be made without manual reloading, shall be at the rate of \$1. The tax imposed by this section shall be in addition to any import duty imposed on such firearm.”

53 Stat. 291.
26 U. S. C. § 2720
(a).
Transfer tax on certain firearms.

SEC. 2. Section 3260 (a) of the Internal Revenue Code is amended by striking out “*Provided,* That manufacturers and dealers in guns with two attached barrels from which only a single discharge can be made from either barrel without manual reloading shall pay the following taxes: Manufacturers, \$25 per year; dealers, \$1 per year.” and inserting in lieu thereof the following: “*Provided,* That manufacturers and dealers in guns with two attached barrels, twelve inches or more in length, from which only a single discharge can be made from either barrel without manual reloading, guns designed to be held in one hand when fired and having a barrel twelve inches or more in length from which only a single discharge can be made without manual reloading, or guns of both types, shall pay the following taxes: Manufacturers, \$25 per year; dealers, \$1 per year.”

53 Stat. 392.
26 U. S. C. § 3260
(a).

Tax on manufacturers and dealers.

SEC. 3. (a) The amendment made by the first section of this Act shall apply with respect to any transfer within the scope thereof made on or after July 1, 1945.

Applicability of amendments.

(b) The amendment made by section 2 of this Act shall apply with respect to any tax within the scope thereof payable under section 3260 (a) of the Internal Revenue Code for any taxable period commencing on or after July 1, 1945.

Approved August 11, 1945.

[CHAPTER 365]

AN ACT

To amend paragraph 682 of title 16 of the United States Code.

August 11, 1945

[H. R. 690]

[Public Law 178]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 682 of title 16 of the United States Code, 1940 edition (Act of February 28, 1925, ch. 376, 43 Stat. 1091), be, and the same is hereby, amended by striking out the last sentence thereof.

Ozark National
Forest, Ark.
Game refuge.
16 U. S. C., Supp.
IV, § 682.

Approved August 11, 1945.

[CHAPTER 366]

AN ACT

To authorize the War Food Administrator or the Secretary of Agriculture to adjust boundary disputes by settling claims to certain so-called Sebastian Martin grant lands, in the State of New Mexico.

August 11, 1945
[H. R. 2613]
[Public Law 179]

Sebastian Martin
grant lands, N. Mex.
Adjustment of
claims authorized.

7 U. S. C., Supp. IV,
§ 1011.

Procedure in settle-
ment of claims in dis-
pute.

Sale of unclaimed
lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That either the War Food Administrator or the Secretary of Agriculture be, and either of them is hereby, authorized to adjust claims to any portions of the so-called Sebastian Martin grant lands, situated between State Highway Numbered 64 and the western boundary of said grant, and between the fence constructed by the Government on the west side of Ojo Sarco Creek and the eastern boundary of said grant, in the State of New Mexico, which are administered under title III of the Bankhead-Jones Farm Tenant Act of July 22, 1937 (50 Stat. 522, 525; 7 U. S. C., secs. 1010-1012).

SEC. 2. That for the purpose of carrying out the provisions of this Act, if the War Food Administrator or the Secretary of Agriculture shall find, within twenty years after the acquisition by the United States of the lands described in section 1, that the title to any portion or portions of the aforesaid lands is in dispute, and that the person or persons claiming the same or their predecessors in the occupancy thereof and under whom the right thereto is claimed, have been in open, actual, visible, exclusive, hostile, continuous, and adverse possession thereof, for a period of ten years previous to the date on which the United States acquired such land or interest, irrespective of whether color of title during such possession can be established or not, either the War Food Administrator or the Secretary of Agriculture is hereby authorized to execute and deliver, on behalf of and in the name of the United States, to the person or persons so occupying said lands, whom either of them finds entitled thereto under the provisions of this Act, a quitclaim deed to such land or interest.

SEC. 3. Either the War Food Administrator or the Secretary of Agriculture is further authorized, upon a finding by either of them, that any lands situated within the areas described in section 1, which are not claimed by any person or persons as aforesaid, or right to which cannot be established as aforesaid, are not suitable for use and administration in connection with the land-conservation and land-utilization program administered under title III of the Bankhead-Jones Farm Tenant Act, to sell such lands so situated, under such terms and conditions as either of them deems will best accomplish the purposes of title III of the Bankhead-Jones Farm Tenant Act: *Provided, however,* That the consideration to be paid for such lands shall not be less than the value as appraised by authorized representatives of the United States.

Approved August 11, 1945.

[CHAPTER 367]

AN ACT

To exempt certain mechanical pencils having precious metals as essential parts from the tax with respect to jewelry, and so forth.

August 11, 1945
[H. R. 3239]
[Public Law 180]

I. R. C., amend-
ment.
55 Stat. 718.
26 U. S. C., Supp.
IV, § 2400.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2400 of the Internal Revenue Code (relating to the retailers' excise tax on jewelry, etc.) is amended by striking out "to a fountain pen or smokers' pipe if the only parts of the pen or the pipe" and inserting in lieu thereof "to a fountain pen, mechanical pencil, or smokers' pipe if the only parts of the pen, the pencil, or the pipe".

SEC. 2. The amendment made by this Act shall take effect on the first day of the first month which begins more than ten days after the date of the enactment of this Act.

Approved August 11, 1945.

[CHAPTER 368]

AN ACT

To provide for administration of the Surplus Property Act of 1944 by a Surplus Property Administrator.

September 18, 1945
[H. R. 3907]
[Public Law 181]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the Office of War Mobilization and Reconversion a Surplus Property Administration which shall be headed by a Surplus Property Administrator. The Administrator shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate of \$12,000 per year. The term of office of the Administrator shall be two years.

Surplus Property Administration.
Establishment, etc.
Ante, p. 484.

SEC. 2. (a) Effective at the time the Surplus Property Administrator first appointed under this Act qualifies and takes office, the Surplus Property Board created by section 5 of the Surplus Property Act of 1944 is abolished, all of its functions are transferred to, and shall be exercised by, the Surplus Property Administrator, and all of its personnel (except the members thereof), records, and property (including office equipment) are transferred to, and shall become, respectively, the personnel, records, and property of the Surplus Property Administration.

Abolishment of Board.

58 Stat. 768.
50 U. S. C., Supp. IV, § 1614.
Transfer of functions, etc.

(b) So much of the unexpended balances of appropriations, allocations, or other funds available for the use of the Surplus Property Board in the exercise of any function transferred by this Act shall be transferred to the Surplus Property Administration for use in connection with the exercise of the functions so transferred.

Transfer of funds.

(c) All regulations, policies, determinations, authorizations, requirements, designations, and other actions of the Surplus Property Board, made, prescribed, or performed before the transfer of functions provided by subsection (a) of this section shall, except to the extent rescinded, modified, superseded, or made inapplicable by the Surplus Property Administrator, have the same effect as if such transfer had not been made; but functions vested in the Surplus Property Board by any such regulation, policy, determination, authorization, requirement, designation, or other action shall, insofar as they are to be exercised after the transfer, be considered as vested in the Surplus Property Administrator.

Regulations, prior actions, etc., of Board.

Functions.

Approved September 18, 1945.

[CHAPTER 369]

AN ACT

To amend the Veterans Regulations to provide additional rates of compensation or pension and remedy inequalities as to specific service-incurred disabilities in excess of total disability.

September 20, 1945
[H. R. 3644]
[Public Law 182]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subparagraphs (k) to (o) of paragraph II, part I, Veterans Regulation Numbered 1 (a), as amended, are hereby amended, and a new subparagraph (p) added to said paragraph II, to read as follows:

Veterans Regulations, amendments.
38 U. S. C., note foll. § 724; Supp. IV, note foll. § 735.

“(k) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of one foot, or one hand, or blindness of one eye, having only light perception, the rate of pension provided in part I, paragraph II, subparagraphs

Rates for war-service-incurred disabilities.

(a) to (j), shall be increased by \$35 per month; and in the event of anatomical loss or loss of use of one foot, or one hand, or blindness of one eye, having only light perception, in addition to the requirement for any of the rates specified in subparagraphs (l) to (n), inclusive, of part I, paragraph II, as herein amended, the rate of pension shall be increased by \$35 per month for each such loss or loss of use, but in no event to exceed \$300 per month.

“(l) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss, or loss of use of both hands, or both feet, or of one hand and one foot, or is blind in both eyes, with $5/200$ visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, the monthly pension shall be \$200.

“(m) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of two extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, or has suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, the monthly pension shall be \$235.

“(n) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss of two extremities so near the shoulder or hip as to prevent the use of a prosthetic appliance or has suffered the anatomical loss of both eyes, the monthly pension shall be \$265.

“(o) If the disabled person, as the result of service-incurred disability, has suffered disability under conditions which would entitle him to two or more of the rates provided in one or more of the subparagraphs (l) to (n), inclusive, of part I, paragraph II of this Regulation, no condition being considered twice in the determination, or has suffered total deafness in combination with total blindness with $5/200$ visual acuity or less, the monthly pension shall be \$300.

“(p) In the event the disabled person's service-incurred disabilities exceed the requirements for any of the rates prescribed herein, the Administrator, in his discretion, may allow the next higher rate or an intermediate rate, but in no event in excess of \$300.”

SEC. 2. Subparagraphs (k) to (o) of paragraph II, part II, Veterans Regulations Numbered 1 (a), as amended, are hereby amended, and a new subparagraph (p) added to said paragraph II, to read as follows:

“(k) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of one foot, or one hand, or blindness of one eye, having only light perception, the rate of pension provided in part II, paragraph II, subparagraphs (a) to (j), shall be increased by \$26.25 per month; and in the event of anatomical loss or loss of use of one foot, or one hand, or blindness of one eye, having only light perception, in addition to the requirement for any of the rates specified in subparagraphs (l) to (n), inclusive, of part II, paragraph II, as herein amended, the rate of pension shall be increased by \$26.25 per month for each such loss or loss of use but in no event to exceed \$225 per month.

“(l) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss, or loss of use of both hands, or both feet, or of one hand and one foot, or is blind in both eyes, with $5/200$ visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, the monthly pension shall be \$150.

“(m) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of two extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, or has suffered blindness in both eyes,

rendering him so helpless as to be in need of regular aid and attendance, the monthly pension shall be \$176.25.

“(n) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss of two extremities so near the shoulder or hip as to prevent the use of a prosthetic appliance or has suffered the anatomical loss of both eyes, the monthly pension shall be \$198.75.

“(o) If the disabled person, as the result of service-incurred disability, has suffered disability under conditions which would entitle him to two or more of the rates provided in one or more of the subparagraphs (l) to (n), inclusive, of part II, paragraph II, of this Regulation, no condition being considered twice in the determination, or has suffered total deafness in combination with total blindness with 5/200 visual acuity or less, the monthly pension shall be \$225.

“(p) In the event the disabled person’s service-incurred disabilities exceed the requirements for any of the rates prescribed herein, the Administrator, in his discretion, may allow the next higher rate or an intermediate rate, but in no event in excess of \$225.”

SEC. 3. The increased rates provided by this Act shall be effective from the first day of the first month following the passage of this Act, and shall be deemed to include the 15 per centum increase in the rate of compensation or pension payable for service-incurred disability under section 1, Public Law 312, Seventy-eighth Congress, May 27, 1944, or Public Law 469, Seventy-eighth Congress, December 7, 1944.

Approved September 20, 1945.

Effective date of increased rates.

58 Stat. 229, 797.
38 U. S. C., Supp. IV, §§ 471a-1, 471a-2.

[CHAPTER 382]

AN ACT

To authorize the sale of certain public lands in Alaska to the Catholic bishop of Alaska, in trust for the Roman Catholic Church.

September 24, 1945
[H. R. 1992]
[Public Law 183]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Catholic bishop of Alaska, in trust for the Roman Catholic Church, is hereby authorized for a period of one year from and after the effective date of this Act to purchase, and the Secretary of the Interior is hereby authorized and directed to convey to the bishop, for use as a shrine and for religious and recreational purposes, the following-described public lands situated in the Tongass National Forest, in Alaska:

Alaska.
Sale of certain lands authorized.

Two tracts of land situated at approximately latitude fifty-eight degrees twenty-eight minutes north, longitude one hundred and thirty-four degrees forty-eight minutes west, the said tracts consisting of tract A, of which the area is forty-five and twenty-seven one-hundredths acres, and tract B, or Shrine Island, of which the area is one and fourteen one-hundredths acres, the specific boundaries of said tracts to be those defined by a survey executed by Charles H. Forward, forester, on May 19, 1945, the field notes and plat of said survey being of record in the office of the Forest Service at Juneau, Alaska.

Description.

SEC. 2. That the conveyance shall be made upon the payment by the said bishop for the land at its reasonable appraised price of not less than \$1.25 per acre, to be fixed jointly by the Secretary of the Interior and the Secretary of Agriculture: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws or found by the Secretary of the Interior or the Secretary of Agriculture to be needed for public purposes: *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior.

Purchase price.

Lands excluded.

Reservation of mineral rights.

Approved September 24, 1945.

[CHAPTER 383]

AN ACT

September 24, 1945
[S. 374]
[Public Law 184]

To amend the Act of October 29, 1919, entitled "An Act to punish the transportation of stolen motor vehicles in interstate or foreign commerce."

National Motor Vehicle Theft Act, amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2, subsection (a), of the National Motor Vehicle Theft Act (41 Stat. 324; 18 U. S. C. 408), is amended by adding the following new language at the end thereof: "and the term 'aircraft' means any contrivance now known or hereafter invented, used, or designed for navigation of or for flight in the air".

41 Stat. 324,
18 U. S. C. § 408.

SEC. 2. Sections 3, 4, and 5 of the National Motor Vehicle Theft Act are amended by adding after the words "motor vehicle" wherever they appear therein, the words "or aircraft".

Title.

SEC. 3. The title of the Act of October 29, 1919, is amended to read "An Act to punish the transportation of stolen motor vehicles or aircraft in interstate or foreign commerce".

Approved September 24, 1945.

[CHAPTER 384]

AN ACT

September 24, 1945
[S. 397]
[Public Law 185]

To provide for the presentation of medals to members of the United States Antarctic Expedition of 1939-1941.

U. S. Antarctic Expedition of 1939-41. Medals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized and directed to cause to be made at the United States mint such number of gold, silver, and bronze medals of appropriate design as he may deem appropriate and necessary, to be presented to members of the United States Antarctic Expedition of 1939-1941, in recognition of their valuable services to the Nation in the field of polar exploration and science.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved September 24, 1945.

[CHAPTER 385]

AN ACT

September 24, 1945
[S. 1045]
[Public Law 186]

To provide for pay and allowances and transportation and subsistence of personnel discharged or released from the Navy, Marine Corps, and Coast Guard because of under age at the time of enlistment, and for other purposes.

Navy, Marine Corps, and reserve components.

Under-age personnel.
Discharge pay and allowances.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy, under such regulations as he may prescribe, may discharge or release from the Navy, Marine Corps, and the reserve components thereof, with pay and allowances and discharge certificate found appropriate for their service after enlistment, enlisted persons who heretofore have secured or hereafter may secure enlistment by reason of false statement of age on their applications for enlistment and have therefore been enlisted while under the minimum statutory or administrative age limit. When so discharged or released such enlisted persons shall be furnished transportation in kind and subsistence from the place of discharge to their home.

Coast Guard.

SEC. 2. Whenever the Coast Guard is operating as a part of the Navy the provisions of this Act shall be applicable to personnel of the Coast Guard, exclusive of temporary members of the Coast Guard Reserve on active duty without full military pay and allowances. When the Coast Guard is operating under the Treasury Department,

the powers conferred upon the Secretary of the Navy in section 1 of this Act shall be vested in the Secretary of the Treasury.

SEC. 3. Appropriations available for pay and allowances, subsistence, and transportation of enlisted personnel of the Navy, Marine Corps, and Coast Guard shall be available for the payment of pay and allowances, subsistence, and transportation authorized by this Act.

SEC. 4. All payments heretofore made of a character authorized under the provisions of this Act, if otherwise correct, are hereby validated.

SEC. 5. The Act approved July 1, 1944 (Public Law 398, Seventy-eighth Congress), entitled "An Act to provide for the transportation to their homes of persons discharged from the naval service because of under age at the time of enlistment", is hereby repealed.

Approved September 24, 1945.

Availability of appropriations.

Validation of prior payments.

Repeal.
58 Stat. 672.
34 U. S. C., Supp. IV, § 900.

[CHAPTER 388]

AN ACT

To provide for termination of daylight saving time.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Act of January 20, 1942, entitled "An Act to promote the national security and defense by establishing daylight saving time", at 2 o'clock antemeridian on Sunday, September 30, 1945, the standard time of each zone established pursuant to the Act entitled "An Act to save daylight and to provide standard time for the United States", approved March 19, 1918, as amended, shall be returned to the mean astronomical time of the degree of longitude governing the standard time for such zone as provided in such Act of March 19, 1918, as amended.

Approved September 25, 1945.

September 25, 1945
[H. R. 3974]
[Public Law 187]

Termination of daylight saving time.
56 Stat. 9.
15 U. S. C., Supp. IV, § 261 note.

40 Stat. 450.
15 U. S. C. §§ 261-264.

[CHAPTER 389]

AN ACT

To authorize the Commissioner of the General Land Office and the registers of the land offices in Alaska to perform functions under the Alaska real property ownership declaration law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the General Land Office and the registers of the land offices in Alaska are hereby authorized to perform the functions assigned to them by the Act of the Legislature of the Territory of Alaska entitled "An Act to require declaration of the ownership of land, to impose a penalty for noncompliance, and to dispose of the proceeds of such penalties", approved March 24, 1945.

SEC. 2. The said Commissioner and the said registers shall not be entitled to receive any additional compensation for the performance of the said functions and no expense incurred by them in connection therewith shall constitute an obligation of the United States.

SEC. 3. The Secretary of the Interior is hereby authorized to designate, in his discretion, any other officers or employees of the Department of the Interior to perform the said functions upon like conditions.

Approved September 26, 1945.

September 26, 1945
[H. R. 3886]
[Public Law 188]

Alaska.
Performance of functions under real property law.

No additional compensation.

Personnel provision.

[CHAPTER 390]

JOINT RESOLUTION

September 26, 1945
[S. J. Res. 78]
[Public Law 189]

To provide for designation of the Veterans' Administration Hospital at Crugers-on-Hudson, near Peekskill, New York, as "Franklin Delano Roosevelt Hospital".

Franklin Delano
Roosevelt Hospital.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proposed Veterans' Administration hospital at Crugers-on-Hudson, near Peekskill, New York, shall be known and designated on the public records as the "Franklin Delano Roosevelt Hospital".

Approved September 26, 1945.

[CHAPTER 393]

AN ACT

October 6, 1945
[H. R. 3951]
[Public Law 190]

To stimulate volunteer enlistments in the Regular Military and Naval Establishments of the United States.

Armed Forces Vol-
untary Recruitment
Act of 1945.
Recruiting cam-
paigns.

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 "Armed Forces Voluntary Recruitment Act of 1945".

SEC. 2. The Secretary of War and the Secretary of the Navy are authorized and directed to initiate and carry forward intensive recruiting campaigns to obtain volunteer enlistments and reenlistments in the Regular Military and Naval Establishments.

SEC. 3. (a) The Act entitled "An Act to provide for enlistments in the Regular Army during the period of the war, and for other purposes", approved June 1, 1945 (Public Law 72, Seventy-ninth Congress), is hereby amended to read as follows:

Ante, p. 230.

Enlistments and re-
enlistments in Regu-
lar Army.
Optional periods.

"That notwithstanding the limitations contained in any other provision of law, the Secretary of War is authorized and directed to accept original enlistments and reenlistments in the Regular Army for periods of eighteen months or two or three years, at the option of the person so enlisted, from among qualified male persons not less than seventeen years of age, including persons in active service in the Army of the United States or any component thereof: *Provided*, That upon the presentation of satisfactory evidence as to his age and upon written application for discharge by his parent or guardian presented to the Secretary of War within six months after the date of his enlistment, any man enlisted under the provisions of this Act who is under twenty-one years of age and who has enlisted without the written consent of his parent or guardian, if any, shall be discharged from that portion of his contract of enlistment as extends beyond the duration of the present wars and six months thereafter: *Provided further*, That such person, when discharged from the service, shall receive the form of discharge and the travel and other allowances to which his service after enlistment shall entitle him: *Provided further*, That no person under the age of eighteen years shall be enlisted without the written consent of his parents or guardians, and the Secretary of War shall, upon the application of the parents or guardians of any such person enlisted without their written consent, discharge such person from the military service with pay and with the form of discharge certificate to which the service of such person, after enlistment, shall entitle him. Nothing contained in this Act shall be construed to deprive any person of any right to reenlistment in the Regular Army under any other provision of law. Any qualified and acceptable member of the Army of the United States, or of any component thereof, who has performed active service therein for a period of not less than six months, shall, upon his application, be accepted for an enlistment period of one

Persons under 21.

Persons under 18.

Eligibility of mem-
bers of Army of U. S.

year plus the period of any furlough granted at the beginning of such enlistment. No person who is serving under an enlistment contracted on or after June 1, 1945, shall be entitled, before the expiration of the period of such enlistment, to enlist for an enlistment period which will expire before the expiration of the enlistment period for which he is so serving.

"SEC. 2. The Secretary of War is authorized to promulgate such regulations as may be necessary to effectuate the purposes of this Act.

"SEC. 3. The Secretary of War shall report to the Congress quarterly, the first such report to be made as of December 31, 1945, the number of enlisted men on active duty in the Regular Army who have been enlisted or reenlisted on or after June 1, 1945. The authority conferred by section 1 to accept original enlistments and reenlistments in the Regular Army shall terminate on June 30, 1947.

"SEC. 4. Any person who enlists or reenlists in the Regular Military Establishment on or after June 1, 1945, in the seventh grade, upon the completion of six months' active service, shall unless sooner promoted, be promoted to the sixth grade, providing he meets such qualifications as may be prescribed in regulations promulgated by the Secretary of War."

(b) The amendment made by this section shall be effective as if it had been part of such Act of June 1, 1945, when such Act was originally enacted.

SEC. 4. Whenever any enlisted man of the Regular Army shall have completed not less than twenty or more than twenty-nine years of active service, he may upon his own request be transferred to the Enlisted Reserve Corps (to remain a member thereof until his active service plus the period of his membership in such Corps equals thirty years) and at the same time be retired from the Regular Army. An enlisted man so transferred and retired shall receive, except with respect to periods of active duty he may be required to perform, until his death, annual pay equal to 2½ per centum of the average annual enlisted pay (including longevity pay) he was receiving for the six months immediately preceding his retirement multiplied by a sum equal to the sum of the number of years of his active service performed not in excess of twenty-nine years. The number of years of service to be credited in computing the right to retirement and retirement pay authorized by this section, or any other provision of law providing for the retirement of an enlisted man of the Regular Army, shall include all active Federal military service performed in the Army of the United States, the Navy, the Marine Corps or the Coast Guard, or any component thereof, any fractional part of a year amounting to six months or more to be counted as a complete year.

SEC. 5. Notwithstanding any other provisions of law, persons enlisted or reenlisted in the Regular Military or Naval Establishment shall be enlisted or reenlisted in such grades or ratings as may be prescribed by the Secretary of War and the Secretary of the Navy, respectively: *Provided*, That any person enlisted or reenlisted prior to February 1, 1946, in the Regular Military or Naval Establishment within twenty days after discharge from such establishment shall be enlisted or reenlisted in a grade or rating at least as high as the highest grade or rating, permanent or temporary, held by him at the time of such discharge.

SEC. 6. Every person discharged or released from the military or naval forces on or after June 1, 1945, who enlists or reenlists in the Regular Military or Naval Establishment (irrespective of the service from which discharged or released), and who is granted a reenlistment furlough or leave, shall be paid in advance at his option, at

Enlistment while serving under unexpired contract.

Regulations.

Quarterly reports to Congress.

Termination of authority to accept enlistments.

Promotions.

Retirement of Regular Army enlisted men.

Grades or ratings.

Furlough travel allowance.

the time such furlough or leave becomes effective, a furlough travel allowance at the rate of 5 cents a mile for the distance between his home or such other place as, subject to regulations prescribed by the Secretary of the Department concerned, he may select, and the place at which he is stationed when the furlough or leave becomes effective, and for the distance between his home, or other place so selected, and the place at which he is ordered to report for duty at the termination of the furlough or leave. If, in order to reach his home, or other place so selected, or to reach the place at which he is ordered to report for duty at the termination of the furlough or leave, sea travel is necessary, he shall be furnished for such sea travel transportation in kind and subsistence en route, and the distance thereof shall be excluded in computing the monetary allowance under the preceding sentence. No monetary allowance shall be paid under this section if travel allowance at least as great has been paid under section 126 of the National Defense Act upon the discharge or release immediately preceding the enlistment or reenlistment, and if travel allowance in a lesser amount has been so paid under section 126 of the National Defense Act, the monetary allowance provided for in this section shall be reduced by that so paid under such section 126. Any appropriated funds available to the Department of War or the Navy to defray the cost of travel of military or naval personnel shall be available to defray expenses incurred in carrying out the provisions of this section.

Sea travel.

Disallowance.

39 Stat. 217.
10 U. S. C. § 752;
Supp. IV, § 752.

Funds available.

58 Stat. 9.
38 U. S. C., Supp.
IV, § 691b (b).

Mustering-out payments.

SEC. 7. (a) Section 2 (b) of the Mustering-Out Payment Act of 1944 is amended to read as follows:

“(b) Each person eligible to receive mustering-out payment under subsection (a) (1) shall receive one-third of the stipulated amount at the time of final discharge or ultimate relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment; and the remaining amount of such payment shall be paid in two equal installments—one month and two months, respectively, from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (2) shall receive one-half of the stipulated amount at the time of final discharge or ultimate relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment; and the remaining amount of such payment shall be paid one month from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (3) shall receive the stipulated amount at the time of such discharge or relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment. A person entitled to receive the first installment of the mustering-out payment at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment shall, at his election, receive the whole of such payment in one lump sum, rather than in installments.”

38 U. S. C., Supp.
IV, § 691c.
Optional payment.

(b) Section 3 of such Act is amended by inserting before the period at the end thereof the following: “, or, at the option of such member, for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment”.

Applicability of amendments.

(c) The amendments made by this section shall be applicable, in the case of the Naval Establishment, with respect to enlistments, reenlistments, and appointments on or after February 1, 1945, and

in the case of the Military Establishment, with respect to enlistments, reenlistments, and appointments on or after June 1, 1945.

SEC. 8. Section 10 of the Pay Readjustment Act of 1942, as amended, is amended by inserting before the last paragraph thereof a new paragraph reading as follows:

"The amount of the enlistment allowance payable to persons enlisted or reenlisted in the Regular Military Establishment on or after June 1, 1945, or in the Regular Naval Establishment on or after February 1, 1945, shall be computed at the rate prescribed for enlisted men of the first three grades. For the purpose of determining the eligibility of any person enlisted or reenlisted in the Regular Military Establishment on or after June 1, 1945, or in the Regular Naval Establishment on or after February 1, 1945, to receive the enlistment allowance, and in computing the amount thereof, all continuous active Federal service in the Army of the United States, or any component thereof (if enlisted or reenlisted in the Regular Military Establishment), or in the Navy, Marine Corps, or Coast Guard, or any reserve component thereof (if enlisted or reenlisted in the Regular Naval Establishment), whether in enlisted grades or in commissioned, commissioned warrant, or warrant officer grades, shall, if honorably performed subsequent to the payment of the last previous enlistment allowance, be credited as a period of active enlisted service. In determining whether active Federal service is continuous, any interruptions, of not more than ninety days each, between periods of such service shall be disregarded."

SEC. 9. (a) Section 101 of the Servicemen's Dependents Allowance Act of 1942, as amended, is amended to read as follows:

"SEC. 101. The dependent or dependents of any enlisted man in the Army of the United States, the United States Navy, the Marine Corps, or the Coast Guard, including any and all retired and reserve components of such services, shall be entitled to receive a monthly family allowance for any period during which such enlisted man is in the active military or naval service of the United States on or after June 1, 1942, (1) during the existence of any war declared by Congress and the six months immediately following the termination of any such war or (2) during a period of enlistment or reenlistment contracted by such enlisted man prior to July 1, 1946."

(b) Section 108 (b) of the Servicemen's Dependents Allowance Act of 1942, as amended, is amended to read as follows:

"(b) Monetary allowance in lieu of quarters for dependents authorized by section 10 of the Pay Readjustment Act of 1942, as amended, shall not be payable for any period with respect to which family allowances to dependents of enlisted men of the first, second, or third grades are being paid. An enlisted man of the first, second, or third grade may at his option receive either the monetary allowance in lieu of quarters for dependents or have his dependents become entitled to receive family allowance, except that payment of the monetary allowance shall be made only for such periods, from the effective date of this Act, as the enlisted man has in effect an allotment of pay, in an amount not less than the amount of such monetary allowance, for the support of the dependents on whose account the allowance is claimed. No dependents of any enlisted man shall be entitled to family allowance for any period for which such monetary allowance is paid to the enlisted man. The Secretary of the Department concerned is authorized to exercise the option on behalf of the enlisted man in any case in which he deems it desirable and finds it impracticable for the enlisted man to exercise his option, subject to termination at a later date upon specific request of the

56 Stat. 363.
37 U. S. C., Supp.
IV, § 110.

Enlistment allow-
ance, computation.

56 Stat. 381.
37 U. S. C., Supp.
IV, § 201.
Monthly family al-
lowance.

57 Stat. 579.
37 U. S. C., Supp.
IV, § 208 (b).

Allowance in lieu of
quarters for depend-
ents.
Supra.

Option of enlisted
man.

Exercise of option
on behalf of enlisted
man.

enlisted man. Whenever any option under this subsection is exercised, payments pursuant thereto shall begin at a date to be prescribed by the Secretary of the Department concerned. The monthly pay of any enlisted man of the first, second, or third grade who is provided with public quarters for his dependents and any of whose dependents is receiving a family allowance shall be reduced by, or charged with, 90 cents per day."

(c) The exercise of an option under the amendment made by this section to receive the family allowance shall in no event have the effect of entitling the enlisted man to continue to have such family allowance beyond the period during which family allowance payments are authorized to be made under the Servicemen's Dependents Allowance Act of 1942.

SEC. 10. Any first-class letter mail matter admissible to the mails as ordinary mail matter which is sent by a member of the military or naval forces of the United States (including the United States Coast Guard), while on active duty or in the active military or naval service of the United States, to any person in the United States, including the Territories and possessions thereof, shall be transmitted in the mails free of postage, subject to such rules and regulations as the Postmaster General shall prescribe. This section shall cease to be in effect after December 31, 1947.

SEC. 11. (a) Part VIII of Veterans Regulation Numbered 1 (a) (added thereto by title II of the Servicemen's Readjustment Act of 1944) is amended by inserting at the end thereof a new paragraph reading as follows:

"12. For the purposes of this part, the present war shall not be considered as terminating, in the case of any individual, before the termination of such individual's first period of enlistment or reenlistment contracted within one year after the date of the enactment of the Armed Forces Voluntary Recruitment Act of 1945."

(b) Section 500 of the Servicemen's Readjustment Act of 1944 is amended by inserting at the end thereof a new subsection reading as follows:

"(d) For the purposes of this title, the present war shall not be considered as terminating, in the case of any individual, before the termination of such individual's first period of enlistment or reenlistment contracted within one year after the date of the enactment of the Armed Forces Voluntary Recruitment Act of 1945."

(c) Section 700 of the Servicemen's Readjustment Act of 1944 is amended by inserting at the end thereof a new subsection reading as follows:

"(c) For the purposes of this title, neither the present war nor hostilities therein shall be considered as terminating, in the case of any individual, before the termination of such individual's first period of enlistment or reenlistment contracted within one year after the date of the enactment of the Armed Forces Voluntary Recruitment Act of 1945."

SEC. 12. Section 2 of the Pay Readjustment Act of 1942, as amended, is amended by striking out " : *Provided further*, That this section shall be effective from December 7, 1941, and shall cease to be in effect twelve months after the termination of the present war is proclaimed by the President".

SEC. 13. Wherever the terms "Navy" or "Naval Establishment" are used in this Act the term shall be deemed to include the Coast Guard, and wherever authority is given to the Secretary of the Navy similar authority shall be deemed given to the Secretary of the Treasury to be exercised with respect to the Coast Guard at such time or times as the Coast Guard shall be operating under the Treasury Department.

Charge against enlisted man's pay.

Time limitation.
56 Stat. 381.
37 U. S. C., Supp.
IV, § 201 *et seq.*
Ante, p. 541.

Free mailing privilege.

58 Stat. 287, 290.
38 U. S. C., Supp.
IV, note foll. § 735.

58 Stat. 291.
38 U. S. C., Supp.
IV, § 694.
Post, p. 626.

58 Stat. 295.
38 U. S. C., Supp.
IV, § 696.

56 Stat. 360.
37 U. S. C., Supp.
IV, § 102.

Coast Guard.

SEC. 14. The Secretary of War, with the approval of the Philippine Government, is hereby authorized to enlist in the Philippine Scouts, with pay and allowances authorized under existing law, fifty thousand men for service in the Philippine Islands, in the occupation of Japan and of lands now or formerly subject to Japan, and elsewhere in the Far East. Such enlistments shall be for three years unless sooner terminated and citizens of the Philippine Islands shall be eligible to volunteer for such service.

Approved October 6, 1945.

Philippine Scouts.

[CHAPTER 394]

JOINT RESOLUTION

Authorizing the President of the United States of America to proclaim October 11, 1945, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

October 11, 1945
[H. J. Res. 15]
[Public Law 191]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1945, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

General Pulaski's
Memorial Day.
10 F. R. 12339.
Post, p. 886.

Approved October 11, 1945.

[CHAPTER 409]

AN ACT

To authorize the exchange of certain lands in the vicinity of the War Department Pentagon Building in Arlington, Virginia.

October 11, 1945
[S. 888]
[Public Law 192]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized, under such terms and conditions as he may prescribe, to convey to the Rosslyn Connecting Railroad Company, its successors and/or assigns, all right, title, and interest of the United States of America in and to a parcel of land located within the boundaries of the War Department Pentagon grounds in Arlington, Virginia, aggregating four and three hundred and twenty-five one-thousandths acres, more or less; that the Federal Works Administrator be, and he is hereby authorized, under such terms and conditions as he may prescribe, to convey to the Rosslyn Connecting Railroad Company, its successors and/or assigns, all right, title, and interest of the United States of America in and to a parcel of land, aggregating one hundred and fifty-nine one-thousandths acre, more or less, immediately adjacent to the above described parcel of land, and that the Commissioners of the District of Columbia be, and they are hereby, authorized, under such terms and conditions as they may prescribe, to convey to the Rosslyn Connecting Railroad Company, its successors and/or assigns, all right, title, and interest of the United States of America in and to a parcel of land, aggregating seven hundred and ninety-four ten-thousandths acre, more or less, being a portion of the abandoned approach to the Highway Bridge, otherwise known as the Fourteenth Street Bridge (United States Highway Numbered 1), immediately adjacent to the next above described parcel of land, and that in exchange therefor, the United States of America accept all right, title, and interest of the Rosslyn Connecting Railroad Company in twelve and two hundred and twenty-five one thousandths acres of land, more or less, situate in the same vicinity.

Arlington, Va.
Exchange of lands
near Pentagon Building.

Approved October 11, 1945.

[CHAPTER 410]

AN ACT

October 11, 1945
[H. R. 3466]
[Public Law 193]

To amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

Nationality Act of 1940, amendment.

8 U. S. C., Supp. IV, § 809.

Citizens residing abroad.
54 Stat. 1170.
8 U. S. C. §§ 804, 807.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 409 of the Nationality Act of 1940, as amended (54 Stat. 1171; 55 Stat. 743; 56 Stat. 779; 58 Stat. 747; 8 U. S. C. 809), is amended to read as follows:

“SEC. 409. Nationality shall not be lost under the provisions of section 404 or 407 of this Act until the expiration of six years following the date of the approval of this Act: *Provided, however*, That a naturalized person who shall have become subject to the presumption that he has ceased to be an American citizen as provided for in the second paragraph of section 2 of the Act of March 2, 1907 (34 Stat. 1228), and who shall not have overcome it under the rules in effect immediately preceding the date of the approval of this Act, shall continue to be subject to such presumption for the period of six years following the date of the approval of this Act unless it is overcome during such period.”

Approved October 11, 1945.

[CHAPTER 415]

AN ACT

October 16, 1945
[H. R. 476]
[Public Law 194]

To revive and reenact the Act entitled “An Act creating the Saint Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Saint Lawrence River at or near Ogdensburg, New York”, approved June 14, 1933, as amended.

Saint Lawrence River.
Bridge at Ogdensburg, N. Y.

48 Stat. 141, 927;
49 Stat. 301, 1202; 50 Stat. 631; 53 Stat. 621;
54 Stat. 259; 55 Stat. 655.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 14, 1933, as amended (heretofore extended by Acts of Congress approved June 8, 1934, May 28, 1935, April 11, 1936, August 12, 1937, April 26, 1939, June 8, 1940, and August 21, 1941), creating the Saint Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Saint Lawrence River at or near Ogdensburg, New York, be, and is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

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

Approved October 16, 1945.

[CHAPTER 416]

AN ACT

October 16, 1945
[H. R. 656]
[Public Law 195]

To provide further for the appointment of postmasters for fourth-class post offices in the Territory of Alaska.

Alaska.
Postmasters of fourth-class post offices.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, any officer, agent, or employee of the United States Government, who is a citizen of the United States, shall be eligible to appointment as postmaster of a fourth-class post office in the Territory of Alaska and may serve and act as such postmaster and receive the compensation provided by law for such services.

Approved October 16, 1945.

[CHAPTER 417]

AN ACT

To revive and reenact the Act entitled "An Act to authorize the city of Duluth, in the State of Minnesota, to construct a toll bridge across the Saint Louis River, between the States of Minnesota and Wisconsin, and for other purposes", approved August 7, 1939.

October 16, 1945
[H. R. 3150]
[Public Law 196]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved August 7, 1939 (heretofore amended and extended by an Act of Congress approved April 30, 1940, and further extended and amended by an Act of Congress approved May 9, 1941), authorizing the city of Duluth, in the State of Minnesota, to construct a toll bridge across the Saint Louis River between the States of Minnesota and Wisconsin, and for other purposes, be, and is hereby, revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof: *Provided further*, That no toll shall be charged to any vehicle owned by the United States Government.

Saint Louis River.
Bridge at Duluth,
Minn.
53 Stat. 1268; 54 Stat.
172; 55 Stat. 181.

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

Approved October 16, 1945.

[CHAPTER 418]

AN ACT

Authorizing the reconstruction of the Spring Common Bridge on Mahoning Avenue, across the Mahoning River in the municipality of Youngstown, Mahoning County, Ohio.

October 16, 1945
[H. R. 3373]
[Public Law 197]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Ohio Department of Highways be, and is hereby, authorized to construct, and that the county of Mahoning in the State of Ohio, acting by and through its duly elected board of county commissioners be, and is hereby, authorized to operate and maintain a new free highway bridge (commonly known as the Spring Common Bridge), and approaches thereto, across the Mahoning River on Mahoning Avenue in the city of Youngstown, Mahoning County, Ohio, and to remove the existing structure, such construction work to start before or during the first full postwar calendar year and to be completed within two years after the end of such first full postwar calendar year. Such bridge shall be of a design suitable to the interests of navigation in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Mahoning River.
Bridge in Youngs-
town, Ohio.

Removal of existing
structure.

34 Stat. 84.
33 U. S. C. §§ 491-
498.

Approved October 16, 1945.

[CHAPTER 419]

AN ACT

Authorizing the appointment of an additional judge for the district of Kansas.

October 16, 1945
[H. R. 3871]
[Public Law 198]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the judicial district of the State of Kansas, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district.

Kansas judicial dis-
trict.
Additional judge.

Vacancy not to be filled.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the district of Kansas, by the retirement, disqualification, or death of either judge, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

Approved October 16, 1945.

[CHAPTER 431]

AN ACT

October 18, 1945
[H. R. 1765]
[Public Law 199]

To provide for the conveyance to the State of Iowa of the Agricultural Byproducts Laboratory on the campus of the Iowa State College of Agriculture and Mechanic Arts.

State of Iowa.
Conveyance of Agricultural Byproducts Laboratory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to donate and convey to the State of Iowa all right, title, and interest of the United States in and to certain premises, situate on the campus of the Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa, conveyed to the United States by the State of Iowa by warranty deed dated January 12, 1934, recorded in deed book 76, page 374, of the records of Story County, Iowa, and the laboratory building which the United States has erected thereon for farm waste investigations.

Approved October 18, 1945.

[CHAPTER 432]

JOINT RESOLUTION

October 22, 1945
[S. J. Res. 109]
[Public Law 200]

To extend in the case of aluminum plants and facilities the time during which disposition of such plants and facilities is prohibited under the Surplus Property Act of 1944, as amended.

58 Stat. 775.
50 U. S. C., Supp.
IV, app. § 1628 (c).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 19 of the Surplus Property Act of 1944, as amended, is amended by inserting after the words "thirty days" the following: "(or sixty days in the case of aluminum plants and facilities)".

Approved October 22, 1945.

[CHAPTER 433]

AN ACT

To amend the Bonneville Project Act.

October 23, 1945
[H. R. 2690]
[Public Law 201]

Bonneville Project Act, amendments.
16 U. S. C. § 832a (f).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (f) of the Act of August 20, 1937 (50 Stat. 731), as amended by the Act of March 6, 1940 (54 Stat. 47), is hereby amended to read as follows:

Contracts, etc.

"Subject only to the provisions of this Act, the Administrator is authorized to enter into such contracts, agreements, and arrangements, including the amendment, modification, adjustment, or cancellation thereof and the compromise or final settlement of any claim arising thereunder, and to make such expenditures, upon such terms and conditions and in such manner as he may deem necessary."

50 Stat. 734.
16 U. S. C. § 832d.

SEC. 2. Section 5 (a) of the said Act is hereby amended by inserting before the period at the end of the first sentence the words "and for the disposition of electric energy to Federal agencies".

50 Stat. 735.
16 U. S. C. § 832e.

SEC. 3. Section 6 of the said Act is hereby amended by changing the period at the end of the first sentence to a semicolon and adding the following: "and such rates and charges shall also be applicable to dispositions of electric energy to Federal agencies."

SEC. 4. Section 9 (a) of the said Act is hereby amended by changing the period to a comma and adding: "and in the maintenance of such accounts, appropriate obligations shall be established for annual and sick leave of absence as earned. The Administrator shall, after the close of each fiscal year, obtain an independent commercial-type audit of such accounts. The forms, systems, and procedures prescribed by the Comptroller General for the Administrator's appropriation and fund accounting shall be in accordance with the requirements of the Federal Water Power Act with respect to accounts of electric operations of public utilities and the regulations of the Federal Power Commission pursuant thereto."

SEC. 5. Section 2 (a) of the said Act is hereby amended by striking the language inserted by section 1 of the Act of March 6, 1940 (54 Stat. 47); and section 10 of the said Act is hereby amended to read as follows:

"(a) The Secretary of the Interior shall appoint, without regard to the civil-service laws, an Assistant Administrator, chief engineer, and general counsel and shall fix the compensation of each in accordance with the Classification Act of 1923, as amended. The Assistant Administrator shall perform the duties and exercise the powers of the Administrator, in the event of the absence or sickness of the Administrator until such absence or sickness shall cease and in the event of a vacancy in the office of Administrator until a successor is appointed.

"(b) The Administrator, the Secretary of War, and the Federal Power Commission, respectively, are authorized to appoint, subject to the civil-service laws, such officers and employees as may be necessary to carry out the purposes of this Act, the appointment of whom is not otherwise provided for, and to fix their compensation in accordance with the Classification Act of 1923, as amended. The Administrator may employ laborers, mechanics, and workmen in connection with construction work or the operation and maintenance of electrical facilities (hereinafter called 'laborers, mechanics, and workmen'), subject to the civil-service laws, and fix their compensation without regard to the Classification Act of 1923, as amended, and any other laws, rules, or regulations relating to the payment of employees of the United States except the Act of May 29, 1930 (46 Stat. 468), as amended, to the extent that it otherwise is applicable. The Administrator is further authorized to employ physicians, under agreement and without regard to civil-service laws or regulations, to make physical examinations of employees or prospective employees who are or may become laborers, mechanics, and workmen. The Administrator, the Secretary of War, and the Federal Power Commission, respectively, are also authorized to appoint, without regard to the civil-service laws, such experts as may be necessary for carrying out the functions entrusted to them under this Act and to fix the compensation of each of such experts without regard to the Classification Act of 1923, as amended, but at not to exceed \$7,500 per annum.

"(c) The Administrator may accept and utilize such voluntary and uncompensated services and with the consent of the agency concerned may utilize such officers, employees, or equipment of any agency of the Federal, State, or local governments which he finds helpful in carrying out the purposes of this Act; in connection with the utilization of such services, reasonable payments may be allowed for necessary travel and other expenses."

SEC. 6. Section 12 of the said Act is hereby amended to read as follows:

"(a) The Administrator is hereby authorized to determine, settle, compromise, and pay claims and demands against the United States

Accounts.
50 Stat. 736.
16 U. S. C. § 832h.

41 Stat. 1063.
16 U. S. C. §§ 791-
823; Supp. IV, § 818.

50 Stat. 732.
16 U. S. C. § 832a (a).

50 Stat. 736.
16 U. S. C. § 832i.

Assistant Adminis-
trator, etc.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Ante, p. 298 *et seq.*

Other officers and
employees.

Supra.

5 U. S. C. § 601;
Supp. IV, § 601 *et seq.*
Post, pp. 577, 621.
Physicians.

Experts.

Voluntary services.

50 Stat. 736.
16 U. S. C. § 832k.

Claims not exceed-
ing \$1,000.

which are not in excess of \$1,000 and are presented to the Administrator in writing within one year from the date of accrual thereof, for any losses, injuries, or damages to persons or property, or for the death of persons, resulting from acts or omissions of employees acting within the scope of their employment pursuant to this Act. The Administrator is also authorized to determine, compromise, and settle any claims and demands of the United States for any losses, injuries, or damages to property under the Administrator's control, against other persons or public or private corporations. The Administrator's determination, compromise, settlement, or payment of any of the claims referred to in this subsection shall be final and conclusive upon all officers of the Government, notwithstanding the provisions of any other Act to the contrary. When claims presented to the Administrator under this subsection arise, in whole or in part, out of any damage done to private property, the Administrator may repair all or any part of such damage in lieu of making such payments.

Property damages.

Finality of Administrator's action.

Private property repairs.

Suits at law or in equity.

Litigation involving interpretation of Constitution, etc.

“(b) The Administrator may, in the name of the United States, bring such suits at law or in equity as in his judgment may be necessary to carry out the purposes of this Act; and he shall be represented in the prosecution and defense of all litigation, including condemnation proceedings, affecting the status or operation of the Bonneville project by his attorneys: *Provided, however,* That such attorneys shall supply the Attorney General with copies of the pleadings in all such cases and that the handling of litigation which, in the Attorney General's opinion, involves interpretation of the Constitution of the United States or which involves appearance in any United States circuit court of appeals or the United States Supreme Court shall be subject to the Attorney General's direction or supervision. The Administrator may compromise and make final settlement of such litigation and pay the amount due under any compromise or judgment. Complaints in condemnation proceedings permitted by section 2 (c) and 2 (d) of this Act shall be signed, verified, and filed by the Administrator.”

50 Stat. 732.
16 U. S. C. § 832a
(c), (d).

53 Stat. 177.
26 U. S. C. § 1420;
Supp. IV, § 1426.
Ante, p. 38; *post*,
p. 670.

SEC. 7. (a) Section 1426 of the Internal Revenue Code, as amended, is amended by adding at the end thereof the following new subsection:

“Employment.”

“(j) CERTAIN EMPLOYEES OF BONNEVILLE POWER ADMINISTRATOR.—The term ‘employment’ shall include such service as is determined by the Bonneville Power Administrator (hereinafter called the Administrator) to be performed after December 31, 1945, by a laborer, mechanic, or workman, in connection with construction work or the operation and maintenance of electrical facilities, as an employee performing service for the Administrator, but shall not include any service performed by such a laborer, mechanic, or workman, to whom the Act of May 29, 1930 (46 Stat. 468), as amended, applies. The term ‘wages’ means, with respect to service which constitutes employment by reason of this subsection, such amount of remuneration as is determined (subject to the provisions of this section) by the Administrator to be paid for such service. The Administrator is authorized and directed to comply with the provisions of the internal revenue laws on behalf of the United States as the employer of individuals whose service constitutes employment by reason of this subsection.”

5 U. S. C. § 691;
Supp. IV, § 691 *et seq.*
Post, pp. 577, 621.
“Wages.”

49 Stat. 625.
42 U. S. C. § 409;
Supp. IV, § 409.
Post, p. 671.
“Employment.”

(b) Section 209 of the Social Security Act, as amended, is amended by adding at the end thereof the following new subsection:

“(p) (1) The term ‘employment’ shall include such service as is determined by the Bonneville Power Administrator (hereinafter called the Administrator) to be performed after December 31, 1945,

by a laborer, mechanic, or workman, in connection with construction work or the operation and maintenance of electrical facilities, as an employee performing service for the Administrator, but shall not include any service performed by such a laborer, mechanic, or workman, to whom the Act of May 29, 1930 (46 Stat. 463), as amended, applies.

“(2) The Social Security Board shall not make determinations as to whether an individual has performed services which are employment by reason of this subsection, the periods of such services, the amounts of remuneration for such services which constitutes ‘wages’ under the provisions of this section, or the periods in which or for which such wages were paid, but shall accept the determinations with respect thereto of the Administrator, and such agents as he may designate, as evidenced by returns filed by the Administrator as an employer pursuant to section 1426 (j) of the Internal Revenue Code and certifications made pursuant to this subsection. Such determinations shall be final and conclusive.

“(3) The Administrator is authorized and directed, upon written request of the Social Security Board, to make certification to it with respect to any matter determinable for the Board by the Administrator under this subsection, which the Board finds necessary in administering this title.”

(c) Section 1606 of the Internal Revenue Code, as amended, is amended by adding at the end thereof the following new subsection:

“(e) The legislature of any State may, with respect to service to be performed after December 31, 1945, by a laborer, mechanic, or workman, in connection with construction work or the operation and maintenance of electrical facilities, as an employee performing service for the Bonneville Power Administrator (hereinafter called the Administrator), require the Administrator, who for the purposes of this subsection is designated an instrumentality of the United States, and any such employee, to make contributions to an unemployment fund under a State unemployment compensation law approved by the Board under section 1603 and to comply otherwise with such law. Such permission is subject to the conditions imposed by subsection (b) of this section upon permission to State legislatures to require contributions from instrumentalities of the United States. The Administrator is authorized and directed to comply with the provisions of any applicable State unemployment compensation law on behalf of the United States as the employer of individuals whose service constitutes employment under such law by reason of this subsection.”

(d) Section 1607 of the Internal Revenue Code, as amended, is amended by adding at the end thereof the following new subsection:

“(m) CERTAIN EMPLOYEES OF BONNEVILLE POWER ADMINISTRATOR.—The term ‘employment’ shall include such service as is determined by the Bonneville Power Administrator (hereinafter called the Administrator) to be performed after December 31, 1945, by a laborer, mechanic, or workman, in connection with construction work or the operation and maintenance of electrical facilities, as an employee performing service for the Administrator. The term ‘wages’ means, with respect to service which constitutes employment by reason of this subsection, such amount of remuneration as is determined (subject to the provisions of this section) by the Administrator to be paid for such service. The Administrator is authorized and directed to comply with the provisions of the internal revenue laws on behalf of the United States as the employer of individuals whose service constitutes employment by reason of this subsection.”

Approved October 23, 1945.

5 U. S. C. § 691;
Supp. IV, § 691 *et seq.*
Post, p. 577, 621.

Determinations as to
employment, pay, etc.

Ante, p. 548.

Certification by Ad-
ministrator.

53 Stat. 187.
26 U. S. C. § 1606.

Contributions to un-
employment fund.

53 Stat. 185.
26 U. S. C. § 1603.

53 Stat. 187.
26 U. S. C. § 1607.
Post, p. 670.

“Employment.”

“Wages.”

[CHAPTER 434]

JOINT RESOLUTION

October 26, 1945
[H. J. Res. 116]
[Public Law 202]

To facilitate the execution of subsection (d) of section 13 of the Railroad Unemployment Insurance Act, as amended.

Whereas subsection (d) of section 13 of the Railroad Unemployment Insurance Act, as amended, has been executed with respect to all States other than the State of Kentucky; and

Whereas it is deemed by the public authorities of the State of Kentucky to be more appropriate that in connection with the provision by the State of Kentucky for the execution of the provisions of said subsection there be specified a sum certain as the total amount to be transferred in accordance with the provisions of said subsection; and

Whereas it has been determined that the sum of \$1,260,000 is substantially equivalent to the amounts which would after June 30, 1944, be transferred or withheld from the State of Kentucky pursuant to said subsection: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of law to the contrary, the sum of \$1,260,000 shall constitute the total amount remaining after June 30, 1944, to be withheld by the Social Security Board pursuant to subsection (d) of section 13 of the Railroad Unemployment Insurance Act, as amended, from certification to the Secretary of the Treasury for payment for the administration of the Kentucky unemployment compensation law. The provisions of subsection (f) of section 13 of the Railroad Unemployment Insurance Act, as amended, shall apply to such withholding in the same manner as such subsection is applicable in the event of any transfer or withholding in accordance with subsection (d) of such section.

Approved October 26, 1945.

Kentucky, administration of unemployment compensation law.

Sum withheld by SSB.

52 Stat. 1111.
45 U. S. C. § 363 (c);
Supp. IV, § 363 (c).

52 Stat. 1112.
45 U. S. C. § 363 (e).

[CHAPTER 435]

AN ACT

October 29, 1945
[H. R. 2668]
[Public Law 203]

To transfer Ben Hill County, Georgia, from the Waycross division of the southern judicial district of Georgia to the Americus division of the middle judicial district of Georgia.

Ben Hill County,
Ga.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Ben Hill County, Georgia, of the Waycross division of the southern judicial district of Georgia be, and it is hereby, detached from said judicial district and attached to the Americus division of the middle judicial district of Georgia.

Approved October 29, 1945.

[CHAPTER 436]

AN ACT

October 29, 1945
[H. R. 1465]
[Public Law 204]

For the relief of the State of California.

California.
Payment for damages, etc., to San Francisco-Oakland Bay Bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the State of California, the sum of \$12,676.83, in full settlement of all claims against the United States for damages and cost of repairs to the San Francisco-Oakland Bay Bridge across the Bay of San Francisco (which said bridge is owned and operated by the State of California) as a result of being struck by United States Navy SBD-5 airplane,

bureau number 28851, on September 12, 1943: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 29, 1945.

[CHAPTER 437]

AN ACT

To amend section 28 (c) of the Immigration Act of 1924.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 28 (c) of the Immigration Act of 1924 (43 Stat. 168; U. S. C., title 8, sec. 224 (c)), is hereby amended to read as follows:

“(c) The term ‘ineligible to citizenship’, when used in reference to any individual, includes an individual who is debarred from becoming a citizen of the United States under section 303 or 306 of the Nationality Act of 1940, as amended (54 Stat. 1140, 1141; U. S. C., title 8, secs. 703, 706), or section 3 (a) of the Selective Training and Service Act of 1940, as amended (55 Stat. 845; U. S. C., title 50, App. Supp. III), section 303 (a), or under any law amendatory of, supplementary to, or in substitution for, any such sections;”.

Approved October 29, 1945.

October 29, 1945
[H. R. 390]
[Public Law 205]

Immigration Act of 1924, amendment.

“Ineligible to citizenship.”

8 U. S. C., Supp. IV, § 703.

50 U. S. C., Supp. IV, app. § 303 (a).
Ante, p. 166.

[CHAPTER 438]

AN ACT

To amend section 23 of the Immigration Act of February 5, 1917.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 of the Act of February 5, 1917 (39 Stat. 892; U. S. C., title 8, sec. 102), be, and it hereby is, amended by inserting the following after the first sentence thereof: “He shall receive a salary of \$10,000 per annum.”

Approved October 29, 1945.

October 29, 1945
[H. R. 1104]
[Public Law 206]

Commissioner of Immigration and Naturalization, salary.

[CHAPTER 439]

AN ACT

To amend an Act relating to the incorporation of Providence Hospital, Washington, District of Columbia, approved April 8, 1864.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporation of Providence Hospital, of Washington, District of Columbia, under an Act of Congress approved April 8, 1864, be, and the same hereby is, approved and continued in force except as herein specifically altered:

The corporate name of the said corporation shall be “Providence Hospital” instead of “The Directors of Providence Hospital”.

SEC. 2. The corporation is authorized to conduct not only a hospital, clinic, and all the departments, staffs, and services usually connected therewith, but also a school for the education and training of nurses and interns with full power to examine the said nurses and interns and to issue suitable certificates evidencing the completion of their courses of training.

October 29, 1945
[S. 1383]
[Public Law 207]

Providence Hospital, D. C.

13 Stat. 43.

Corporate name.

School for nurses and interns.

Real-estate hold-
ings.

SEC. 3. The provision contained in the Act incorporating Providence Hospital approved April 8, 1864, limiting the value of the real estate which may be held by the corporation is hereby repealed.

Approved October 29, 1945.

[CHAPTER 443]

AN ACT

To establish a boundary line between the District of Columbia and the Commonwealth of Virginia, and for other purposes.

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

TITLE I—BOUNDARY LINE BETWEEN THE DISTRICT OF COLUMBIA AND THE COMMONWEALTH OF VIRGINIA

Establishment.

SEC. 101. The boundary line between the District of Columbia and the Commonwealth of Virginia is hereby established as follows:

Said boundary line shall begin at a point where the northwest boundary of the District of Columbia intercepts the high-water mark on the Virginia shore of the Potomac River and following the present mean high-water mark; thence in a southeasterly direction along the Virginia shore of the Potomac River to Little River, along the Virginia shore of Little River to Boundary Channel, along the Virginia side of Boundary Channel to the main body of the Potomac River, along the Virginia side of the Potomac River across the mouths of all tributaries affected by the tides of the river to Second Street, Alexandria, Virginia, from Second Street to the present established pierhead line, and following said pierhead line to its connection with the District of Columbia-Maryland boundary line; that whenever said mean high-water mark on the Virginia shore is altered by artificial fills and excavations made by the United States, or by alluvion or erosion, then the boundary shall follow the new mean high-water mark on the Virginia shore as altered, or whenever the location of the pierhead line along the Alexandria water front is altered, then the boundary shall follow the new location of the pierhead line.

Territory ceded to
Virginia.

SEC. 102. All that part of the territory situated on the Virginia side of the Potomac River lying between the boundary line as described in section 101 and the mean high-water mark as it existed January 24, 1791, is hereby ceded to and declared to be henceforth within the territorial boundaries, jurisdiction, and sovereignty of the State of Virginia: *Provided, however,* That concurrent jurisdiction over the said area is hereby reserved to the United States.

Right, title, or interest of U. S. to designated lands.

SEC. 103. Nothing in this Act shall be construed as relinquishing any right, title, or interest of the United States to the lands lying between the mean high-water mark as it existed January 24, 1791, and the boundary line as described in section 101; or to limit the right of the United States to establish its title to any of said lands as provided by Act of Congress of April 27, 1912 (37 Stat. 93); or the jurisdiction of the courts of the United States for the District of Columbia to hear and determine suits to establish the title of the United States in all lands in the bed, marshes, and lowlands of the Potomac River, and other lands as described by said Act below the mean high-water mark of January 24, 1791; or to limit the authority to make equitable adjustments of conflicting claims as provided for in the Act approved June 4, 1934 (48 Stat. 836).

Jurisdiction of Federal courts.

Adjustment of conflicting claims.
D. C. Code § 8-104.

"Present" mean high-water mark.

SEC. 104. The "present" mean high-water mark shall be construed as the mean high-water mark existing on the effective date of this Act.

October 31, 1945

[H. R. 3220]

[Public Law 208]

SEC. 105. The United States Coast and Geodetic Survey is hereby authorized, empowered, and instructed to survey and properly mark by suitable monuments the said boundary line as described in section 101, and from time to time to monument such sections of said boundary line as may be changed as provided for in section 101; and the necessary appropriations for this work are hereby authorized.

SEC. 106. The provisions of sections 272 to 289, inclusive, of the Criminal Code (U. S. C., title 18, secs. 451-468) shall be applicable to such portions of the George Washington Memorial Parkway and of the Washington National Airport as are situated within the Commonwealth of Virginia. Any United States commissioner specially designated for that purpose by the District Court of the United States for the Eastern District of Virginia shall have jurisdiction to try and, if found guilty, to sentence persons charged with petty offenses against the laws of the United States committed on the above-described portions of the said parkway or airport. The probation laws shall be applicable to persons so tried. For the purposes of this section, the term "petty offense" shall be defined as in section 335 of the Criminal Code (U. S. C., title 18, sec. 541). If any person charged with any petty offense as aforesaid shall so elect, however, he shall be tried in the said district court.

SEC. 107. The State of Virginia hereby consents that exclusive jurisdiction in the Washington National Airport (as described in sec. 1 (b) of the Act of June 29, 1940 (54 Stat. 686)), title to which is now in the United States, shall be in the United States. The conditions upon which this consent is given are the following and none others: (1) There is hereby reserved in the Commonwealth of Virginia the jurisdiction and power to levy a tax on the sale of oil, gasoline, and all other motor fuels and lubricants sold on the Washington National Airport for use in over-the-road vehicles such as trucks, busses, and automobiles, except sales to the United States: *Provided*, That the Commonwealth of Virginia shall have no jurisdiction or power to levy a tax on the sale or use of oil, gasoline, or other motor fuels and lubricants for other purposes; (2) there is hereby expressly reserved in the Commonwealth of Virginia the jurisdiction and power to serve criminal and civil process on the Washington National Airport; and (3) there is hereby reserved in the Commonwealth of Virginia the jurisdiction and power to regulate the manufacture, sale, and use of alcoholic beverages on the Washington National Airport (as described in sec. 1 (b) of the Act of June 29, 1940 (54 Stat. 686)).

Subject to the limitation on the consent of the State of Virginia as expressed herein exclusive jurisdiction in the Washington National Airport shall be in the United States and the same is hereby accepted by the United States.

This Act shall have no retroactive effect except that taxes and contributions in connection with operations, sales and property on and income derived at the Washington National Airport heretofore paid either to the Commonwealth of Virginia or the District of Columbia are hereby declared to have been paid to the proper jurisdictions and the Commonwealth of Virginia and the District of Columbia each hereby waives any claim for any such taxes or contributions heretofore assessed or assessable to the extent of any such payments to either jurisdiction.

Any provision of law of the United States or the Commonwealth of Virginia which is to any extent in conflict with this Act is to the extent of such conflict hereby expressly repealed.

SEC. 108. This title shall not become effective unless and until the State of Virginia shall accept the provisions thereof.

Surveys and marks.

Applicability of Criminal Code to designated areas.
35 Stat. 1142-1145.

"Petty offense."

35 Stat. 1152.

Washington National Airport, jurisdiction.
D. C. Code § 2-1601 (b).
Conditions.

Tax on motor fuels, etc.

Limitation.

Service of process.

Control of liquor traffic.

Retroactive effect of Act.

When effective.

TITLE II—MISCELLANEOUS

Additional Federal
jurisdiction.

54 Stat. 1083.

SEC. 201. Nothing in this Act shall be construed (a) to prevent the acceptance by the United States pursuant to the provisions of section 355 of the Revised Statutes, as amended (40 U. S. C., sec. 255), of such jurisdiction as may be granted by the State of Virginia over any lands to which the United States now has, or may hereafter have, title within the boundaries of the State as established by this Act; or (b) to affect any jurisdiction heretofore obtained by the United States from the State of Virginia over lands adjoining or adjacent to those herein ceded; and all jurisdiction whether partial, concurrent, or exclusive, which Virginia has ceded and which the United States has accepted over any part or parts of the ceded total is hereby expressly retained.

SEC. 202. Section 111 of the Judicial Code (46 Stat. 56; U. S. C., title 28, sec. 192), as amended, is hereby further amended to read as follows:

Virginia judicial dis-
tricts.

"The State of Virginia is divided into two districts, to be known as the eastern and western districts of Virginia.

Eastern district.

"The eastern district shall include the territory embraced on the effective date of this Act in the counties of Accomac, Arlington, Amelia, Brunswick, Caroline, Charles City, Chesterfield, Culpeper, Dinwiddie, Elizabeth City, Essex, Fairfax, Fauquier, Gloucester, Goochland, Greensville, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Louisa, Lunenburg, Mathews, Mecklenburg, Middlesex, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Nottoway, Orange, Powhatan, Prince Edward, Prince George, Prince William, Princess Anne, Richmond, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warwick, Westmoreland, and York.

Terms of court.

"Terms of the district court shall be held at Richmond on the first Mondays in April and October; at Norfolk on the first Mondays in May and November; and at Alexandria on the first Mondays in June and December.

Western district.

"The western district shall include the territory embraced on the effective date of this Act in the counties of Alleghany, Albemarle, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Buckingham, Campbell, Carroll, Charlotte, Clarke, Craig, Cumberland, Dickenson, Floyd, Fluvanna, Franklin, Frederick, Giles, Grayson, Greene, Halifax, Henry, Highland, Lee, Madison, Montgomery, Nelson, Page, Patrick, Pulaski, Pittsylvania, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Tazewell, Warren, Washington, Wise, and Wythe.

Terms of court.

"Terms of the district court shall be held at Abingdon on the second Mondays in April and November; at Big Stone Gap on the first Mondays in May and October; at Charlottesville on the first Monday in February and on the Wednesday next after the first Monday in August; at Danville on the fourth Monday in February and on the Wednesday next after the first Monday in September; at Harrisonburg on the third Monday in March and on the fourth Monday in October; at Lynchburg on the first Mondays in June and December; and at Roanoke on the first Mondays in January and July.

Clerk's offices.

"The clerk of the court for the western district shall maintain an office in charge of himself or a deputy at Lynchburg, Roanoke, Danville, Charlottesville, Harrisonburg, Big Stone Gap, and Abingdon, which shall be kept open at all times for the transaction of the business of the court."

Approved October 31, 1945.

[CHAPTER 444]

JOINT RESOLUTION

Requesting the President to proclaim November 2, 1945, as Woman's Enfranchisement Day in commemoration of the day when women throughout the United States first voted in a Presidential election.

October 31, 1945
[S. J. Res. 107]
[Public Law 209]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is requested to issue a proclamation designating November 2, 1945, as Woman's Enfranchisement Day and calling upon the people throughout the United States to observe the day with appropriate ceremonies in celebration of the twenty-fifth anniversary of the day on which women throughout the United States first cast their votes in a Presidential election.

Woman's Enfranchisement Day.
Post, p. 887.

Approved October 31, 1945.

[CHAPTER 446]

JOINT RESOLUTION

Permitting alcohol plants to produce sugars or sirups simultaneously with the production of alcohol until July 1, 1946.

November 5, 1945
[S. J. Res. 100]
[Public Law 210]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That part II of subchapter C of chapter 26 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

53 Stat. 357; 56 Stat. 971.
26 U. S. C. §§ 3100-3124; Supp. IV, § 3125.

"SEC. 3126. EMERGENCY PRODUCTION OF SUGARS AND SIRUPS IN INDUSTRIAL ALCOHOL PLANTS.

"(a) IN GENERAL.—Notwithstanding the provisions of sections 2819 and 3122, and of any other law, until July 1, 1946, sugars and sirups from potatoes and from high moisture or damaged grain may be produced in industrial alcohol plants simultaneously with, or alternately with, the production of alcohol.

53 Stat. 314, 364.
26 U. S. C. §§ 2819, 3122.

"(b) REGULATIONS.—The Commissioner, with the approval of the Secretary, is authorized to prescribe regulations to carry out the provisions of this section."

Approved November 5, 1945.

[CHAPTER 447]

AN ACT

To amend section 102 of the Act of Congress of March 3, 1911 (36 Stat. 1122; title 28, U. S. C., sec. 183), to fix a term of the United States District Court at Klamath Falls, Oregon, on the first Tuesday in June.

November 6, 1945
[H. R. 3261]
[Public Law 211]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Oregon shall constitute one judicial district, to be known as the district of Oregon. Terms of the district court shall be held at Portland on the first Mondays in March, July, and November; at Pendleton on the first Tuesday in April; at Klamath Falls on the first Tuesday in June; and at Medford on the first Tuesday in October. The marshal and the clerk for said district shall each appoint, in the manner provided by law, at least one deputy at Pendleton and one at Medford, who shall reside and maintain an office at each of said places: *Provided, That no terms of the court shall be held at Klamath Falls unless suitable quarters and accommodations for holding court are furnished without cost to the United States.**

Oregon judicial district.

Terms of district court.

Deputies.

Approved November 6, 1945.

[CHAPTER 449]

AN ACT

November 6, 1945
[H. R. 3870]
[Public Law 212]

To name the dam at the Upper Narrows site on the Yuba River, in the State of California, the "Harry L. Englebright Dam".

"Harry L. Englebright Dam," Calif.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dam constructed under the supervision of the Chief of Engineers, United States Army, at the Upper Narrows site on the Yuba River, in the State of California, and known as the "Englebright Dam", shall hereafter be known and designated as the "Harry L. Englebright Dam". Any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name of "Englebright Dam" shall be held to refer to such dam under and by the name of "Harry L. Englebright Dam".

Approved November 6, 1945.

[CHAPTER 451]

AN ACT

November 7, 1945
[H. R. 4083]
[Public Law 213]

Authorizing the improvement of certain harbors in the interest of commerce and navigation.

Certain harbor improvements.

Ante, p. 12.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following works of improvement for navigation are hereby adopted and authorized, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the reports hereinafter designated and subject to the conditions set forth in said documents, and also subject to the proviso in section 2 of the River and Harbor Act approved March 2, 1945, relating to the time when appropriations shall be made for the prosecution of the projects adopted in said Act:

Savannah Harbor, Georgia, in accordance with the report submitted in House Document Numbered 227, Seventy-ninth Congress, first session;

Two Harbors (Agate Bay Harbor), Minnesota, in accordance with the report submitted in House Document Numbered 805, Seventy-eighth Congress, second session.

Approved November 7, 1945.

[CHAPTER 453]

AN ACT

November 8, 1945
[H. R. 4309]
[Public Law 214]

To reduce taxation, and for other purposes.

Revenue Act of 1945.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) **SHORT TITLE.**—This Act may be cited as the "Revenue Act of 1945".

(b) **ACT AMENDATORY OF INTERNAL REVENUE CODE.**—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to or repeal of a chapter, subchapter, title, supplement, section, subsection, subdivision, paragraph, subparagraph, or clause, the reference shall be considered to be made to a provision of the Internal Revenue Code.

(c) **MEANING OF TERMS USED.**—Except as otherwise expressly provided, terms used in this Act shall have the same meaning as when used in the Internal Revenue Code.

53 Stat., Pt. 1.
26 U. S. C.; 26 U. S. C., Supp. IV.

TITLE I—INCOME AND EXCESS PROFITS TAX

Part I—Individual Income Taxes

SEC. 101. REDUCTION IN NORMAL TAX AND SURTAX ON INDIVIDUALS.

(a) REDUCTION IN NORMAL TAX ON INDIVIDUALS.—Section 11 (relating to the normal tax on individuals) is amended to read as follows:

53 Stat. 5.
26 U. S. C., Supp.
IV, § 11.

“SEC. 11. NORMAL TAX ON INDIVIDUALS.

“There shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax determined by computing a tentative normal tax of 3 per centum of the amount of the net income in excess of the credits against net income provided in section 25, and by reducing such tentative normal tax by 5 per centum thereof. For alternative tax which may be elected if adjusted gross income is less than \$5,000, see Supplement T.”

53 Stat. 17.
26 U. S. C. § 25;
Supp. IV, § 25.
Foot, p. 558.
53 Stat. 659.
26 U. S. C., Supp.
IV, §§ 400-404.
Foot, pp. 559, 560.
53 Stat. 5.
26 U. S. C., Supp.
IV, § 12 (b).

(b) REDUCTION IN SURTAX ON INDIVIDUALS.—Section 12 (b) (relating to the rate of surtax on individuals) is amended to read as follows:

“(b) RATES OF SURTAX.—There shall be levied, collected, and paid for each taxable year upon the surtax net income of every individual a surtax determined by computing a tentative surtax under the following table, and by reducing such tentative surtax by 5 per centum thereof:

“If the surtax net income is:	The tentative surtax shall be:
Not over \$2,000-----	17% of the surtax net income.
Over \$2,000 but not over \$4,000-----	\$340, plus 19% of excess over \$2,000.
Over \$4,000 but not over \$6,000-----	\$720, plus 23% of excess over \$4,000.
Over \$6,000 but not over \$8,000-----	\$1,180, plus 27% of excess over \$6,000.
Over \$8,000 but not over \$10,000-----	\$1,720, plus 31% of excess over \$8,000.
Over \$10,000 but not over \$12,000-----	\$2,340, plus 35% of excess over \$10,000.
Over \$12,000 but not over \$14,000-----	\$3,040, plus 40% of excess over \$12,000.
Over \$14,000 but not over \$16,000-----	\$3,840, plus 44% of excess over \$14,000.
Over \$16,000 but not over \$18,000-----	\$4,720, plus 47% of excess over \$16,000.
Over \$18,000 but not over \$20,000-----	\$5,660, plus 50% of excess over \$18,000.
Over \$20,000 but not over \$22,000-----	\$6,660, plus 53% of excess over \$20,000.
Over \$22,000 but not over \$26,000-----	\$7,720, plus 56% of excess over \$22,000.
Over \$26,000 but not over \$32,000-----	\$9,960, plus 59% of excess over \$26,000.
Over \$32,000 but not over \$38,000-----	\$13,500, plus 62% of excess over \$32,000.
Over \$38,000 but not over \$44,000-----	\$17,220, plus 66% of excess over \$38,000.
Over \$44,000 but not over \$50,000-----	\$21,180, plus 69% of excess over \$44,000.

"If the surtax net income is:	The tentative surtax shall be:
Over \$50,000 but not over \$60,000-----	\$25,320, plus 72% of excess over \$50,000.
Over \$60,000 but not over \$70,000-----	\$32,520, plus 75% of excess over \$60,000.
Over \$70,000 but not over \$80,000-----	\$40,020, plus 78% of excess over \$70,000.
Over \$80,000 but not over \$90,000-----	\$47,820, plus 81% of excess over \$80,000.
Over \$90,000 but not over \$100,000---	\$55,920, plus 84% of excess over \$90,000.
Over \$100,000 but not over \$150,000--	\$64,320, plus 86% of excess over \$100,000.
Over \$150,000 but not over \$200,000--	\$107,320, plus 87% of excess over \$150,000.
Over \$200,000-----	\$150,820, plus 88% of excess over \$200,000."

58 Stat. 232.
26 U. S. C., Supp.
IV, § 12 (g).

(c) **LIMITATION ON TAX.**—Section 12 (g) (relating to the 90 per centum limitation) is amended by striking out "90 per centum" and inserting in lieu thereof "85½ per centum".

(d) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendments made by this section shall be applicable to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

Post, p. 570.

SEC. 102. ALLOWANCE OF SAME EXEMPTIONS FOR NORMAL TAX AS FOR SURTAX.

53 Stat. 18.
26 U. S. C. § 25 (b);
Supp. IV, § 25 (b).

(a) **IN GENERAL.**—So much of section 25 (b) (relating to credits for surtax) as precedes paragraph (2) thereof is amended to read as follows:

"(b) **CREDITS FOR BOTH NORMAL TAX AND SURTAX.**—

"(1) **CREDITS.**—There shall be allowed for the purposes of both the normal tax and the surtax, the following credits against net income:

"(A) An exemption of \$500 for the taxpayer;

"(B) An exemption of \$500 for the spouse of the taxpayer if—

"(i) a joint return is made by the taxpayer and his spouse under section 51, in which case the aggregate exemption of the spouses under subparagraph (A) and this subparagraph shall be \$1,000, or

"(ii) a separate return is made by the taxpayer, and his spouse has no gross income for the calendar year in which the taxable year of the taxpayer begins and is not the dependent of another taxpayer;

"(C) An exemption of \$500 for each dependent whose gross income for the calendar year in which the taxable year of the taxpayer begins is less than \$500, except that the exemption shall not be allowed in respect of a dependent who has made a joint return with his spouse under section 51 for the taxable year beginning in such calendar year."

(b) **TECHNICAL AMENDMENTS.**—

(1) Section 23 (x) (relating to the deduction for medical expenses) is amended by striking out "surtax" wherever appearing therein.

(2) Section 25 (a) (3) (relating to the normal tax exemption) is repealed.

53 Stat. 27.
26 U. S. C. § 51;
Supp. IV, § 51.

58 Stat. 825.
26 U. S. C., Supp.
IV, § 23 (x).

53 Stat. 18.
26 U. S. C., Supp.
IV, § 25 (a) (3).

(3) Section 47 (e) (relating to the reduction of certain credits against net income) is amended to read as follows:

53 Stat. 26.
26 U. S. C., Supp.
IV, § 47 (e).

“(e) **REDUCTION OF CREDITS AGAINST NET INCOME.**—In the case of a return made for a fractional part of a year under section 146 (a) (1), the exemptions provided in section 25 (b) shall be reduced to amounts which bear the same ratio to the full exemptions so provided as the number of months in the period for which return is made bears to twelve months.”

53 Stat. 63.
26 U. S. C. § 146 (a)
(1).
Ante, p. 558.

(4) Section 58 (a) (1) (relating to the requirement of a declaration of estimated tax) is amended by striking out “surtax”.

57 Stat. 141.
26 U. S. C., Supp.
IV, § 58 (a) (1).

(5) Section 143 (a) (2) (relating to credits against net income in the case of interest on tax-free covenant bonds) is amended by striking out “normal tax exemption provided in section 25 (a) (3) and the surtax”.

58 Stat. 239.
26 U. S. C., Supp.
IV, § 143 (a) (2).
Ante, p. 558.

(6) Section 163 (a) (1) (relating to credits of estates and trusts against net income) is amended to read as follows:

53 Stat. 67.
26 U. S. C., Supp.
IV, § 163 (a) (1).

“(1) For the purpose of the normal tax and the surtax, an estate shall be allowed, in lieu of the exemptions under section 25 (b) (1), a credit of \$500 against net income, and a trust shall be allowed, in lieu of the exemptions under section 25 (b) (1), a credit of \$100 against net income.”

Ante, p. 558.

(7) Section 214 (relating to credits of nonresident aliens against net income) is amended to read as follows:

53 Stat. 77.
26 U. S. C., Supp.
IV, § 214.

“SEC. 214. CREDITS AGAINST NET INCOME.

“In the case of a nonresident alien individual who is not a resident of a contiguous country, only one exemption under section 25 (b) shall be allowed.”

Nonresident aliens.
Ante, p. 558.

(8) Section 215 (b) (relating to credits of nonresident aliens against net income in case of tax withheld at source) is amended by striking out the words “normal tax exemption and the surtax exemptions” and by inserting in lieu thereof “the exemptions under section 25 (b)”.

53 Stat. 77.
26 U. S. C., Supp.
IV, § 215 (b).

Ante, p. 558.

(9) Section 251 (f) (relating to credits against net income in the case of citizens entitled to the benefits of section 251) is amended to read as follows:

53 Stat. 80.
26 U. S. C., Supp.
IV, § 251 (f).

“(f) **CREDITS AGAINST NET INCOME.**—A citizen of the United States entitled to the benefits of this section shall be allowed only one exemption under section 25 (b).”

Ante, p. 558.

(10) Section 401 (defining “surtax exemption” for the purposes of Supplement T) is amended to read as follows:

55 Stat. 691.
26 U. S. C., Supp.
IV, § 401.

“SEC. 401. DEFINITION OF ‘EXEMPTION’.

“As used in the table in section 400, the term ‘number of exemptions’ means the number of the exemptions allowed under section 25 (b) as credits against net income for the purpose of the normal tax and the surtax imposed by sections 11 and 12.”

55 Stat. 689.
26 U. S. C., Supp.
IV, § 400.
Post, p. 560.
Ante, p. 558.
53 Stat. 5.
26 U. S. C., Supp.
IV, §§ 11, 12.
Ante, pp. 557, 558.

(c) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendments and repeals made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

Post, p. 570.

SEC. 103. INDIVIDUALS WITH ADJUSTED GROSS INCOMES OF LESS THAN \$5,000.

(a) IN GENERAL.—The tax table (including the note at the foot of such table) in section 400 (relating to optional tax on individuals with adjusted gross incomes of less than \$5,000) is amended to read as follows:

55 Stat. 680; 58 Stat. 233.
26 U. S. C., Supp. IV, § 400.

If the adjusted gross income is—		And the number of exemptions is—				If the adjusted gross income is—		And the number of exemptions is—								
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7	8	9 or more
		The tax shall be—						The tax shall be—								
\$0	\$550	\$0	\$0	\$0	\$0	\$2,200	\$2,225	\$283	\$188	\$93	\$0	\$0	\$0	\$0	\$0	\$0
550	575	1	0	0	0	2,225	2,250	288	193	98	3	0	0	0	0	0
575	600	5	0	0	0	2,250	2,275	292	197	102	7	0	0	0	0	0
600	625	10	0	0	0	2,275	2,300	296	201	106	11	0	0	0	0	0
625	650	14	0	0	0	2,300	2,325	300	205	110	15	0	0	0	0	0
650	675	18	0	0	0	2,325	2,350	305	210	115	20	0	0	0	0	0
675	700	23	0	0	0	2,350	2,375	309	214	119	24	0	0	0	0	0
700	725	27	0	0	0	2,375	2,400	313	218	123	28	0	0	0	0	0
725	750	31	0	0	0	2,400	2,425	318	223	128	33	0	0	0	0	0
750	775	35	0	0	0	2,425	2,450	322	227	132	37	0	0	0	0	0
775	800	40	0	0	0	2,450	2,475	326	231	136	41	0	0	0	0	0
800	825	44	0	0	0	2,475	2,500	330	235	140	45	0	0	0	0	0
825	850	48	0	0	0	2,500	2,525	335	240	145	50	0	0	0	0	0
850	875	52	0	0	0	2,525	2,550	339	244	149	54	0	0	0	0	0
875	900	57	0	0	0	2,550	2,575	343	248	153	58	0	0	0	0	0
900	925	61	0	0	0	2,575	2,600	347	252	157	62	0	0	0	0	0
925	950	65	0	0	0	2,600	2,625	352	257	162	67	0	0	0	0	0
950	975	70	0	0	0	2,625	2,650	356	261	166	71	0	0	0	0	0
975	1,000	74	0	0	0	2,650	2,675	360	265	170	75	0	0	0	0	0
1,000	1,025	78	0	0	0	2,675	2,700	365	270	175	80	0	0	0	0	0
1,025	1,050	82	0	0	0	2,700	2,725	369	274	179	84	0	0	0	0	0
1,050	1,075	87	0	0	0	2,725	2,750	373	278	183	88	0	0	0	0	0
1,075	1,100	91	0	0	0	2,750	2,775	377	282	187	92	0	0	0	0	0
1,100	1,125	95	0	0	0	2,775	2,800	382	287	192	97	2	0	0	0	0
1,125	1,150	100	5	0	0	2,800	2,825	387	291	196	101	6	0	0	0	0
1,150	1,175	104	9	0	0	2,825	2,850	391	295	200	105	10	0	0	0	0
1,175	1,200	108	13	0	0	2,850	2,875	396	299	204	109	14	0	0	0	0
1,200	1,225	112	17	0	0	2,875	2,900	401	304	209	114	19	0	0	0	0
1,225	1,250	117	22	0	0	2,900	2,925	405	308	213	118	23	0	0	0	0
1,250	1,275	121	26	0	0	2,925	2,950	410	312	217	122	27	0	0	0	0
1,275	1,300	125	30	0	0	2,950	2,975	415	317	222	127	32	0	0	0	0
1,300	1,325	129	34	0	0	2,975	3,000	419	321	226	131	36	0	0	0	0
1,325	1,350	134	39	0	0	3,000	3,050	427	327	232	137	42	0	0	0	0
1,350	1,375	138	43	0	0	3,050	3,100	436	336	241	146	51	0	0	0	0
1,375	1,400	142	47	0	0	3,100	3,150	445	344	249	154	59	0	0	0	0
1,400	1,425	147	52	0	0	3,150	3,200	455	353	258	163	68	0	0	0	0
1,425	1,450	151	56	0	0	3,200	3,250	464	361	266	171	76	0	0	0	0
1,450	1,475	155	60	0	0	3,250	3,300	474	370	275	180	85	0	0	0	0
1,475	1,500	159	64	0	0	3,300	3,350	483	379	284	189	94	0	0	0	0
1,500	1,525	164	69	0	0	3,350	3,400	492	388	292	197	102	7	0	0	0
1,525	1,550	168	73	0	0	3,400	3,450	502	397	301	206	111	16	0	0	0
1,550	1,575	172	77	0	0	3,450	3,500	511	407	309	214	119	24	0	0	0
1,575	1,600	176	81	0	0	3,500	3,550	521	416	318	223	128	33	0	0	0
1,600	1,625	181	86	0	0	3,550	3,600	530	425	326	231	136	41	0	0	0
1,625	1,650	185	90	0	0	3,600	3,650	539	435	335	240	145	50	0	0	0
1,650	1,675	189	94	0	0	3,650	3,700	549	444	343	248	153	58	0	0	0
1,675	1,700	194	99	4	0	3,700	3,750	558	454	352	257	162	67	0	0	0
1,700	1,725	198	103	8	0	3,750	3,800	568	463	361	266	171	76	0	0	0
1,725	1,750	202	107	12	0	3,800	3,850	577	472	369	274	179	84	0	0	0
1,750	1,775	206	111	16	0	3,850	3,900	586	482	378	283	188	93	0	0	0
1,775	1,800	211	116	21	0	3,900	3,950	596	491	387	291	196	101	6	0	0
1,800	1,825	215	120	25	0	3,950	4,000	605	501	396	300	205	110	15	0	0
1,825	1,850	219	124	29	0	4,000	4,050	615	510	406	308	213	118	23	0	0
1,850	1,875	223	128	33	0	4,050	4,100	624	520	415	317	222	127	32	0	0
1,875	1,900	228	133	38	0	4,100	4,150	633	529	424	325	230	135	40	0	0
1,900	1,925	232	137	42	0	4,150	4,200	643	538	434	334	239	144	49	0	0
1,925	1,950	236	141	46	0	4,200	4,250	652	548	443	342	247	152	57	0	0
1,950	1,975	241	146	51	0	4,250	4,300	662	557	453	351	256	161	66	0	0
1,975	2,000	245	150	55	0	4,300	4,350	671	567	462	360	265	170	75	0	0
2,000	2,025	249	154	59	0	4,350	4,400	680	576	471	368	273	178	83	0	0
2,025	2,050	253	158	63	0	4,400	4,450	690	585	481	377	282	187	92	0	0
2,050	2,075	258	163	68	0	4,450	4,500	699	595	490	386	290	195	100	5	0
2,075	2,100	262	167	72	0	4,500	4,550	709	604	500	395	299	204	109	14	0
2,100	2,125	266	171	76	0	4,550	4,600	718	614	509	405	307	212	117	22	0
2,125	2,150	271	176	81	0	4,600	4,650	727	623	518	414	316	221	126	31	0
2,150	2,175	275	180	85	0	4,650	4,700	737	632	528	423	324	229	134	39	0
2,175	2,200	279	184	89	0	4,700	4,750	746	642	537	433	333	238	143	48	0
						4,750	4,800	756	651	547	442	342	247	152	57	0
						4,800	4,850	765	661	556	452	350	255	160	65	0
						4,850	4,900	774	670	565	461	359	264	169	74	0
						4,900	4,950	784	679	575	470	367	272	177	82	0
						4,950	5,000	793	689	584	480	376	281	186	91	0

(b) TAXABLE YEARS TO WHICH APPLICABLE.—The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

Post, p. 570.

SEC. 104. REDUCTION IN WITHHOLDING OF TAX AT SOURCE ON WAGES.

(a) PERCENTAGE METHOD.—

(1) IN GENERAL.—Section 1622 (a) (relating to the percentage method of withholding) is amended by striking out paragraph (1) thereof, by inserting “17 per centum” in lieu of “18 per centum” in paragraph (2), by inserting “19 per centum” in lieu of “19.8 per centum” in paragraph (3), and by renumbering paragraphs (2) and (3) as (1) and (2) respectively.

57 Stat. 128,
26 U. S. C., Supp.
IV, § 1622 (a).

(2) TECHNICAL AMENDMENT.—Section 1622 (b) (1) (percentage method withholding table) is amended by striking out “18 per centum” in the last column of the table therein, and inserting in lieu thereof “17 per centum”.

57 Stat. 128,
26 U. S. C., Supp.
IV, § 1622 (b) (1).

(b) WAGE BRACKET WITHHOLDING.—The tables contained in section 1622 (c) (1) (relating to wage bracket withholding) are amended to read as follows:

57 Stat. 129,
26 U. S. C., Supp.
IV, § 1622 (c) (1).

If the pay-roll period with respect to an employee is weekly

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
\$0	\$11	17% of wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$11	\$12	\$2.00	.10	0	0	0	0	0	0	0	0	0
\$12	\$13	2.10	.30	0	0	0	0	0	0	0	0	0
\$13	\$14	2.30	.50	0	0	0	0	0	0	0	0	0
\$14	\$15	2.50	.70	0	0	0	0	0	0	0	0	0
\$15	\$16	2.70	.80	0	0	0	0	0	0	0	0	0
\$16	\$17	2.80	1.00	0	0	0	0	0	0	0	0	0
\$17	\$18	3.00	1.20	0	0	0	0	0	0	0	0	0
\$18	\$19	3.20	1.30	0	0	0	0	0	0	0	0	0
\$19	\$20	3.30	1.50	0	0	0	0	0	0	0	0	0
\$20	\$21	3.50	1.70	0	0	0	0	0	0	0	0	0
\$21	\$22	3.70	1.80	0	0	0	0	0	0	0	0	0
\$22	\$23	3.80	2.00	.20	0	0	0	0	0	0	0	0
\$23	\$24	4.00	2.20	.40	0	0	0	0	0	0	0	0
\$24	\$25	4.20	2.40	.50	0	0	0	0	0	0	0	0
\$25	\$26	4.40	2.50	.70	0	0	0	0	0	0	0	0
\$26	\$27	4.50	2.70	.90	0	0	0	0	0	0	0	0
\$27	\$28	4.70	2.90	1.00	0	0	0	0	0	0	0	0
\$28	\$29	4.90	3.00	1.20	0	0	0	0	0	0	0	0
\$29	\$30	5.00	3.20	1.40	0	0	0	0	0	0	0	0
\$30	\$31	5.20	3.40	1.60	0	0	0	0	0	0	0	0
\$31	\$32	5.40	3.60	1.70	0	0	0	0	0	0	0	0
\$32	\$33	5.60	3.70	1.90	.10	0	0	0	0	0	0	0
\$33	\$34	5.70	3.90	2.10	.20	0	0	0	0	0	0	0
\$34	\$35	5.90	4.10	2.20	.40	0	0	0	0	0	0	0
\$35	\$36	6.10	4.20	2.40	.60	0	0	0	0	0	0	0
\$36	\$37	6.20	4.40	2.60	.80	0	0	0	0	0	0	0
\$37	\$38	6.40	4.60	2.80	.90	0	0	0	0	0	0	0
\$38	\$39	6.60	4.80	2.90	1.10	0	0	0	0	0	0	0
\$39	\$40	6.80	4.90	3.10	1.30	0	0	0	0	0	0	0
\$40	\$41	6.90	5.10	3.30	1.40	0	0	0	0	0	0	0
\$41	\$42	7.10	5.30	3.40	1.60	0	0	0	0	0	0	0
\$42	\$43	7.30	5.40	3.60	1.80	0	0	0	0	0	0	0
\$43	\$44	7.40	5.60	3.80	2.00	.10	0	0	0	0	0	0
\$44	\$45	7.60	5.80	4.00	2.10	.30	0	0	0	0	0	0
\$45	\$46	7.80	6.00	4.10	2.30	.50	0	0	0	0	0	0
\$46	\$47	8.00	6.10	4.30	2.50	.60	0	0	0	0	0	0
\$47	\$48	8.20	6.30	4.50	2.60	.80	0	0	0	0	0	0
\$48	\$49	8.40	6.50	4.60	2.80	1.00	0	0	0	0	0	0
\$49	\$50	8.60	6.66	4.80	3.00	1.20	0	0	0	0	0	0
\$50	\$51	8.80	6.80	5.00	3.20	1.30	0	0	0	0	0	0
\$51	\$52	8.90	7.00	5.20	3.30	1.50	0	0	0	0	0	0

If the pay-roll period with respect to an employee is biweekly—Continued

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
		The amount of tax to be withheld shall be—										
\$44	\$46	\$7.70	\$4.00	\$0.40	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$46	\$48	8.00	4.40	.70	0	0	0	0	0	0	0	0
\$48	\$50	8.40	4.70	1.10	0	0	0	0	0	0	0	0
\$50	\$52	8.70	5.10	1.40	0	0	0	0	0	0	0	0
\$52	\$54	9.10	5.40	1.80	0	0	0	0	0	0	0	0
\$54	\$56	9.40	5.80	2.10	0	0	0	0	0	0	0	0
\$56	\$58	9.70	6.10	2.40	0	0	0	0	0	0	0	0
\$58	\$60	10.10	6.40	2.80	0	0	0	0	0	0	0	0
\$60	\$62	10.40	6.80	3.10	0	0	0	0	0	0	0	0
\$62	\$64	10.80	7.10	3.50	0	0	0	0	0	0	0	0
\$64	\$66	11.10	7.50	3.80	.20	0	0	0	0	0	0	0
\$66	\$68	11.50	7.80	4.10	.50	0	0	0	0	0	0	0
\$68	\$70	11.80	8.10	4.50	.80	0	0	0	0	0	0	0
\$70	\$72	12.10	8.50	4.80	1.20	0	0	0	0	0	0	0
\$72	\$74	12.50	8.80	5.20	1.50	0	0	0	0	0	0	0
\$74	\$76	12.80	9.20	5.50	1.90	0	0	0	0	0	0	0
\$76	\$78	13.20	9.50	5.90	2.20	0	0	0	0	0	0	0
\$78	\$80	13.50	9.90	6.20	2.50	0	0	0	0	0	0	0
\$80	\$82	13.90	10.20	6.50	2.90	0	0	0	0	0	0	0
\$82	\$84	14.20	10.50	6.90	3.20	0	0	0	0	0	0	0
\$84	\$86	14.50	10.90	7.20	3.60	0	0	0	0	0	0	0
\$86	\$88	14.90	11.20	7.60	3.90	.30	0	0	0	0	0	0
\$88	\$90	15.30	11.60	7.90	4.30	.60	0	0	0	0	0	0
\$90	\$92	15.60	11.90	8.30	4.60	.90	0	0	0	0	0	0
\$92	\$94	16.00	12.20	8.60	4.90	1.30	0	0	0	0	0	0
\$94	\$96	16.40	12.60	8.90	5.30	1.60	0	0	0	0	0	0
\$96	\$98	16.80	12.90	9.30	5.60	2.00	0	0	0	0	0	0
\$98	\$100	17.20	13.30	9.60	6.00	2.30	0	0	0	0	0	0
\$100	\$102	17.50	13.60	10.00	6.30	2.70	0	0	0	0	0	0
\$102	\$104	17.90	14.00	10.30	6.70	3.00	0	0	0	0	0	0
\$104	\$106	18.30	14.30	10.60	7.00	3.30	0	0	0	0	0	0
\$106	\$108	18.70	14.60	11.00	7.30	3.70	0	0	0	0	0	0
\$108	\$110	19.00	15.00	11.30	7.70	4.00	.40	0	0	0	0	0
\$110	\$112	19.40	15.40	11.70	8.00	4.40	.70	0	0	0	0	0
\$112	\$114	19.80	15.80	12.00	8.40	4.70	1.10	0	0	0	0	0
\$114	\$116	20.20	16.20	12.40	8.70	5.00	1.40	0	0	0	0	0
\$116	\$118	20.50	16.50	12.70	9.00	5.40	1.70	0	0	0	0	0
\$118	\$120	20.90	16.90	13.00	9.40	5.70	2.10	0	0	0	0	0
\$120	\$124	21.50	17.50	13.60	9.90	6.20	2.60	0	0	0	0	0
\$124	\$128	22.20	18.20	14.20	10.60	6.90	3.30	0	0	0	0	0
\$128	\$132	23.00	19.00	15.00	11.30	7.60	4.00	.30	0	0	0	0
\$132	\$136	23.70	19.70	15.70	12.00	8.30	4.60	1.00	0	0	0	0
\$136	\$140	24.50	20.50	16.50	12.60	9.00	5.30	1.70	0	0	0	0
\$140	\$144	25.20	21.20	17.20	13.30	9.70	6.00	2.40	0	0	0	0
\$144	\$148	26.00	22.00	18.00	14.00	10.40	6.70	3.00	0	0	0	0
\$148	\$152	26.80	22.70	18.70	14.70	11.00	7.40	3.70	.10	0	0	0
\$152	\$156	27.50	23.50	19.50	15.40	11.70	8.10	4.40	.80	0	0	0
\$156	\$160	28.30	24.20	20.20	16.20	12.40	8.70	5.10	1.40	0	0	0
\$160	\$164	29.00	25.00	21.00	16.90	13.10	9.40	5.80	2.10	0	0	0
\$164	\$168	29.80	25.70	21.70	17.70	13.90	10.10	6.50	2.80	0	0	0
\$168	\$172	30.50	26.50	22.50	18.40	14.50	10.80	7.10	3.50	0	0	0
\$172	\$176	31.30	27.20	23.20	19.20	15.20	11.50	7.80	4.20	.50	0	0
\$176	\$180	32.00	28.00	24.00	20.00	15.90	12.20	8.50	4.90	1.20	0	0
\$180	\$184	32.80	28.70	24.70	20.70	16.70	12.90	9.20	5.50	1.90	0	0
\$184	\$188	33.50	29.50	25.50	21.50	17.40	13.50	9.90	6.20	2.60	0	0
\$188	\$192	34.30	30.30	26.20	22.20	18.20	14.20	10.60	6.90	3.30	0	0
\$192	\$196	35.00	31.00	27.00	23.00	19.00	14.90	11.30	7.60	4.00	.30	0
\$196	\$200	35.90	31.80	27.70	23.70	19.70	15.70	12.00	8.30	4.60	1.00	0
\$200	\$210	37.10	33.10	29.10	25.00	21.00	17.00	13.00	9.40	5.80	2.20	0
\$210	\$220	39.00	36.00	30.90	26.90	22.90	18.90	14.90	11.20	7.50	3.90	.20
\$220	\$230	42.70	38.70	34.70	30.70	26.70	22.80	18.60	14.90	11.00	7.30	3.60
\$230	\$240	44.60	40.60	36.60	32.60	28.50	24.50	20.50	16.50	12.70	9.00	5.40
\$240	\$250	46.50	42.50	38.50	34.40	30.40	26.40	22.40	18.40	14.40	10.70	7.10
\$250	\$260	48.40	44.40	40.30	36.30	32.30	28.30	24.30	20.20	16.20	12.40	8.80
\$260	\$270	50.30	46.20	42.20	38.20	34.20	30.20	26.10	22.10	18.10	14.10	10.50
\$270	\$280	52.10	48.10	44.10	40.10	36.10	32.00	28.00	24.00	20.00	16.00	12.20
\$280	\$290	54.00	50.00	46.00	42.00	37.90	33.90	29.90	25.90	21.90	17.90	13.90
\$290	\$300	56.80	52.80	48.80	44.80	40.80	36.70	32.70	28.70	24.70	20.70	16.70
\$300	\$320	60.60	56.60	52.60	48.50	44.50	40.50	36.50	32.50	28.50	24.40	20.40
\$320	\$340	64.40	60.40	56.30	52.30	48.30	44.30	40.30	36.20	32.20	28.20	24.20
\$340	\$360	68.10	64.10	60.10	56.10	52.10	48.00	44.00	40.00	36.00	32.00	27.90
\$360	\$380	71.90	67.90	63.90	59.80	55.80	51.80	47.80	43.80	39.70	35.70	31.70
\$380	\$400											
		19 percent of the excess over \$400 plus—										
\$400 and over		78.80	69.80	65.70	61.70	57.70	53.70	49.70	45.60	41.60	37.60	33.60

If the pay-roll period with respect to an employee is semimonthly

And the wages are—		And the number of withholding exemptions claimed is—										
At least	But less than	0	1	2	3	4	5	6	7	8	9	10 or more
The amount of tax to be withheld shall be—												
\$0	\$22	17% of wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$22	\$24	\$3.90	0	0	0	0	0	0	0	0	0	0
\$24	\$26	4.30	.30	0	0	0	0	0	0	0	0	0
\$26	\$28	4.60	.70	0	0	0	0	0	0	0	0	0
\$28	\$30	5.00	1.00	0	0	0	0	0	0	0	0	0
\$30	\$32	5.30	1.30	0	0	0	0	0	0	0	0	0
\$32	\$34	5.60	1.70	0	0	0	0	0	0	0	0	0
\$34	\$36	6.00	2.00	0	0	0	0	0	0	0	0	0
\$36	\$38	6.30	2.40	0	0	0	0	0	0	0	0	0
\$38	\$40	6.70	2.70	0	0	0	0	0	0	0	0	0
\$40	\$42	7.00	3.10	0	0	0	0	0	0	0	0	0
\$42	\$44	7.40	3.40	0	0	0	0	0	0	0	0	0
\$44	\$46	7.70	3.70	0	0	0	0	0	0	0	0	0
\$46	\$48	8.00	4.10	.10	0	0	0	0	0	0	0	0
\$48	\$50	8.40	4.40	.50	0	0	0	0	0	0	0	0
\$50	\$52	8.70	4.80	.80	0	0	0	0	0	0	0	0
\$52	\$54	9.10	5.10	1.10	0	0	0	0	0	0	0	0
\$54	\$56	9.40	5.40	1.50	0	0	0	0	0	0	0	0
\$56	\$58	9.70	5.80	1.80	0	0	0	0	0	0	0	0
\$58	\$60	10.10	6.10	2.20	0	0	0	0	0	0	0	0
\$60	\$62	10.40	6.50	2.60	0	0	0	0	0	0	0	0
\$62	\$64	10.80	6.80	2.90	0	0	0	0	0	0	0	0
\$64	\$66	11.10	7.20	3.20	0	0	0	0	0	0	0	0
\$66	\$68	11.50	7.50	3.50	0	0	0	0	0	0	0	0
\$68	\$70	11.80	7.80	3.80	0	0	0	0	0	0	0	0
\$70	\$72	12.10	8.20	4.20	.30	0	0	0	0	0	0	0
\$72	\$74	12.50	8.50	4.60	.60	0	0	0	0	0	0	0
\$74	\$76	12.80	8.90	4.90	1.00	0	0	0	0	0	0	0
\$76	\$78	13.20	9.20	5.30	1.30	0	0	0	0	0	0	0
\$78	\$80	13.50	9.60	5.60	1.60	0	0	0	0	0	0	0
\$80	\$82	13.90	9.90	5.90	2.00	0	0	0	0	0	0	0
\$82	\$84	14.20	10.20	6.30	2.30	0	0	0	0	0	0	0
\$84	\$86	14.50	10.60	6.60	2.70	0	0	0	0	0	0	0
\$86	\$88	14.90	10.90	7.00	3.00	0	0	0	0	0	0	0
\$88	\$90	15.20	11.30	7.30	3.30	0	0	0	0	0	0	0
\$90	\$92	15.60	11.60	7.60	3.70	0	0	0	0	0	0	0
\$92	\$94	15.90	11.90	8.00	4.00	.10	0	0	0	0	0	0
\$94	\$96	16.30	12.30	8.30	4.40	.40	0	0	0	0	0	0
\$96	\$98	16.70	12.60	8.70	4.70	.80	0	0	0	0	0	0
\$98	\$100	17.00	13.00	9.00	5.10	1.10	0	0	0	0	0	0
\$100	\$102	17.40	13.30	9.40	5.40	1.40	0	0	0	0	0	0
\$102	\$104	17.80	13.70	9.70	5.70	1.80	0	0	0	0	0	0
\$104	\$106	18.20	14.00	10.00	6.10	2.10	0	0	0	0	0	0
\$106	\$108	18.50	14.30	10.40	6.40	2.50	0	0	0	0	0	0
\$108	\$110	18.90	14.70	10.70	6.80	2.80	0	0	0	0	0	0
\$110	\$112	19.30	15.00	11.10	7.10	3.10	0	0	0	0	0	0
\$112	\$114	19.70	15.40	11.40	7.40	3.50	0	0	0	0	0	0
\$114	\$116	20.00	15.70	11.70	7.80	3.80	0	0	0	0	0	0
\$116	\$118	20.40	16.10	12.10	8.10	4.20	.20	0	0	0	0	0
\$118	\$120	20.80	16.40	12.40	8.50	4.50	.60	0	0	0	0	0
\$120	\$124	21.40	17.00	12.90	9.00	5.00	1.10	0	0	0	0	0
\$124	\$128	22.10	17.80	13.60	9.70	5.70	1.80	0	0	0	0	0
\$128	\$132	22.90	18.50	14.30	10.40	6.40	2.40	0	0	0	0	0
\$132	\$136	23.60	19.30	15.00	11.00	7.10	3.10	0	0	0	0	0
\$136	\$140	24.40	20.00	15.70	11.70	7.80	3.80	0	0	0	0	0
\$140	\$144	25.10	20.80	16.40	12.40	8.40	4.50	.50	0	0	0	0
\$144	\$148	25.90	21.50	17.20	13.10	9.10	5.20	1.20	0	0	0	0
\$148	\$152	26.60	22.30	17.90	13.80	9.80	5.90	1.90	0	0	0	0
\$152	\$156	27.40	23.00	18.70	14.50	10.50	6.50	2.60	0	0	0	0
\$156	\$160	28.10	23.80	19.40	15.10	11.20	7.20	3.30	0	0	0	0
\$160	\$164	28.90	24.50	20.20	15.80	11.90	7.90	4.00	0	0	0	0
\$164	\$168	29.60	25.30	20.90	16.60	12.60	8.60	4.60	0	0	0	0
\$168	\$172	30.40	26.00	21.70	17.30	13.30	9.30	5.30	1.40	0	0	0
\$172	\$176	31.10	26.80	22.40	18.10	13.90	10.00	6.00	2.00	0	0	0
\$176	\$180	31.90	27.50	23.20	18.80	14.60	10.60	6.70	2.70	0	0	0
\$180	\$184	32.60	28.30	23.90	19.60	15.30	11.30	7.40	3.40	0	0	0
\$184	\$188	33.40	29.00	24.70	20.30	16.00	12.00	8.10	4.10	.10	0	0
\$188	\$192	34.20	29.80	25.40	21.10	16.70	12.70	8.70	4.80	.30	0	0
\$192	\$196	34.90	30.60	26.20	21.80	17.50	13.40	9.40	5.50	1.00	0	0
\$196	\$200	35.70	31.30	27.00	22.60	18.20	14.10	10.10	6.10	2.20	0	0
\$200	\$210	37.00	32.60	28.30	23.90	19.60	15.30	11.30	7.30	3.40	0	0
\$210	\$220	38.90	34.50	30.10	25.80	21.40	17.10	13.00	9.10	5.10	1.10	0
\$220	\$230	40.70	36.40	32.00	27.70	23.30	19.00	14.70	10.80	6.80	2.90	0
\$230	\$240	42.60	38.30	33.90	29.60	25.20	20.80	16.50	12.50	8.50	4.60	.60
\$240	\$250	44.50	40.10	35.80	31.40	27.10	22.70	18.40	14.20	10.20	6.30	2.30
\$250	\$260	46.40	42.00	37.70	33.30	29.00	24.60	20.30	15.90	11.90	8.00	4.00
\$260	\$270	48.30	43.90	39.50	35.20	30.80	26.50	22.10	17.80	13.60	9.70	5.70
\$270	\$280	50.10	45.80	41.40	37.10	32.70	28.40	24.00	19.70	15.40	11.40	7.40
\$280	\$290	52.00	47.70	43.30	39.00	34.60	30.20	25.90	21.60	17.20	13.10	9.20

If the pay-roll period with respect to an employee is a daily pay-roll period or a miscellaneous pay-roll period—Continued

And the wages divided by the number of days in such period are—		And the number of withholding exemptions claimed is—											
		0	1	2	3	4	5	6	7	8	9	10 or more	
At least	But less than	The amount of tax to be withheld shall be in the following amount multiplied by the number of days in such period											
\$3.75	\$4.00	\$0.65	\$0.40	\$0.15	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$4.00	\$4.25	.70	.45	.20	0	0	0	0	0	0	0	0	0
\$4.25	\$4.50	.75	.50	.25	0	0	0	0	0	0	0	0	0
\$4.50	\$4.75	.80	.55	.25	0	0	0	0	0	0	0	0	0
\$4.75	\$5.00	.85	.55	.30	.05	0	0	0	0	0	0	0	0
\$5.00	\$5.25	.90	.60	.35	.10	0	0	0	0	0	0	0	0
\$5.25	\$5.50	.90	.65	.40	.15	0	0	0	0	0	0	0	0
\$5.50	\$5.75	.95	.70	.45	.20	0	0	0	0	0	0	0	0
\$5.75	\$6.00	1.00	.75	.50	.20	0	0	0	0	0	0	0	0
\$6.00	\$6.25	1.05	.80	.55	.25	0	0	0	0	0	0	0	0
\$6.25	\$6.50	1.10	.85	.55	.30	.05	0	0	0	0	0	0	0
\$6.50	\$6.75	1.15	.85	.60	.35	.10	0	0	0	0	0	0	0
\$6.75	\$7.00	1.20	.90	.65	.40	.15	0	0	0	0	0	0	0
\$7.00	\$7.25	1.25	.95	.70	.45	.20	0	0	0	0	0	0	0
\$7.25	\$7.50	1.30	1.00	.75	.50	.20	0	0	0	0	0	0	0
\$7.50	\$7.75	1.35	1.05	.80	.50	.25	0	0	0	0	0	0	0
\$7.75	\$8.00	1.40	1.10	.85	.55	.30	.05	0	0	0	0	0	0
\$8.00	\$8.25	1.40	1.15	.85	.60	.35	.10	0	0	0	0	0	0
\$8.25	\$8.50	1.45	1.20	.90	.65	.40	.15	0	0	0	0	0	0
\$8.50	\$8.75	1.50	1.25	.95	.70	.45	.15	0	0	0	0	0	0
\$8.75	\$9.00	1.55	1.30	1.00	.75	.50	.20	0	0	0	0	0	0
\$9.00	\$9.25	1.60	1.35	1.05	.80	.50	.25	0	0	0	0	0	0
\$9.25	\$9.50	1.65	1.35	1.10	.80	.55	.30	.05	0	0	0	0	0
\$9.50	\$9.75	1.70	1.40	1.15	.85	.60	.35	.10	0	0	0	0	0
\$9.75	\$10.00	1.75	1.45	1.20	.90	.65	.40	.15	0	0	0	0	0
\$10.00	\$10.50	1.80	1.55	1.25	.95	.70	.45	.20	0	0	0	0	0
\$10.50	\$11.00	1.90	1.65	1.35	1.05	.80	.55	.30	.10	0	0	0	0
\$11.00	\$11.50	2.00	1.75	1.45	1.15	.90	.60	.35	.20	0	0	0	0
\$11.50	\$12.00	2.10	1.80	1.65	1.25	.95	.70	.45	.25	0	0	0	0
\$12.00	\$12.50	2.20	1.90	1.65	1.35	1.05	.80	.55	.35	.10	0	0	0
\$12.50	\$13.00	2.30	2.00	1.70	1.45	1.15	.90	.60	.40	.20	0	0	0
\$13.00	\$13.50	2.40	2.10	1.80	1.55	1.25	.95	.70	.45	.25	.10	0	0
\$13.50	\$14.00	2.50	2.20	1.90	1.60	1.35	1.05	.80	.55	.35	.20	0	0
\$14.00	\$14.50	2.60	2.30	2.00	1.70	1.45	1.15	.90	.60	.45	.25	.10	0
\$14.50	\$15.00	2.65	2.40	2.10	1.80	1.50	1.25	.95	.70	.45	.25	.10	0
\$15.00	\$15.50	2.75	2.50	2.20	1.90	1.60	1.35	1.05	.80	.55	.35	.20	0
\$15.50	\$16.00	2.85	2.55	2.30	2.00	1.70	1.45	1.15	.95	.70	.45	.25	.10
\$16.00	\$16.50	2.95	2.65	2.40	2.10	1.80	1.50	1.25	.95	.70	.45	.25	.10
\$16.50	\$17.00	3.05	2.75	2.45	2.20	1.90	1.60	1.35	1.05	.80	.55	.35	.20
\$17.00	\$17.50	3.15	2.85	2.55	2.30	2.00	1.70	1.40	1.15	.85	.60	.35	.25
\$17.50	\$18.00	3.25	2.95	2.65	2.40	2.10	1.80	1.50	1.25	.95	.70	.45	.25
\$18.00	\$18.50	3.35	3.05	2.75	2.45	2.20	1.90	1.60	1.30	1.05	.80	.50	.35
\$18.50	\$19.00	3.40	3.15	2.85	2.55	2.30	2.00	1.70	1.40	1.15	.85	.60	.40
\$19.00	\$19.50	3.50	3.25	2.95	2.65	2.35	2.10	1.80	1.50	1.25	.95	.70	.45
\$19.50	\$20.00	3.60	3.30	3.05	2.75	2.45	2.20	1.90	1.60	1.30	1.05	.75	.50
\$20.00	\$21.00	3.75	3.45	3.20	2.90	2.60	2.30	2.05	1.75	1.45	1.20	.90	.60
\$21.00	\$22.00	3.95	3.65	3.35	3.10	2.80	2.50	2.20	1.95	1.65	1.35	1.10	.75
\$22.00	\$23.00	4.15	3.85	3.55	3.25	3.00	2.70	2.40	2.10	1.85	1.55	1.25	.90
\$23.00	\$24.00	4.30	4.05	3.75	3.45	3.15	2.90	2.60	2.30	2.05	1.75	1.45	.95
\$24.00	\$25.00	4.50	4.20	3.95	3.65	3.35	3.05	2.80	2.50	2.20	1.95	1.65	1.10
\$25.00	\$26.00	4.70	4.40	4.10	3.85	3.55	3.25	2.95	2.70	2.40	2.10	1.85	1.20
\$26.00	\$27.00	4.90	4.60	4.30	4.00	3.75	3.45	3.15	2.90	2.60	2.30	2.00	1.40
\$27.00	\$28.00	5.05	4.80	4.50	4.20	3.90	3.65	3.35	3.05	2.80	2.50	2.20	1.50
\$28.00	\$29.00	5.25	4.95	4.70	4.40	4.10	3.80	3.55	3.25	2.95	2.70	2.40	1.60
\$29.00	\$30.00	5.45	5.15	4.85	4.60	4.30	4.00	3.75	3.45	3.15	2.85	2.60	1.70
19 percent of the excess over \$30 plus—													
\$30.00 and over	5.55	5.25	4.95	4.70	4.40	4.10	3.80	3.55	3.25	2.95	2.70		

(c) TECHNICAL AMENDMENT.—Section 1622 (h) (1) (C) (relating to exemptions for withholding) is amended by striking out the words "a surtax exemption under section 25 (b) (3)" and by inserting in lieu thereof "an exemption under section 25 (b) (1) (C)".

(d) WITHHOLDING STATEMENTS.—

(1) Section 1625 (a) (relating to withholding receipts) is amended by inserting after "required to deduct and withhold a tax in respect of the wages of an employee" the following: "or who would have been so required if the employee had claimed no more than one withholding exemption,".

58 Stat. 253.
26 U. S. C., Supp.
IV, § 1622 (h) (1) (C).
53 Stat. 18.
26 U. S. C., Supp.
IV, § 25 (b) (3).
And, p. 558.

57 Stat. 137.
26 U. S. C., Supp.
IV, § 1625 (a).

57 Stat. 137.
26 U. S. C., Supp.
IV, § 1626 (a) (b).

(2) Section 1626 (a) and (b) (relating to penalties in connection with withholding receipts) are amended (A) by striking out "in respect of tax withheld pursuant to this subchapter" in each of such subsections, and (B) by striking out "receipt" wherever appearing therein and inserting in lieu thereof "statement".

(e) **EFFECTIVE DATE.**—The amendments made by this section shall be applicable only with respect to wages paid on or after **January 1, 1946.**

Part II—Corporation Taxes

SEC. 121. DECREASE IN CORPORATION SURTAX.

(a) **IN GENERAL.**—Section 15 (b) (relating to the corporation surtax) is amended to read as follows:

"(b) **IMPOSITION OF TAX.**—There shall be levied, collected, and paid for each taxable year upon the corporation surtax net income of every corporation (except a Western Hemisphere trade corporation as defined in section 109, and except a corporation subject to a tax imposed by section 231 (a), Supplement G or Supplement Q) a surtax as follows:

• "(1) Surtax net incomes not over \$25,000.—Upon corporation surtax net incomes not over \$25,000, 6 per centum of the amount thereof.

"(2) Surtax net incomes over \$25,000 but not over \$50,000.—Upon corporation surtax net incomes over \$25,000, but not over \$50,000, \$1,500 plus 22 per centum of the amount of the corporation surtax net income over \$25,000.

"(3) Surtax net incomes over \$50,000.—Upon corporation surtax net incomes over \$50,000, 14 per centum of the corporation surtax net income."

(b) **MUTUAL INSURANCE COMPANIES OTHER THAN LIFE OR MARINE.**—

(1) Section 207 (a) (1) (B) (relating to surtax on mutual insurance companies, other than life or marine) is amended to read as follows:

"(B) Surtax.—A surtax on the corporation surtax net income, computed at the rates provided in section 15 (b), except that if the corporation surtax net income is not more than \$6,000 the surtax shall be 12 per centum of the amount by which the corporation surtax net income exceeds \$3,000."

(2) Section 207 (a) (3) (B) (relating to surtax on inter-insurers or reciprocal underwriters) is amended by striking out "32 per centum" and inserting in lieu thereof "28 per centum".

(c) **REGULATED INVESTMENT COMPANIES.**—Section 362 (b) (4) (relating to the surtax on regulated investment companies) is amended by striking out "16 per centum" and inserting in lieu thereof "14 per centum".

(d) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1945. For treatment of taxable years beginning in 1945 and ending in 1946, see section 131.

SEC. 122. REPEAL OF EXCESS PROFITS TAX IN 1946.

(a) **IN GENERAL.**—The provisions of subchapter E of chapter 2 shall not apply to any taxable year beginning after December 31, 1945.

(b) **CARRY-BACKS FROM YEARS AFTER 1945, ETC.**—Despite the provisions of subsection (a) of this section the provisions of subchapter E of chapter 2 shall remain in force for the purposes of the determination of the taxes imposed by such subchapter for taxable years beginning before January 1, 1946, such determination to be made as if subsection (a) had not been enacted but with the application of

55 Stat. 693.
26 U. S. C., Supp.
IV, § 15 (b).

56 Stat. 838.
26 U. S. C., Supp.
IV, § 109.
53 Stat. 78, 71, 98.
26 U. S. C., Supp.
IV, §§ 231(a), 201-208,
361-363.
Infra.
Post, p. 570.

56 Stat. 872.
26 U. S. C., Supp.
IV, § 207 (a) (1) (B).

Supra.

56 Stat. 873.
26 U. S. C., Supp.
IV, § 207 (a) (3) (B).

56 Stat. 880.
26 U. S. C., Supp.
IV, § 362 (b) (4).

Post, p. 578.

54 Stat. 975.
26 U. S. C. §§ 710-
752; Supp. IV, §§ 710-
783.
Ante, p. 519.

the amendments made by subsection (c) of this section and section 131 of this Act.

(c) **UNUSED EXCESS PROFITS CREDIT FOR TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 1945.**—Section 710 (c) (2) (defining the unused excess profits credit) is amended by inserting at the end thereof a new sentence reading as follows: "There shall be no unused excess profits credit for a taxable year beginning after December 31, 1946. The unused excess profits credit for a taxable year beginning in 1946 and ending in 1947 shall be an amount which is such part of the unused excess profits credit determined under the preceding provisions of this paragraph as the number of days in such taxable year prior to January 1, 1947, is of the total number of days in such taxable year."

(d) **AFFILIATED GROUPS.**—Subsection (b) shall be applied in the case of corporations making or required to make a consolidated return under chapter 1 for any taxable year beginning after December 31, 1945, and in the case of a corporation making a separate return for any such taxable year which was a member of a group which made or was required to make a consolidated return for any prior taxable year, in such manner as may be prescribed in regulations prescribed by the Commissioner with the approval of the Secretary prior to the last day prescribed by law for the making of the return for the year beginning after December 31, 1945.

(e) **CLAIMS FOR REFUND BASED ON CARRY-BACKS.**—

(1) **IN GENERAL.**—The first sentence of section 322 (b) (6) (relating to periods of limitation with respect to claims for refund based on carry-backs) is amended to read as follows: "If the claim for credit or refund relates to an overpayment attributable to a net operating loss carry-back or to an unused excess profits credit carry-back, in lieu of the three-year period of limitation prescribed in paragraph (1), the period shall be that period which ends with the expiration of the fifteenth day of the thirty-ninth month following the end of the taxable year of the net operating loss or the unused excess profits credit which results in such carry-back, or the period prescribed in paragraph (3) in respect of such taxable year, whichever expires later."

(2) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendment made by this subsection shall be applicable to claims for credit or refund with respect to taxable years beginning after December 31, 1940.

(f) **DEFICIENCIES ATTRIBUTABLE TO CARRY-BACKS.**—

(1) Section 276 (d) is amended to read as follows:

"(d) **NET OPERATING LOSS CARRY-BACKS AND UNUSED EXCESS PROFITS CREDIT CARRY-BACKS.**—In the case of a deficiency attributable to the application to the taxpayer of a net operating loss carry-back or an unused excess profits credit carry-back, including deficiencies which may be assessed pursuant to the provisions of section 3780 (b) or (c), such deficiency may be assessed—

"(1) in case a return was required under subchapter E of chapter 2 for the taxable year of the net operating loss or unused excess profits credit resulting in the carry-back, at any time before the expiration of the period within which (under section 275 or subsection (a) or (b) of this section) a deficiency (with respect to tax imposed either by chapter 1 or by subchapter B or E of chapter 2) for such taxable year (whichever is the longer period) may be assessed; or

"(2) in case a return was not required under subchapter E of chapter 2 for the taxable year of the net operating loss or unused

Post, p. 570.

56 Stat. 900.
26 U. S. C., Supp.
IV, § 710 (c) (2).

53 Stat. 4.
26 U. S. C. §§ 1-396;
Supp. IV, §§ 3-421.
Ante, p. 518 *et seq.*;
p. 557 *et seq.*; *post*, pp.
670, 673.

Ante, p. 524.

Ante, p. 525.

Ante, p. 522.

54 Stat. 975.
26 U. S. C. §§ 710-
752; Supp. IV, §§ 710-
753.
Ante, pp. 519, 568.
53 Stat. 86.
26 U. S. C. § 275.

53 Stat. 4, 111; 54
Stat. 975.
26 U. S. C. §§ 1-396,
600-604, 710-752; Supp.
IV, §§ 3-421, 600-605,
710-753.
Supra; *post*, p. 574.

53 Stat. 86.
26 U. S. C. § 275.

53 Stat. 4, 104, 111.
26 U. S. C. §§ 1-396,
500-604; Supp. IV, §§
3-421, 500-605.
Ante, p. 518 *et seq.*;
p. 557 *et seq.*; *post*, pp.
574, 670, 673.

53 Stat. 19; 56 Stat.
806.

26 U. S. C., Supp.
IV, § 26 (e).

53 Stat. 863.

26 U. S. C., Supp.
IV, § 13 (a) (2).

Ante, pp. 519, 568.
Supra.

55 Stat. 693.

26 U. S. C., Supp.
IV, § 15 (a).

Supra.

53 Stat. 19.

26 U. S. C., Supp.
IV, § 26 (b).

Ante, pp. 519, 568.
Supra.

53 Stat. 35; 56 Stat.
807.

26 U. S. C., Supp.
IV, § 102 (d) (1).

53 Stat. 56.

26 U. S. C., Supp.
IV, § 131 (b).

53 Stat. 72.

26 U. S. C., Supp.
IV, § 204 (a) (2).

excess profits credit resulting in the carry-back, at any time before the expiration of the period within which (under section 275 or subsection (a) or (b) of this section) a deficiency (with respect to tax imposed either by chapter 1 or by subchapter A or B of chapter 2) for such taxable year (whichever is the longer period) may be assessed."

(2) **EFFECTIVE DATE.**—The amendment made by this subsection shall be applicable with respect to all taxable years beginning after December 31, 1940.

(g) **TECHNICAL AMENDMENTS.**—Effective with respect to taxable years beginning after December 31, 1945—

(1) Section 26 (e) (relating to the credit for income subject to the excess profits tax) is repealed.

(2) Section 13 (a) (2) (defining "normal tax net income") is amended by striking out "minus the credit for income subject to the tax imposed by Subchapter E of Chapter 2 provided in section 26 (e) and".

(3) Section 15 (a) (defining "corporation surtax net income") is amended (A) by striking out "minus the credit for income subject to the tax imposed by Subchapter E of Chapter 2 provided in section 26 (e) and"; and (B) by striking out "(computed by limiting such credit to 85 per centum of the net income reduced by the credit for income subject to the tax imposed by Subchapter E of Chapter 2 in lieu of 85 per centum of the adjusted net income so reduced)".

(4) Section 26 (b) (relating to the credit for dividends received) is amended by striking out "reduced by the credit for income subject to the tax imposed by Subchapter E of Chapter 2 provided in subsection (e)".

(5) Section 102 (d) (1) (defining terms for the purposes of the tax imposed by section 102) is amended by striking out subparagraph (D) thereof.

(6) Section 131 (b) (prescribing certain limitations on the foreign-tax credit) is amended by striking out paragraph (3) thereof.

(7) Section 204 (a) (2) (relating to foreign mutual insurance companies other than life or marine) is amended to read as follows:

"(2) **NORMAL-TAX AND CORPORATION SURTAX NET INCOME OF FOREIGN INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL AND FOREIGN MUTUAL MARINE.**—In the case of a foreign insurance company (other than a life or mutual insurance company) and a foreign mutual marine insurance company and a foreign mutual fire insurance company described in paragraph (1) of this subsection, the normal tax net income shall be the net income from sources within the United States minus the credit provided in section 26 (a) and the credit provided in section 26 (b), and the corporation surtax net income shall be the net income from sources within the United States minus the credit provided in section 26 (b)."

(h) **FISCAL YEAR TAXPAYERS.**—For taxable years beginning in 1945 and ending in 1946, see section 131.

Part III—Fiscal Year Taxpayers

SEC. 131. FISCAL YEAR TAXPAYERS.

(a) **INCOME TAXES.**—Section 108 of the Internal Revenue Code is amended by striking out "(c)" at the beginning of subsection (c) and inserting in lieu thereof "(d)", and by inserting after subsection (b) the following:

56 Stat. 837; 58 Stat.
32.

26 U. S. C., Supp.
IV, § 108.

“(c) **TAXABLE YEARS BEGINNING IN 1945 AND ENDING IN 1946.**—In the case of a taxable year beginning in 1945 and ending in 1946, the tax imposed by sections 11, 12, 13, 14, 15, and 400 shall be an amount equal to the sum of—

53 Stat. 5; 55 Stat. 689.
26 U. S. C. §§ 11–15; Supp. IV, §§ 11–15, 400.
Ante, pp. 557, 558, 560, 568, 570.

“(1) that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1945, were applicable to such taxable year, which the number of days in such taxable year prior to January 1, 1946, bears to the total number of days in such taxable year, plus

“(2) that portion of a tentative tax, computed as if the law applicable to years beginning on January 1, 1946, were applicable to such taxable year, which the number of days in such taxable year after December 31, 1945, bears to the total number of days in such taxable year.

(b) **EXCESS PROFITS TAX.**—

(1) **IN GENERAL.**—Section 710 (a) (imposing the excess profits tax) is amended by inserting at the end thereof the following:

54 Stat. 975.
26 U. S. C., Supp. IV, § 710 (a).

“(7) **TAXABLE YEARS BEGINNING IN 1945 AND ENDING IN 1946.**—In the case of a taxable year beginning in 1945 and ending in 1946, the tax shall be an amount equal to that portion of a tentative tax, computed as if the law applicable to taxable years beginning on January 1, 1945, were applicable to such taxable year, which the number of days in such taxable year prior to January 1, 1946, bears to the total number of days in such taxable year.”

(2) **TECHNICAL AMENDMENTS.**—

(A) Section 2 (a) of the Tax Adjustment Act of 1945 (relating to the specific exemption) is repealed as of the date of its enactment.

Ante, p. 517.

(B) Section 710 (b) (1) (relating to the specific exemption) is restored to read as such paragraph read immediately prior to the enactment of the Tax Adjustment Act of 1945, to be effective, as so restored, as if section 2 (a) of the Tax Adjustment Act of 1945 had not been enacted.

54 Stat. 975.
26 U. S. C., Supp. IV, § 710 (b) (1).
Ante, p. 517.

Part IV—Veterans' and Servicemen's Provisions

SEC. 141. ADDITIONAL ALLOWANCE FOR MILITARY AND NAVAL PERSONNEL.

(a) **IN GENERAL.**—Section 22 (b) (13) (relating to the exclusion from gross income for military and naval personnel) is amended to read as follows:

55 Stat. 814.
26 U. S. C., Supp. IV, § 22 (b) (13).

“(13) **ADDITIONAL ALLOWANCE FOR MILITARY AND NAVAL PERSONNEL.**—

“(A) In the case of compensation received during any taxable year and before the termination of the present war as proclaimed by the President, for active service as a commissioned officer (or a commissioned warrant officer) in the military or naval forces of the United States during such war, or, in the case of a citizen or resident of the United States, as a member of the military or naval forces of any of the other United Nations during such war, so much of such compensation as does not exceed \$1,500.

“(B) Compensation received during any taxable year and before the termination of the present war as proclaimed by the President, for active service as a member below the grade of commissioned officer (or commissioned warrant officer) in the military or naval forces of the United States during such war.”

Ante, p. 571.

(b) **TAXABLE YEARS TO WHICH APPLICABLE.**—Subparagraph (A) of section 22 (b) (13), as amended by subsection (a) of this section, shall be applicable with respect to taxable years beginning after December 31, 1942; subparagraph (B) thereof shall be applicable with respect to taxable years beginning after December 31, 1940.

(c) **CREDITS OR REFUNDS FOR 1941 AND 1942.**—If at any time prior to January 1, 1947, the allowance of a credit or refund of an overpayment of the tax for any taxable year beginning after December 31, 1940, and before January 1, 1943, is otherwise prevented by the operation of any law or rule of law (other than section 3761, relating to compromises), a credit or refund of the overpayment of such tax to the extent that the overpayment is attributable to the enactment of this section may, nevertheless, be allowed or made if a claim therefor is filed before January 1, 1947.

53 Stat. 462.
26 U. S. C. § 3761;
Supp. IV, § 3761.

SEC. 142. DEFERMENT OF CERTAIN TAXES OF VETERANS AND SERVICEMEN.

53 Stat. 467.
26 U. S. C. §§ 3790-
3802; Supp. IV, § 3790
et seq.
Post, p. 671.

(a) **IN GENERAL.**—Chapter 38 (miscellaneous provisions) is amended by inserting at the end thereof a new section reading as follows:

“SEC. 3808. DEFERMENT OF TAX ATTRIBUTABLE TO SERVICE PAY FOR COMMISSIONED SERVICE AND OF TAX ATTRIBUTABLE TO PRE-SERVICE EARNED INCOME.

“(a) **DEFINITIONS.**—As used in this section—

“Tax attributable to service pay.”

“(1) **TAX ATTRIBUTABLE TO SERVICE PAY.**—The term ‘tax attributable to service pay’ means—

“(A) in the case of a war year for which the taxpayer had no gross income other than compensation for active service as a member of the military or naval forces of the United States, the tax imposed under chapter 1 for such year; or

“(B) in the case of a war year for which the taxpayer had gross income in addition to compensation for active service as a member of the military or naval forces of the United States, the excess of the tax imposed under chapter 1 for such year over the tax that would have been imposed if such compensation had been excluded from gross income;

53 Stat. 4.
26 U. S. C. §§ 1-396;
Supp. IV, §§ 3-421.
Ante, p. 518 *et seq.*;
p. 557 *et seq.*; *post*, pp.
670, 673.
Commissioned officer.

except that in the case of a commissioned officer (or a commissioned warrant officer) of the regular component of the Army, Navy, Marine Corps, or Coast Guard, such term shall not apply to any war year unless, at the time prescribed for the payment of the tax under chapter 1 for such year, a period of time was being disregarded under section 3804.

“(2) **WAR YEAR.**—The term ‘war year’—

“(A) when used with respect to the tax attributable to service pay means any taxable year beginning after December 31, 1939, and before January 1, 1947; and

“(B) when used with respect to the tax attributable to pre-service earned income means any taxable year beginning after December 31, 1939, but before January 1, 1942, and before the taxpayer entered upon active service as a member of the military or naval forces of the United States, but does not include any year unless part of the tax imposed by chapter 1 for such year became due and payable after the taxpayer entered upon such active service.

“(3) **TAX ATTRIBUTABLE TO PRE-SERVICE EARNED INCOME.**—The term ‘tax attributable to pre-service earned income’ means the excess of the tax imposed by chapter 1 for any war year over the tax that would have been imposed for such year if there had been excluded from the net income for such year the amount of

Supra.

Supra.

56 Stat. 961.
26 U. S. C., Supp.
IV, § 3804.
“War year.”

the earned net income (as such term was defined in section 25 (a) (4) as in force with respect to such year, except that in computing such earned net income, compensation for active service in such forces shall be disregarded).

53 Stat. 18.
26 U. S. C. § 25 (a)
(4); Supp. IV, § 25 (a)
(4).

“(4) **FIRST INSTALLMENT DATE.**—The term ‘first installment date’ means May 15, 1946, in the case of taxpayers released from active duty in the military or naval forces of the United States prior to December 1, 1945; and in other cases June 15, 1947, or the fifteenth day of the sixth month which begins after the date of the taxpayer’s release from active duty in such forces, whichever is the earlier; except that, if the first installment date with respect to any war year would otherwise occur earlier than the fifteenth day of the third month following the close of such year, the first installment date with respect to such year shall be the fifteenth day of such third month.

“(b) **EXTENSION OF TIME FOR PAYMENT.**—Upon application with respect to any war year, made prior to the first installment date, and under regulations prescribed by the Commissioner with the approval of the Secretary—

“(1) the time for payment of an amount of the tax under chapter 1 for such year which is equal to the tax attributable to service pay for such year and which has not been paid before the filing of such application; and

53 Stat. 4.
26 U. S. C. §§ 1-396;
Supp. IV, §§ 2-421.
Ante, p. 518 *et seq.*;
p. 557 *et seq.*; *post*, pp.
670, 673.

“(2) the time for the payment of an amount of the tax under chapter 1 for such year which is equal to the tax attributable to pre-service earned income for such year and which has not been paid before the filing of such application,

shall, in lieu of the time otherwise applicable, be as follows: one-twelfth thereof on the first installment date and an additional twelfth thereof every three months thereafter until such tax is paid.

“(c) **SUSPENSION OF PERIOD OF LIMITATION.**—The running of the period of limitation provided in section 276 (c) (relating to the collection of the tax after assessment) in respect of any tax the time for the payment of which is prescribed under subsection (b), shall be suspended for the period beginning with the date of the filing of the application under such subsection and ending six months after the date prescribed therein for the payment of the last installment of such tax.

53 Stat. 87.
26 U. S. C. § 276 (c).

“(d) **ESTIMATED TAX.**—If the taxpayer is eligible for the benefits of subsection (b) with respect to any war year—

“(1) for the purposes of the application of section 58 with respect to such year, compensation for active service as a member of the military or naval forces of the United States may be disregarded in determining the gross income reasonably expected for such year, and in determining the estimated tax for such year; and

57 Stat. 141.
26 U. S. C., Supp.
IV, § 58.
Ante, p. 559.

“(2) for the purposes of section 294 (d) the tax for such year shall be determined as if such compensation were excluded from gross income.

58 Stat. 37.
26 U. S. C., Supp.
IV, § 294 (d).

This subsection shall not apply with respect to a taxpayer for any war year who at the time prescribed for making the declaration of estimated tax for such year is a commissioned officer (or a commissioned warrant officer) of the regular component of the Army, Navy, Marine Corps, or Coast Guard.”

Commissioned officer.

(b) **REFUND OF INTEREST PAID.**—Any interest paid prior to the date of the enactment of this Act with respect to tax attributable to service pay for any war year, or with respect to tax attributable to pre-service earned income for any war year, shall be credited or

refunded if claim therefor is filed with the Commissioner prior to January 1, 1947.

Part V—Miscellaneous

SEC. 151. REPORTS OF REFUNDS AND CREDITS TO JOINT COMMITTEE ON INTERNAL REVENUE TAXATION.

Ante, p. 523.

Section 3777 (c) (relating to refunds and credits with respect to tentative carry-back adjustments) is amended by striking out in the heading "Carry-Back", and by inserting after "section 3780 (b)" the following: "or under section 124 (k)".

Ante, p. 522.

Ante, p. 526.

SEC. 152. EXTENSION OF TREATMENT OF INCOME RESULTING FROM DISCHARGE OF INDEBTEDNESS.

53 Stat. 875; 56 Stat. 811, 812.
26 U. S. C., Supp. IV, § 22 (b) (9), (10).

Section 22 (b) (9) and (10) (relating to the exclusion of income from the discharge of indebtedness) are amended by striking out "1945" in each of such paragraphs and inserting in lieu thereof "1946".

SEC. 153. LOST POSTWAR CREDIT BONDS.

50 Stat. 482.
31 U. S. C. § 739a(c).

Section 8 (c) of the Government Losses in Shipment Act, as amended, is amended by inserting before the period at the end thereof the following: "and also means any bond issued under section 780 of the Internal Revenue Code".

56 Stat. 936.
26 U. S. C., Supp. IV, § 780.
Ante, p. 518.

TITLE II—REPEAL OF CAPITAL STOCK TAX AND DECLARED VALUE EXCESS PROFITS TAX

SEC. 201. REPEAL OF CAPITAL STOCK TAX.

53 Stat. 169.
26 U. S. C. §§ 1200-1207; Supp. IV, § 1200 *et seq.*

Effective with respect to years ending after June 30, 1945, chapter 6 (imposing the capital stock tax) is repealed.

SEC. 202. REPEAL OF DECLARED VALUE EXCESS PROFITS TAX.

53 Stat. 111.
26 U. S. C. §§ 600-604; Supp. IV, § 600 *et seq.*
Infra.

Effective with respect to income-tax taxable years ending after June 30, 1946, subchapter B of chapter 2 (imposing the declared value excess profits tax) is repealed.

SEC. 203. ALTERNATIVE TAX WHERE WAR LOSS RECOVERIES INCLUDED IN NET INCOME.

53 Stat. 111.
26 U. S. C. § 600; Supp. IV, § 600.
Supra.

Effective with respect to income-tax taxable years ending after June 30, 1945, and before July 1, 1946, section 600 is amended by inserting before the first paragraph thereof "(a) IN GENERAL.—" and by inserting at the end of such section a new subsection reading as following:

"(b) ALTERNATIVE TAX.—If the net income for the taxable year includes any amount on account of war loss recoveries under section 127 (c), then, in lieu of the tax computed under subsection (a), the tax shall be a tax computed as follows:

"(1) An amount computed under subsection (a), after excluding from net income the amount of the war loss recoveries, plus

"(2) One and one-quarter per centum of the amount of the war loss recoveries included in the net income or of such portion of the net income as would be subject to the tax imposed by subsection (a) in the absence of this subsection, whichever is the lesser."

56 Stat. 863.
26 U. S. C., Supp. IV, § 127 (c).

TITLE III—EXCISE TAXES

SEC. 301. REPEAL OF USE TAX ON MOTOR VEHICLES AND BOATS.

Effective with respect to the period after June 30, 1946, chapter 33A (imposing a tax on the use of motor vehicles and boats) is repealed.

55 Stat. 723.
26 U. S. C., Supp.
IV, § 3640.

SEC. 302. FLOOR STOCKS REFUNDS AND TECHNICAL PROVISIONS RELATING TO REDUCTION OF COMMUNICATIONS TAX.

Chapter 9A (relating to war taxes and war tax rates) is amended by inserting at the end thereof the following:

54 Stat. 522.
26 U. S. C. § 1650;
Supp. IV, § 1650 *et seq.*

“SEC. 1656. FLOOR STOCKS REFUNDS ON DISTILLED SPIRITS, WINES, AND CORDIALS, AND FERMENTED MALT LIQUORS.

“(a) **IN GENERAL.**—With respect to any article upon which tax is imposed under section 2800, 3030, or 3150, upon which internal revenue tax (including floor stocks taxes) at the rate prescribed in section 1650 has been paid, and which, on the rate reduction date (as defined in section 1659), is held by any person and intended for sale or for use in the manufacture or production of any article intended for sale, there shall be credited or refunded to such person (without interest), subject to such regulations as may be prescribed by the Commissioner with the approval of the Secretary, an amount equal to the difference between the tax so paid and the tax that would have been paid if section 1650 and the 1944 floor stocks taxes had not been applicable, if claim for such credit or refund is filed with the Commissioner within thirty days after the rate reduction date.

53 Stat. 296, 347, 365.
26 U. S. C., Supp.
IV, §§ 2800, 3030, 3150.
53 Stat. 61.
26 U. S. C., Supp.
IV, § 1650.

“(b) **LIMITATIONS ON ELIGIBILITY FOR CREDIT OR REFUND.**—No person shall be entitled to credit or refund under subsection (a) unless (1) such person, for such period or periods both before and after the rate reduction date (but not extending beyond one year thereafter), as the Commissioner with the approval of the Secretary shall by regulations prescribe, makes and keeps, and files with the Commissioner, such records of inventories, sales, and purchases as may be prescribed in such regulations; and (2) such person establishes to the satisfaction of the Commissioner, with respect to each kind of article for which refund is claimed by him under this section, that on and after the rate reduction date and until the expiration of three months thereafter, the price at which articles of such kind were sold (until a number equal at least to the number on hand on the rate reduction date were sold) reflected, in such manner as the Commissioner may by regulations prescribe with the approval of the Secretary, the amount of the tax reduction.

“(c) All provisions of law, including penalties, applicable in respect of internal revenue taxes on distilled spirits, wines, liqueurs and cordials, imported perfumes containing distilled spirits, and fermented malt liquors shall, insofar as applicable and not inconsistent with this section, be applicable in respect of the credits and refunds provided for in this section to the same extent as if such credits or refunds constituted credits or refunds of such taxes.

“SEC. 1657. FLOOR STOCKS REFUNDS ON ELECTRIC LIGHT BULBS.

“(a) **IN GENERAL.**—With respect to any article upon which tax is imposed under section 3406 (a) (10), upon which internal revenue tax at the rate prescribed in section 1650 has been paid, and which, on the rate reduction date, is held by any person and intended for sale, or for use in the manufacture or production of any article intended for sale, there shall be credited or refunded to the manufacturer or producer of such article (without interest), subject to such regulations as may be prescribed by the Commissioner with the approval of the

55 Stat. 717.
26 U. S. C., Supp.
IV, § 3406 (a) (10).
53 Stat. 61.
26 U. S. C., Supp.
IV, § 1650.

Secretary, an amount equal to so much of the difference between the tax so paid and the tax that would have been paid if section 1650 had not been applicable, as has been paid by such manufacturer or producer to such person as reimbursement for the tax reduction on such articles, if claim for such credit or refund is filed with the Commissioner prior to the expiration of three months after the rate reduction date.

“(b) **LIMITATIONS ON ELIGIBILITY FOR CREDIT OR REFUND.**—No person shall be entitled to credit or refund under subsection (a) unless he has in his possession such evidence of the inventories with respect to which he has made the reimbursements described in subsection (a) as the regulations under subsection (a) prescribe.

“(c) All provisions of law, including penalties, applicable in respect of the tax imposed under section 3406 (a) (10) shall, insofar as applicable and not inconsistent with this section, be applicable in respect of the credits and refunds provided for in this section to the same extent as if such credits or refunds constituted credits or refunds of such taxes.

“SEC. 1658. TELEGRAPH, TELEPHONE, RADIO, AND CABLE FACILITIES.

“Notwithstanding section 1650, the rates therein prescribed with respect to the taxes imposed by section 3465 (a) (1), (2), and (3) shall continue to apply with respect to amounts paid pursuant to bills rendered prior to the rate reduction date; and, in the case of amounts paid pursuant to bills rendered on or after the rate reduction date for services for which no previous bill was rendered, the decreased rates shall apply except with respect to such services as were rendered more than two months before such date; and, in the case of services rendered more than two months before such date, the provisions of sections 1650 and 3465 in effect at the time such services were rendered shall be applicable to the amounts paid for such services.

“SEC. 1659. DEFINITION OF ‘RATE REDUCTION DATE’.

“For the purposes of this chapter the term ‘rate reduction date’ means the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war.”

SEC. 303. CONTINUATION OF POWER OF SECRETARY OF THE TREASURY TO AUTHORIZE GOVERNMENT EXEMPTION FROM CERTAIN EXCISE TAXES.

Section 307 (c) of the Revenue Act of 1943 (relating to power of Secretary with respect to Government exemption from certain excise taxes) is amended by striking out the last sentence thereof.

TITLE IV—SOCIAL SECURITY TAXES

SEC. 401. AUTOMATIC INCREASE IN 1946 RATE NOT TO APPLY.

(a) Clauses (1) and (2) of section 1400 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1400) are amended to read as follows:

“(1) With respect to wages received during the calendar years 1939, 1940, 1941, 1942, 1943, 1944, 1945, and 1946, the rate shall be 1 per centum.

“(2) With respect to wages received during the calendar years 1947 and 1948, the rate shall be 2½ per centum.”

(b) Clauses (1) and (2) of section 1410 of such Act (Internal

57 Stat. 717.
26 U. S. C., Supp.
IV, § 3406 (a) (10).

58 Stat. 61.
26 U. S. C., Supp.
IV, § 1650.
53 Stat. 422.
26 U. S. C., Supp.
IV, § 3465 (a) (1), (2),
(3).

58 Stat. 66.
26 U. S. C., Supp.
IV, notes fol. §§ 2406,
2700, 3407, 3411, 3442,
3443, 3460, 3466, 3469,
3476.

53 Stat. 175.
26 U. S. C., Supp.
IV, § 1400.

53 Stat. 176.
26 U. S. C., Supp.
IV, § 1410.

Revenue Code, sec. 1410) are amended to read as follows:

"(1) With respect to wages paid during the calendar years 1939, 1940, 1941, 1942, 1943, 1944, 1945, and 1946, the rate shall be 1 per centum.

"(2) With respect to wages paid during the calendar years 1947 and 1948, the rate shall be 2½ per centum."

Approved November 8, 1945, 5:17 p.m.

[CHAPTER 454]

AN ACT

To provide for covering into the Treasury of the Philippines certain Philippine funds in the Treasury of the United States.

November 8, 1945
[S. 1281]

[Public Law 215]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, the proceeds of the excise taxes imposed by section 2470 of the Internal Revenue Code, and of the import taxes imposed by sections 2490 and 2491 of the Internal Revenue Code, heretofore or hereafter collected, which but for the enactment of this Act would have been required to be held in separate or special funds and paid into the Treasury of the Philippines, together with any moneys which but for the enactment of this Act would be authorized to be appropriated in accordance with section 503 of the Sugar Act of 1937, as amended, including the unexpended balance of the amount subsequently appropriated under Public Law 371, Seventy-seventh Congress, and any accruals of any of the foregoing, shall be immediately paid into the general funds of the Treasury of the Philippines, to be used for the benefit of the people and government of the Philippine Islands as they may by law provide.

Philippine Islands.
Covering into Philippine treasury of certain funds.
53 Stat. 264.
26 U. S. C. § 2470; Supp. IV, § 2470.
53 Stat. 267.
26 U. S. C. §§ 2490, 2491.

50 Stat. 915.
7 U. S. C. § 1173; Supp. IV, § 1173.

55 Stat. 855.

Approved November 8, 1945.

[CHAPTER 456]

AN ACT

To amend the Civil Service Retirement Act approved May 29, 1930, as amended, in order to protect the retirement rights of persons who leave the service to enter the armed forces of the United States.

November 9, 1945
[H. R. 3256]

[Public Law 216]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding after the second paragraph thereof a new paragraph as follows:

"No officer or employee to whom this Act applies who during the period of any war, or of any national emergency as proclaimed by the President or declared by the Congress, has left or leaves his position to enter the armed forces of the United States shall be considered as separated from such position for the purposes of this Act by reason of his service with the armed forces of the United States. This paragraph shall not be so construed as to prevent the payment of refunds as provided by section 7 (a) or 12 (b) of this Act."

SEC. 2. Sections 4, 6, 7, 9, 10, and 12 of the Civil Service Retirement Act of May 29, 1930, as amended, are amended by striking out the words "June 30 of each year" wherever they appear in such sections, and inserting in lieu thereof the words "December 31 of each year": *Provided, That interest shall not be compounded as of December 31, 1945.*

Civil Service Retirement Act of 1930, amendments.
46 Stat. 472.
5 U. S. C. § 707.
Post, p. 621.

Retirement rights of employees who enter armed forces.

Refunds.
46 Stat. 474, 476.
5 U. S. C., Supp. IV, §§ 733, 724.

46 Stat. 471.
5 U. S. C. § 698 et seq.; Supp. IV, § 698 et seq.

Annual appropriations authorized.

SEC. 3. There are hereby authorized to be appropriated annually to the civil-service retirement and disability fund such sums as may be necessary to meet the cost of this amendment.

Effective date.

SEC. 4. The amendment made by the first section of this Act shall become effective as of September 8, 1939.

Approved November 9, 1945.

[CHAPTER 467]

AN ACT

November 14, 1945
[S. 131]
[Public Law 217]

To authorize the conveyance of the United States Fish Hatchery property at Butte Falls, Oregon, to the State of Oregon.

Oregon.
Conveyance of U. S.
Fish Hatchery prop-
erty.

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 hereby authorized to convey to the State of Oregon, at any time within three years, title to the property known as the United States Fish Hatchery property near Butte Falls, Jackson County, Oregon, consisting of thirteen and two hundred and twenty-seven one-thousandths acres of land, together with improvements thereon.

Reversionary provi-
sion.

SEC. 2. Any conveyance executed by the Secretary of the Interior to carry out the purposes of this Act shall contain the express condition that the grantee shall use the property exclusively for fish cultural purposes, and the further express condition that the title and right to possession of the lands so conveyed, together with improvements thereon, shall revert to the United States upon a finding by the Secretary, after notice to such grantee and after an opportunity for a hearing, that the grantee had ceased to use the property for such purposes; and such lands and improvements thereon, upon such reversion to the United States, shall be returned to the jurisdiction of the Department of the Interior.

Approved November 14, 1945.

[CHAPTER 468]

AN ACT

November 14, 1945
[S. 559]
[Public Law 218]

To amend the Act entitled "An Act to provide for reimbursement of officers, enlisted men, and others, in the naval service of the United States for property lost, damaged, or destroyed in such service", approved October 27, 1943, so as to make the provisions thereof effective with respect to losses occurring on or after October 31, 1941.

Naval service.
Reimbursement for
personal property
losses, etc.

34 U. S. C., Supp.
IV, § 984.
Post, p. 662.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide for reimbursement of officers, enlisted men, and others, in the naval service of the United States for property lost, damaged, or destroyed in such service", approved October 27, 1943 (57 Stat. 582; U. S. C., Supp. III, title 34, sec. 984), is amended to read as follows: "That the Secretary of the Navy and, subject to appeal to the Secretary of the Navy, such other officer or officers as he may designate for such purposes and under such regulations as he may prescribe, are hereby authorized to consider, and to ascertain, adjust, determine, and pay any claim filed under oath of the commissioned, appointed, enrolled, and enlisted personnel of the Navy and Marine Corps, and of the Coast Guard when operating as a part of the Navy, and of civilian employees of the Naval Establishment, for loss, damage, or destruction of their private personal property, including household effects, occurring on or after October 31, 1941, when such loss, damage, or destruction is not due to fault or negligence on the part of the claimant and has occurred or shall hereafter occur under the following circumstances:

Circumstances.

"First. When the loss, damage, or destruction is due to operations of war, shipwreck, or other marine disaster, or the wreck of an aircraft or other disaster thereto: *Provided*, That the term 'marine disaster' as used herein shall include an accident occurring on board a vessel.

Marine or aircraft disaster.

"Second. When the loss, damage, or destruction is in consequence of the serviceman or employee having given his attention to the saving of the life of another, or of property belonging to the United States.

Saving of life or U. S. property.

"Third. When such property is lost, damaged, or destroyed by reason of being shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment; or is lost, damaged, or destroyed, whether or not due to negligence on the part of Government personnel, while in shipment pursuant to orders issued by competent authority, but where the property was transported by a common carrier, the reimbursement shall be limited to the extent of such loss, damage, or destruction over and above the amount recoverable from such carrier.

Shipment under orders.

"Fourth. When such property is lost, damaged, or destroyed by reason of being furnished at the direction of competent authority to another person under conditions of immediate and urgent distress.

Immediate and urgent distress.

"Reimbursement may be made in all such cases for loss, damage, or destruction of such articles as are required to be possessed and used by officers, enlisted men, and others in connection with their service or employment, and such additional items of personal property, including household effects, money, or currency, as the Secretary of the Navy shall determine to have been reasonably and properly in the place where they were lost, damaged, or destroyed, in consequence of the service or employment in which the serviceman or employee was engaged: *Provided*, That reimbursement may be made for loss of money or currency only when such money or currency has been deposited for safekeeping as provided by regulations promulgated by the Secretary of the Navy or as provided by orders of the commanding officer."

Property items reimbursable.

Money or currency.

SEC. 2. Existing claims under this Act shall be presented within two years from the date of enactment of this Act and all such claims hereafter arising shall be presented within two years from the occurrence of the loss, destruction, or damage, except that any person missing, who is not willfully absent, or any person who is a prisoner in the hands of the enemy, or who is interned in a neutral country, shall in addition be allowed one year from the time of return to the jurisdiction of the United States in which to file such claim.

Time limitation for presenting claims.

Approved November 14, 1945.

[CHAPTER 469]

AN ACT

To revive and reenact the Act entitled "An Act granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Montana", approved July 28, 1937.

November 14, 1945
[S. 927]

[Public Law 219]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved July 28, 1937, heretofore extended by an Act of Congress approved July 18, 1939, granting the consent of Congress to the State of Montana and counties of Roosevelt, Richland, and McCone, Montana, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at or near Poplar, Montana, is hereby revived and reenacted: *Provided*, That this Act shall be null

Missouri River.
Bridge at Poplar,
Mont.
50 Stat. 542; 53 Stat.
1057.

Time limitation.

55 Stat. 1647.
50 U. S. C., Supp.
IV, app., note prec. § 1.

and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years after the date of the termination of the unlimited national emergency proclaimed by the President on May 27, 1941.

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

Approved November 14, 1945.

[CHAPTER 470]

AN ACT

November 14, 1945
[S. 1219]
[Public Law 220]

Authorizing the city of Saint Francisville, Illinois, to construct, maintain, and operate a toll bridge across the Wabash River at or near Saint Francisville, Illinois.

Wabash River.
Bridge at Saint
Francisville, Ill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for the military and other purposes, the city of Saint Francisville, Illinois, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Saint Francisville, Illinois, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-
498.
Acquisition of real
estate, etc.

SEC. 2. There is hereby conferred on the city of Saint Francisville, Illinois, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Tolls.
34 Stat. 84.
33 U. S. C. §§ 491-
498.

SEC. 3. The city of Saint Francisville, Illinois, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Application of tolls
to maintenance, sink-
ing fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Operation as free
bridge.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved November 14, 1945.

[CHAPTER 471]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at Mill Street in Brainerd, Minnesota.

November 14, 1945
[S. 1259]
[Public Law 221]

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 Mississippi River at Mill Street in Brainerd, Minnesota, authorized to be built by the State of Minnesota by an Act of Congress approved June 13, 1944, are hereby extended one and three years, respectively, from June 13, 1945.

Mississippi River
Bridge in Brainerd,
Minn.

58 Stat. 275.

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

Approved November 14, 1945.

[CHAPTER 472]

AN ACT

To facilitate further the disposition of prizes captured by the United States, and for other purposes.

November 14, 1945
[S. 1420]
[Public Law 222]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of August 18, 1942 (56 Stat. 746), as amended (34 U. S. C. 1159), is hereby further amended to read as follows: "That the district courts shall have original jurisdiction of all prizes captured during war if said capture was made by authority of the United States or was adopted and ratified by the President of the United States and the prize was brought into the territorial waters of a cobelligerent or into a locality in the temporary or permanent possession or occupation of the armed forces of the United States or was taken or appropriated for the use of the United States, including jurisdiction of all proceedings for the condemnation of such property taken as prize".

Jurisdiction of prizes
and of proceedings for
condemnation.

34 U. S. C., Supp.
IV, § 1159.

SEC. 2. Section 4621 of the Revised Statutes, as amended (34 U. S. C. 1137), is hereby further amended to read as follows: "Any district court may appoint prize commissioners, not exceeding three in number; of whom one shall be a naval officer, active or retired, approved by the Secretary of the Navy, who shall receive no other compensation than his pay in the Navy, and who shall protect the interests of the Department of the Navy in the prize property; and at least one of the others shall be a member of the bar of the court, of not less than three years' standing, and acquainted with the taking of depositions."

Prize commission-
ers.

SEC. 3. Section 4624 of the Revised Statutes, as amended (34 U. S. C. 1140), is hereby further amended by inserting before the period at the end thereof the following: " : *Provided,* That notwithstanding any other provision of law, if the seized property is taken or appropriated for the use of the United States whether before or after it comes into the custody of the prize court, the prize court is authorized to proceed to adjudication on the basis of an inventory and survey and an appropriate undertaking by the United States to respond for the value of such property without the necessity for either an appraisal or the deposit of the value of the prize with the Treasurer of the United States or any other public depository".

Adjudication; basis.

Approved November 14, 1945.

[CHAPTER 482]

AN ACT

November 15, 1945
[S. 940]
[Public Law 223]

To provide for terms of the District Court of the United States for the District of Nevada.

U. S. courts.
36 Stat. 1118.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 94 of the Judicial Code, as amended (U. S. C., title 28, sec. 174), is amended to read as follows:

Nevada judicial district.
Terms of court.

"The State of Nevada shall constitute one judicial district, to be known as the district of Nevada. Terms of the district court shall be held at Carson City on the first Mondays in February and May, at Las Vegas on the first Mondays in March and October, at Reno on the first Mondays in January and June, and at Elko on the first Monday in November: *Provided*, That suitable accommodations for holding court at Elko shall be provided without expense to the United States."

Approved November 15, 1945.

[CHAPTER 483]

AN ACT

November 15, 1945
[S. 1139]
[Public Law 224]

For the relief of the residents of Guam through the settlement of meritorious claims.

Guam.
Settlement of damage claims.

Appointment of commissions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of granting immediate relief to the residents of Guam by the prompt settlement of meritorious claims arising in Guam, the Secretary of the Navy, and such other officer or officers as the Secretary of the Navy may designate for such purposes and under such regulations as the Secretary of the Navy may prescribe, are hereby authorized to appoint a claims commission or commissions, each composed of one or more officers of the Navy or the Marine Corps, to consider, ascertain, adjust, determine, and make payments of amounts determined as just compensation, where accepted by the claimant in full satisfaction and in final settlement, including waiver of any claims against the War Damage Corporation, of claims for damage occurring in Guam, including claims of insured but excluding claims of subrogees, on account of damage to or loss or destruction of public property, both real and personal, or on account of damage to or loss or destruction of private property, both real and personal of residents of Guam, including claims for damage to or loss or destruction of personal property bailed to the Government and claims for damages incident to use and occupation of real property, whether under a lease, express or implied, or otherwise, when such damage, loss, or destruction is the result of or incident to hostilities or hostile occupation, or is caused by or incident to noncombat activities of the United States Army, Navy, or Marine Corps forces or individual members thereof, including military and civilian employees thereof, where the amount of such claim does not exceed \$5,000: *Provided*, That no claim shall be considered by such commissions unless presented within one year after the occurrence of the accident or the incident or engagement out of which such claim arises, except that claims arising out of accidents, incidents, or engagements, after December 6, 1941, but prior to the first day of the month following enactment of this Act, may be presented at any time prior to the

Claims incident to hostilities, etc.

Time limitation.

expiration of one year after the latter date: *Provided further*, That any such settlements made by such commissions shall be subject to such regulations as the Secretary of the Navy may prescribe and may, in cases where the amount exceeds \$2,500 but does not exceed \$5,000, be subject to the approval of such commanding or other officer of the Navy or Marine Corps forces, as the Secretary of the Navy may prescribe; and the Secretary of the Navy shall have authority, if he deems any claim in excess of \$5,000, or any claims for death or personal injury to residents of Guam arising under the conditions herein set forth as a basis for property damage claims, to be meritorious, to certify such amount as may be found to be just and reasonable thereon to Congress as a legal claim for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of such claim, the amount claimed, and the amount allowed: *Provided further*, That no claim of any person who has voluntarily aided an enemy of the United States, or of any national of any country at war with the United States, or of any ally of such enemy country, except when the local military commander or his designee shall determine that such national was at the time of the damage or injury and still is friendly to the United States, shall be allowed under this Act: *Provided further*, That any such settlements made by such commissions under the authority of this Act shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

SEC. 2. In the discretion of the Secretary of the Navy or his designees, settlements of claims under section 1 of this Act shall be made by reimbursement in kind from available Government property stores and services and/or out of the appropriation current at the time of settlement, for "Pay and subsistence of naval personnel".

SEC. 3. Insofar as the claims of residents of Guam arising in Guam are concerned, this Act is in lieu of all other provisions of law authorizing settlement of war-damage claims by the agencies of the United States Government, but shall otherwise be supplementary to, and not in lieu of, all other provisions of law authorizing consideration, ascertainment, adjustment, determination, or payment of claims by the Secretary of the Navy.

SEC. 4. Claims of the type described in section 1 hereof on account of damage to or loss or destruction of property, both real and personal, or personal injury or death of any person, caused by Coast Guard forces, or individual members, including military personnel and civilian employees thereof, or otherwise incident to activities of such forces, arising at any time while the Coast Guard shall be operating as a part of the Navy may be considered, ascertained, adjusted, determined, and paid in the manner in this Act provided for the settlement of Navy and Marine Corps claims: *Provided*, That no claims on account of damage to or loss or destruction of property, or personal injury or death, caused by Coast Guard forces or individual members thereof, or otherwise incident to the activities of such forces, shall be considered, ascertained, adjusted, determined, or paid under the provisions of this Act at any time when the Coast Guard shall be operating under the Treasury Department.

SEC. 5. This Act shall not apply to claims of persons not permanent residents of Guam or to claims not arising in Guam.

Approved November 15, 1945.

Regulations.

Specified settlements subject to approval.

Claims in excess of \$5,000.

Claims not allowed.

Finality of settlements.

Reimbursement in kind.

Substitution of provisions.

Coast Guard.

Nonapplicability.

[CHAPTER 485]

AN ACT

November 15, 1945
[S. 1362]
[Public Law 228]

To authorize the Secretary of the Navy to transfer land for resettlement in Guam, and for other purposes.

Guam.
Transfer of land for
resettlement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of effecting the rehabilitation and resettlement of the residents of Guam, the Secretary of the Navy, or such officer as he may designate for such purpose and under such regulations as he may prescribe, is hereby authorized to transfer to the naval government of Guam, for transfer or sale by the naval government of Guam at its discretion, to such persons and upon such terms and conditions and at such times as it may determine to be suitable, in replacement of lands acquired for military or naval purposes in Guam, such lands owned by the United States in Guam as may be determined by the Secretary of the Navy, after consultation with the Secretary of War, not to be required for military or naval purposes.

Approved November 15, 1945.

[CHAPTER 489]

AN ACT

November 21, 1945
[S. 1036]
[Public Law 226]

To provide for the adjustment of the compensation of certain members or former members of the armed forces of the United States who, before the expiration of their terminal leave, have performed, or shall hereafter perform, civilian services for the United States, its Territories or possessions, or the District of Columbia, and for other purposes.

Government em-
ployees in armed
forces.
Pay for leave.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act making provisions for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States", approved August 1, 1941, as amended April 7, 1942 (56 Stat. 200), is further amended by adding at the end thereof a new section as follows:

5 U. S. C., Supp. IV,
§ 61a.

Civilian employ-
ment while on ter-
minal leave.

"SEC. 2. (a) Any person, who, subsequent to May 1, 1940, shall have performed active service in the armed forces, may, while on terminal leave pending separation from or release from active duty in such service under honorable conditions, enter or reenter employment of the Government of the United States, its Territories or possessions, or the District of Columbia (including any corporation created under authority of an Act of Congress which is either wholly controlled or wholly owned by the Government of the United States, or any department, agency, or establishment thereof, whether or not the employees thereof are paid from funds appropriated by Congress), and, in addition to compensation for such employment, shall be entitled to receive pay and allowances from the armed forces for the unexpired portion of such terminal leave at the same rates and to the same extent as if he had not entered or reentered such employment.

Pay and allowances
from armed forces.

Pay for unused por-
tion of leave.

"(b) Any such person who, prior to the date of enactment of this section, entered or reentered such employment without having used all accumulated and current accrued leave to which he would have been entitled as a result of such service had he not entered or reentered such employment, shall, upon application therefor filed with the Secretary of War, the Secretary of the Navy, the Secretary of Commerce, or the Federal Security Administrator, as the case may be, be entitled to be paid a lump sum equal in amount to the pay and allowances to which he would have been entitled while on

terminal leave for the unused portion of such accumulated and current accrued leave had he not entered or reentered such employment.

“(c) Any such person who, while on terminal leave from the armed forces, performed or shall hereafter perform services for the Government of the United States, its Territories or possessions, or the District of Columbia (including any corporation created under authority of an Act of Congress which is either wholly controlled or wholly owned by the Government of the United States, or any department, agency, or establishment thereof, whether or not the employees thereof are paid from funds appropriated by Congress), for which he would have been entitled to be paid had he regularly become employed or reemployed in a civilian position prior to performing such services, and had he not been receiving pay and allowances from the armed forces for the period during which such services were performed, shall, if he has not otherwise been compensated for such services, be entitled, upon application therefor filed with the General Accounting Office, or, in the case of a person performing such services for a Territory or possession, filed with the appropriate agency or officer of the Government of such Territory or possession, to be paid a lump sum equal in amount to the compensation he would have received for such services had he been regularly employed or reemployed and had he not been receiving pay and allowances from the armed forces.

“(d) Any such person who enters the employment of a State, or any political subdivision thereof, shall upon application therefor filed with the Secretary of War, the Secretary of the Navy, the Secretary of Commerce, or the Federal Security Administrator, as the case may be, be entitled to be paid a lump sum equal in amount to the pay and allowances to which he is entitled for the unused portion of his accumulated and current accrued leave.

“(e) No waiver effectuated prior to the date of enactment of this section of any right to receive any payment to which a person would otherwise be entitled under this section shall operate to deny such person entitlement to such payment.

“(f) As used in this section, the term ‘armed forces’ includes the Army, Navy, Marine Corps, Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the Coast and Geodetic Survey, and their respective components.”

Approved November 21, 1945.

Pay for services performed while on terminal leave.

State, etc., employees.

Prior waiver.

“Armed forces.”

[CHAPTER 490]

AN ACT

To amend section 342 (b) of the Nationality Act of 1940.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 342 of the Nationality Act of 1940 (54 Stat. 1161; 8 U. S. C. 742) is hereby amended by adding the following paragraph at the end thereof:

“Notwithstanding the preceding provisions of this subsection, no fee shall be charged or collected for an application for a declaration of intention in lieu of a declaration alleged to have been lost, mutilated, or destroyed or for an application for a certificate of naturalization in lieu of a certificate alleged to have been lost, mutilated, or destroyed, submitted by a person who was a member of the military or naval forces of the United States at any time after April 20, 1898, and before July 5, 1902; or at any time after April 5, 1917, and before November 12, 1918; or who served on the Mexican border as a member of the Regular Army or National Guard between June

November 21, 1945
[H. R. 391]
[Public Law 227]

Nationality Act of 1940, amendment.

8 U. S. C., Supp. IV, § 742 (b).

Alien veterans.
Waiver of certain fees.

1916 and April 1917; or who has served or hereafter serves in the military or naval forces of the United States after September 16, 1940, and who was not at any time during such period or thereafter separated from such forces under other than honorable conditions, who was not a conscientious objector who performed no military duty whatever or refused to wear the uniform, or who was not at any time during such period or thereafter discharged from such military or naval forces on account of alienage.”

Approved November 21, 1945.

[CHAPTER 492]

AN ACT

To provide for the appointment of additional cadets at the United States Military Academy, and additional midshipmen at the United States Naval Academy, from among the sons of persons who have been or shall hereafter be awarded the Congressional Medal of Honor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the number of cadets authorized by law enacted prior to the enactment of this Act at the United States Military Academy, and the number of midshipmen authorized by law enacted prior to the enactment of this Act at the United States Naval Academy, are each hereby increased by such number as may be appointed by the President from the United States at large from among the sons of persons who have been or shall hereafter be awarded a Medal of Honor in the name of Congress for acts performed while in any of the armed forces of the United States: *Provided,* That all such appointees are otherwise qualified for admission.

Approved November 24, 1945.

[CHAPTER 493]

AN ACT

Authorizing appointments to the United States Military Academy and the United States Naval Academy of sons of members of the land or naval forces of the United States who were killed in action or have died of wounds or injuries received, or disease contracted, in active service during the present war, 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 second paragraph of the Act of June 8, 1926 (44 Stat. 703, 704), as amended by the Act of December 1, 1942 (56 Stat. 1024), is amended to read as follows:

“The number of cadets now authorized by law at the United States Military Academy and the number of midshipmen now authorized by law at the United States Naval Academy are each hereby increased by forty from the United States at large, to be appointed by the President from among the sons of members of the land or naval forces (including male and female members of the Army, Navy, Marine Corps, and Coast Guard, and of all components thereof) of the United States, who were killed in action or have died, or may hereafter die, of wounds or injuries received, or disease contracted, or preexisting injury or disease aggravated, in active service during World War I or World War II (as each is defined by laws providing service-connected compensation or pension benefits for veterans of World War I and World War II and their dependents): *Provided,* That the determination of the Veterans' Administration as to service connection of the cause of death shall be binding upon the Secretary

November 24, 1945
[H. R. 1591]
[Public Law 228]

Persons awarded
Medal of Honor.
Appointment of sons
to U. S. Military
and Naval Academies.

November 24, 1945
[H. R. 1868]
[Public Law 229]

10 U. S. C., Supp.
IV, § 1091a; 34 U. S. C.,
Supp. IV, § 1036a.

Members of land or
naval forces killed in
action, etc.
Appointment of sons
to U. S. Military
and Naval Academies.

of War and the Secretary of the Navy, respectively: *Provided further*, That all such appointees are otherwise qualified for admission: *And provided further*, That appointees under this Act shall be selected in order of merit as established by competitive examination.”

Approved November 24, 1945.

[CHAPTER 494]

AN ACT

To include stepparents, parents by adoption, and any person who has stood in loco parentis among those persons with respect to whom allowances may be paid under the Pay Readjustment Act of 1942, and for other purposes.

November 24, 1945
[H. R. 2525]
[Public Law 230]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Pay Readjustment Act of 1942 (56 Stat. 361), as amended, is amended by adding at the end thereof the following new paragraph: “As used in this section, the terms ‘father’, ‘mother’, ‘parent’, and ‘parents’ shall include a stepparent, a parent by adoption, and any person, including a former stepparent, who has stood in loco parentis to the person concerned at any time for a continuous period of not less than five years: *Provided*, That a stepparent-stepchild relationship shall be deemed to be terminated by the stepparent’s divorce from the blood parent.”

Pay Readjustment
Act of 1942, amend-
ment.
37 U. S. C., Supp.
IV, § 104.
Person standing in
loco parentis.

SEC. 2. This Act shall become effective on the first day of the first calendar month occurring after its enactment. No pay or allowances for any period prior to the effective date of this Act shall accrue by reason of the enactment of this Act.

Effective date.

Approved November 24, 1945.

[CHAPTER 495]

AN ACT

To provide for the extension of certain oil and gas leases.

November 30, 1945
[S. 1459]
[Public Law 231]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence in the first section of the Act entitled “An Act to grant a preference right to certain oil and gas leases”, approved July 29, 1942, as amended, is hereby amended to read as follows: “The term of any five-year lease expiring prior to December 31, 1946, maintained in accordance with the applicable statutory requirements and regulations and for which no preference right to a new lease is granted by this section, is hereby extended to December 31, 1946.”

56 Stat. 726,
30 U. S. C., Supp.
IV, § 226b.

Approved November 30, 1945.

[CHAPTER 496]

AN ACT

To amend section 4 of the Act entitled “An Act for the control of floods on the Mississippi River and its tributaries and for other purposes”, approved May 15, 1928.

November 30, 1945
[H. R. 1902]
[Public Law 232]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled “An Act for the control of floods on the Mississippi River and its tributaries, and for other purposes”, approved May 15, 1928 (45 Stat. 536; 33 U. S. C. 702d), is hereby amended by deleting the words “In all such proceedings the court, for the purpose of ascertaining the value of the property and assessing the compensation to be paid, shall appoint three commissioners, whose award, when confirmed by the court, shall be final”, and substituting therefor the words, “In

Flood control, Mis-
sissippi River.

Condemnation pro-
ceedings.

all such proceedings the practice, pleadings, forms, and modes of proceedings shall conform as near as may be to the practice, pleadings, forms, and proceedings existing at the time in like causes in the courts of record of the State within which such district court is held, any rule of the court to the contrary notwithstanding”.

Approved November 30, 1945.

[CHAPTER 497]

AN ACT

November 30, 1945
[H. R. 2874]
[Public Law 233]

To amend the Code of Laws for the District of Columbia to authorize any corporation formed under authority of subchapter 3 of chapter 18 of such code to specify in its bylaws that a less number than a majority of its trustees may constitute a quorum for the transaction of the business of the corporation.

D. C. Code, amend-
ment.

31 Stat. 1284.

Trustees of incor-
porated societies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601 of the Act entitled “An Act to establish a code of law for the District of Columbia”, approved March 3, 1901, as amended (D. C. Code, 1940 edition, sec. 29-603), is amended to read as follows:

“SEC. 601. TRUSTEES.—Such incorporated society may elect its trustees, directors, or managers at such time and place and in such manner as may be specified in its bylaws, who shall have the control and management of the affairs and funds of the society, and a majority of whom shall be a quorum for the transaction of business, unless a less number be specified as a quorum in the bylaws; and whenever any vacancy shall happen in such board of trustees, directors, or managers the vacancies shall be filled in such manner as shall be provided by the bylaws of the society.”

Approved November 30, 1945.

[CHAPTER 498]

AN ACT

November 30, 1945
[H. R. 3636]
[Public Law 234]

Relating to the sale, in the District of Columbia, of certain small rockfish.

D. C. Code, amend-
ment.

31 Stat. 1336.

Sale of small striped
bass.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 899 of the Act to establish a code of law for the District of Columbia, approved March 3, 1901 (D. C. Code, 1940 edition, title 22, sec. 1605), is amended to read as follows:

“Sec. 899. Small Striped Bass.—It shall be unlawful for any person, prior to July 1, 1947, to offer for sale, to expose for sale, or to sell, in the District of Columbia, at any time during the year, any striped bass, locally called rockfish, which is less than eleven inches in length (measured from the tip of the nose to the tip of the tail), and it shall be unlawful for any person, on or after July 1, 1947, to offer for sale, to expose for sale, or to sell, in the District of Columbia, at any time during the year, any striped bass, locally called rockfish, which is less than twelve inches in length (measured from the tip of the nose to the tip of the tail).”

Approved November 30, 1945.

[CHAPTER 499]

AN ACT

November 30, 1945
[H. R. 3867]
[Public Law 235]

To amend the Code of Laws for the District of Columbia with respect to the making and publishing of annual reports by trust companies.

D. C. Code, amend-
ment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 730 of the Act entitled “An Act to establish a code of law for the District of

Columbia", approved March 3, 1901, as amended (D. C. Code, 1940 edition, sec. 26-318), is amended by inserting before the period at the end thereof a colon and the following: "*Provided, however,* That trust companies which are required to file and to publish reports under the provisions of section 5211 of the Revised Statutes, as amended, shall not be required to make or publish the annual report required under this section".

Approved November 30, 1945.

31 Stat. 1307.

Annual reports by trust companies.

12 U. S. C. § 161; Supp. IV, § 161 note.

[CHAPTER 500]

AN ACT

To provide for the opening of a road within the boundaries of the District of Columbia Training School property in Anne Arundel County, Maryland.

November 30, 1945
[H. R. 3873]
[Public Law 236]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, authorized to convey to the State of Maryland the land and connections thereto necessary for use as a public thoroughfare through the District of Columbia Training School property in Anne Arundel County, Maryland, as shown on map numbered 3094, filed in the office of the Surveyor of the District of Columbia.

D. C. Training School property, Anne Arundel County, Md., roadway.

Sec. 2. The Commissioners of the District of Columbia are hereby further authorized to grant an easement to the State of Maryland over the land and connections thereto, abutting said thoroughfare for slopes made necessary by the construction of this roadway.

Easement.

Approved November 30, 1945.

[CHAPTER 501]

JOINT RESOLUTION

Providing for the continuance of the tax-exempt status of certain property in the District of Columbia when used and occupied by any department, agency, or instrumentality of the United States of America or by the American Red Cross.

November 30, 1945
[H. J. Res. 236]
[Public Law 237]

Whereas certain real property in the District of Columbia, including property belonging to the United States of America and other property belonging to various institutions, associations, societies, and so forth, is exempt from real-estate taxation; and

Whereas in times of national stress it is necessary for the United States of America and its various instrumentalities to use and occupy additional space necessary for the proper execution of their enlarged functions: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the use and occupancy of real property in the District of Columbia by any department, agency, or instrumentality of the United States of America, or by the American Red Cross, on a basis which does not result in the receipt of rent or income to the owner thereof within the meaning of section 2 of the Act of December 24, 1942 (56 Stat. 1089), shall not operate to terminate the tax-exempt status of such property if exempted from taxation prior to such use and occupancy; and, further, that any taxes, penalties, or interest which may be due by reason of such change in the use and occupancy of such property and unpaid when this joint resolution shall be approved by the President shall be abated: *Provided,* That nothing herein contained shall be construed as authorizing any refund of any taxes, penalties, or interest heretofore paid.

District of Columbia.
Tax-exempt status of certain property.

D. C. Code, Supp. IV, § 47-801b.

Approved November 30, 1945.

[CHAPTER 510]

AN ACT

To establish the status of funds and employees of the midshipmen's store at the United States Naval Academy.

December 3, 1945

[S. 1097]

[Public Law 238]

Midshipmen's store
at U. S. Naval Acad-
emy.
Accounting.

Status of employees.

Credit for prior em-
ployment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all funds collected from the operations of the midshipmen's store at the United States Naval Academy are appropriated for the purpose of providing and maintaining the necessary service and shall hereafter be accounted for as public moneys.

SEC. 2. All employees of such midshipmen's store, whether heretofore paid from appropriated moneys or from receipts of the midshipmen's store, shall hereafter be deemed to be Government employees entitled to all benefits and subject to all restrictions arising under the laws of the United States applicable to civil-service employees of their grade and class. All employees of said midshipmen's store on the effective date of this Act shall be entitled to claim credit for prior employment in said store for purposes of any benefits to which they may be entitled under the laws of the United States, and no such employee shall suffer, by virtue of being placed in the status of a civil-service employee by this Act, a reduction in total pay below that being received by him on the effective date of this Act.

Approved December 3, 1945.

[CHAPTER 511]

AN ACT

To exempt Navy or Coast Guard vessels of special construction from the requirements as to the number, position, range, or arc of visibility of lights, and for other purposes.

December 3, 1945

[S. 1494]

[Public Law 239]

Navy or Coast
Guard vessels of
special construction.

26 Stat. 320.

30 Stat. 96.

28 Stat. 645.

26 Stat. 320.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any requirement as to the number, position, range of visibility, or arc of visibility of lights required to be displayed by vessels under the Act of Congress approved August 19, 1890 (title 33, U. S. C., secs. 61-141), entitled "An Act to adopt regulations for preventing collisions at sea"; or the Act of Congress approved June 7, 1897 (title 33, U. S. C., secs. 154-231), entitled "An Act to adopt regulations for preventing collision upon certain harbors, rivers, and inland waters of the United States"; or the Act of Congress approved February 8, 1895 (title 33, U. S. C., secs. 241-294), entitled "An Act to regulate navigation on the Great Lakes and their connecting and tributary waters"; or the Act of Congress approved August 19, 1890 (title 33, U. S. C., secs. 301-351), entitled "An Act to adopt special rules for the navigation of harbors, rivers, and inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal, supplementary to the Act of August nineteenth, eighteen hundred and ninety, entitled 'An Act to adopt regulations for preventing collisions at Sea'", and all laws amendatory thereto, shall not apply to any vessel of the Navy or of the Coast Guard, where the Secretary of the Navy, or the Secretary of the Treasury in the case of Coast Guard vessels operating under the Treasury Department, or such official or officials as either may designate, shall find or certify that, by reason of special construction, it is not possible with respect to such vessel or class of vessels to comply with the statutory provisions as to the number, position, range of visibility, or arc of visibility of lights. The lights of any such exempted vessel or class of vessels shall, however, comply

Lights require-
ments.

as closely to the requirements of the applicable statutes as the Secretary shall find to be feasible.

SEC. 2. When the Secretary of the Navy or the Secretary of the Treasury, or such official or officials as either may designate, shall make any finding or certification as prescribed in section 1, notice of such finding or certification and the character and position of the lights to be displayed on such vessel shall be published in "Notice to Mariners".

Notice of findings, etc.

SEC. 3. This Act shall expire on June 30, 1948.

Expiration date.

Approved December 3, 1945.

[CHAPTER 512]

AN ACT

Authorizing payments of rewards to postal employees for inventions.

December 3, 1945
[H. R. 744]
[Public Law 240]

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, under such rules and regulations as he may prescribe, to pay a cash reward for any invention, suggestion, or series of suggestions submitted by one or more employees of the Post Office Department or the Postal Service, which will clearly effect a material economy or increase efficiency in the administration or operation of the Post Office Department or the Postal Service, and which has been adopted for use.

Postal employees.
Cash rewards for useful inventions, etc.

The total amount of rewards made under this Act in any one fiscal year shall not exceed \$25,000 and the amount so paid for any one invention, suggestion, or series of suggestions shall not exceed \$1,000.

Limitations.

Rewards made under this Act shall be paid out of the appropriation for the postal activity primarily benefiting, or may be distributed among appropriations for postal activities benefiting, as the Postmaster General may determine. Payments shall be in addition to the regular compensation of the employee receiving the reward. No employee shall be paid a reward under this Act until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns.

Payments.

Agreement.

Approved December 3, 1945.

[CHAPTER 513]

AN ACT

To provide that veterans may obtain copies of public records in the District of Columbia, without the payment of any fees, for use in presenting claims to the Veterans' Administration.

December 3, 1945
[H. R. 3868]
[Public Law 241]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when a copy of any public record of the District of Columbia is required by the Veterans' Administration to be used in determining the eligibility of any person to participate in benefits made available by the Veterans' Administration, the official custodian of such public record shall without charge provide the applicant for such benefits or any person (including any veterans' organization) acting on his behalf or the authorized representative of the Veterans' Administration with a certified copy of such record.

District of Columbia.
Public records; copies for veterans.

Approved December 3, 1945.

[CHAPTER 514]

AN ACT

December 3, 1945
[H. R. 3979]
[Public Law 242]

To extend for the period of one year the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended.

D. C. Emergency
Rent Act, extension.

55 Stat. 788.
D. C. Code, Supp.
IV, § 45-1601 (b).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to regulate rents in the District of Columbia, and for other purposes", approved December 2, 1941, as amended, is further amended by striking in section 1 (b) thereof the figure "1945" and inserting in lieu thereof "1946".

Approved December 3, 1945.

[CHAPTER 515]

AN ACT

December 3, 1945
[H. R. 4350]
[Public Law 243]

To amend section 3646 of the Revised Statutes, as amended, relating to the issuance of checks in replacement of lost, stolen, destroyed, mutilated, or defaced checks of the United States, and for other purposes.

Lost, etc., U. S.
checks.
Issuance of substi-
tute checks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3646 of the Revised Statutes of the United States, as amended (U. S. C., title 31, sec. 528), is further amended to read as follows:

"(a) Except as hereinafter provided, whenever it is clearly proved to the satisfaction of the Secretary of the Treasury that any original check of the United States is lost, stolen, or wholly or partly destroyed, or is so mutilated or defaced as to impair its value to its owner or holder, the Secretary of the Treasury is authorized, before the close of the fiscal year following the fiscal year in which the original check was issued to transfer the amount of the original check from the account of the drawer to a special deposit account carried in the name of the Secretary of the Treasury on the books of the Treasurer of the United States, and to issue against such special deposit account to the owner or holder thereof a substitute under current date showing such information as may be necessary to identify the original check, upon the receipt and approval by the Secretary of the Treasury of an undertaking to indemnify the United States, in such form and amount and with such surety, sureties, or security, if any, as the Secretary of the Treasury may require; but no such substitute shall be payable if the original check shall first have been paid: *Provided*, That nothing herein contained shall be deemed to relieve any certifying officer or his sureties or any disbursing officer or his sureties of any liability to the United States on account of any payment resulting from the erroneous issuance of the original check: *And provided further*, That the authority herein conferred to issue substitute checks may, in the case of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, be exercised without limitation of time.

Restriction.

Liability of certifying or disbursing officer.

Public-debt obligations, etc.

Undertakings of indemnity; exceptions to requirement.

"(b) An undertaking of indemnity shall not be required under subsection (a) of this section in any of the following classes of cases except as provided in this subsection: (1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner or holder and while the check was in the custody or control of the United States (including the postal service when carrying mail for any officer, employee, agent, or agency of the United States when performing services in connection with an official function of the United States, but not including the postal service when otherwise acting solely in its capacity as a public carrier of the mail), or of a

Postal service.

person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under the provisions of the Government Losses in Shipment Act; (2) if substantially the entire check is presented and surrendered by the owner or holder and the Secretary of the Treasury is satisfied as to the identity of the check presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States; (3) if the Secretary of the Treasury is satisfied that the original check is not negotiable and cannot be made the basis of a valid claim against the United States; (4) if the amount of the check is not more than \$200; (5) if the owner or holder is the United States or an officer or employee thereof in his official capacity, a State, the District of Columbia, a Territory or possession of the United States, including the Commonwealth of the Philippine Islands, a municipal corporation or political subdivision of any of the foregoing, a corporation, the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank: *Provided, however,* That in any of the foregoing classes of cases the Secretary of the Treasury may require an undertaking of indemnity if he deems it essential to the public interest.

“(c) Notwithstanding the provisions of subsections (a) and (b) of this section whenever it is clearly proved to the satisfaction of the Secretary of the Treasury that any original check of the United States drawn on a depository in a foreign country or a Territory or possession of the United States, including the Panama Canal Zone and the Philippine Islands, is lost, stolen, or wholly or partly destroyed, or is so mutilated or defaced as to impair its value to its owner or holder, the drawer of the original check or such other officer or employee of the United States as may be authorized by the Secretary of the Treasury with the concurrence of the head of the department or agency upon whose behalf the original check was issued is authorized, before the close of the fiscal year following the fiscal year in which the original check was issued, to issue to the owner or holder thereof a substitute under current date showing such information as may be necessary to identify the original check, drawn against the account of the drawer of the original check or such other account as may be available for the payment of such substitute, upon the receipt and approval by the Secretary of the Treasury of an undertaking, to indemnify the United States, in such form and amount and with such surety, sureties, or security, if any, as the Secretary of the Treasury may require; but no such substitute shall be payable if the original check shall first have been paid. Nothing herein contained shall be deemed to relieve any certifying officer or his sureties or any disbursing officer or his sureties of any liability to the United States on account of any payment resulting from the erroneous issuance of the original check.

“(d) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of the provisions of this section.

“(e) Notwithstanding the provisions of subsections (a), (b), (c), and (d) of this section, whenever any original check of the Post Office Department has been lost, stolen, or destroyed, the Postmaster General may authorize the issuance of a substitute, marked ‘duplicate’ and showing the number, date, and payee of the original check, before the close of the fiscal year following the fiscal year in which the original check was issued, upon the execution by the owner thereof of such bond of indemnity as the Postmaster General may prescribe: *Provided,* That when such original check does not exceed in amount

50 Stat. 470.
5 U. S. C. § 134g.

U. S. checks drawn on depository in foreign country, etc.

Liability of certifying or disbursing officer.

Rules and regulations.

Post Office Department.
Duplicate checks.

Indemnity bond.

Affidavit in lieu.

the sum of \$100 and the payee or owner is, at the date of the application, an officer or employee in the service of the Post Office Department, whether by contract, designation, or appointment, the Postmaster General may, in lieu of an indemnity bond, authorize the issuance of a substitute check or warrant upon such an affidavit as he may prescribe, to be made before any postmaster by the payee or owner of an original check.

Payment of substitute checks.

48 Stat. 1235.

"Original check."

"(f) Substitutes issued under this section, drawn on the Treasurer of the United States, except those for checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, shall be deemed to be original checks and shall be payable under the conditions set forth in section 21 of the Permanent Appropriation Repeal Act, 1934 (U. S. C., title 31, sec. 725t). Substitutes for checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws shall be payable without limitation of time.

"(g) The term 'original check' wherever used in this section means any check, warrant, or other order for the payment of money, payable upon demand and not bearing interest, drawn by a duly authorized officer or agent of the United States, the District of Columbia, or the District Unemployment Compensation Board, on their behalf against an account or funds of the United States, the District of Columbia, or the District Unemployment Compensation Board, including instruments issued by any corporation or other entity owned or controlled by the United States, the funds of which are deposited and covered into the Treasury of the United States or deposited with the Treasurer of the United States, but does not include money, coins, or currency of the United States; as used in subsection (e) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department.

Delegation of authority.

"(h) Any power, authority, or discretion conferred upon the Secretary of the Treasury by this section may be delegated by him, in whole or in part, subject to such terms and conditions as he may prescribe, to such individuals as he may designate within the Treasury Department or to the head of any other department or agency of the Government or of any Federal Reserve bank, and the head of such department or agency or Federal Reserve bank may, when such action is not inconsistent with the terms and conditions of the delegation by the Secretary of the Treasury, redelegate any power, authority, or discretion conferred upon him pursuant to this subsection to any officer or employee within such department, agency, or Federal Reserve bank."

Repeal.

SEC. 2. Sections 300 and 3647 of the Revised Statutes, as amended (U. S. C., title 31, sec. 119), are hereby repealed.

SEC. 3. This Act shall become effective on December 1, 1945.

Approved December 3, 1945.

[CHAPTER 516]

AN ACT

December 3, 1945
[H. R. 4411]
[Public Law 244]

To adjust the pay and allowances of members of the Navy Nurse Corps, and for other purposes.

Navy Nurse Corps.
Pay and allowances.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the effective period as defined in section 4 hereof, (a) each member of the Navy Nurse Corps shall receive the same pay, money allowances for subsistence and for rental of quarters, mileage and other travel allow-

ances, that are now or may hereafter be prescribed by law for officers of the Regular Navy of corresponding rank and length of service, which shall include, on and after October 1, 1944, all allowances and benefits on account of dependents as provided in section 4 of the Pay Readjustment Act of 1942, as amended.

(b) In computing the service for all pay purposes of members of the Navy Nurse Corps, such persons shall be credited with full time for all periods during which they held appointments as nurses or commissions in the Army Nurse Corps or the Navy Nurse Corps.

SEC. 2. (a) Each member of the Navy Nurse Corps who hereafter is retired by reason of physical disability incurred in the line of duty shall, if the proceedings resulting in retirement be instituted prior to the expiration of the effective period as defined in section 4 hereof, be entitled to retired pay at the rate of 75 per centum of the active-duty pay of the rank in which serving, under temporary or permanent appointment, when such disability was incurred, computed as provided in this Act.

(b) Each member of the Navy Nurse Corps who, subsequent to December 22, 1942, and prior to the date of enactment of this Act, has been retired for physical disability incurred in the line of duty shall, beginning on the first day of the first month next following the date of enactment of this Act, be entitled to retired pay at the rate of 75 per centum of the active-duty pay to which she would have been entitled at the time her disability was incurred had her active-duty pay and allowances at such time been computed as provided in section 1 of this Act.

SEC. 3. The provisions of this Act shall apply equally to Naval Reserve members of the Navy Nurse Corps while employed on active duty.

SEC. 4. The effective period as used herein shall mean the period beginning on July 10, 1944 (except as otherwise specified in section 2 and except that no allowances or benefits under any section of this Act on account of dependents for any period prior to October 1, 1944, shall accrue by reason of the enactment of this Act), and ending six months after the termination of the present war as declared by Presidential proclamation or by concurrent resolution of the Congress, whichever shall first occur.

SEC. 5. No person, active or retired, in the naval service shall suffer, by reason of this Act, any reduction in pay, allowances, or retirement benefits to which she was entitled upon the date of enactment of this Act.

Approved December 3, 1945.

[CHAPTER 554]

AN ACT

To amend article 6 of the Articles for the Government of the Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That article 6 of the Articles for the Government of the Navy (Revised Statutes, sec. 1624, art. 6) is amended and reenacted to read as follows:

ART. 6. If any person subject to the Articles for the Government of the Navy commits the crime of murder without the territorial jurisdiction of any particular State, or the District of Columbia, he may be tried by court martial and punished with death.

Approved December 4, 1945.

Dependents.
56 Stat. 361.
37 U. S. C., Supp.
IV, § 104.
Ante, p. 587.
Service credits.

Retirement for disability; pay.

Retrospective provision.

Naval Reserve members on active duty.

Effective period.

Restriction on reduction of benefits.

December 4, 1945
[S. 1308]
[Public Law 245]

Naval court martial.
34 U. S. C. § 1200,
art. 6.

Murder.

[CHAPTER 555]

AN ACT

December 5, 1945
[S. 1364]
[Public Law 246]

To provide for the compromise and settlement by the Secretary of the Navy of certain claims for damage to property under the jurisdiction of the Navy Department, to provide for the execution of releases by the Secretary of the Navy upon payment of such claims, and for other purposes.

Navy.
Damage claims.

Amount due U. S.

Release of claim.

Provisions deemed
supplementary to exist-
ing law.

Maximum pay-
ment.

Reports.

Wartime omission
of facts.

Pending suits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, compromise, or settle claims for damage cognizable in admiralty in a district court of the United States and all claims for damage caused by a vessel or floating object, to property of the United States under the jurisdiction of the Navy Department or property for which the Navy Department may have assumed, by contract or otherwise, any obligation to respond for damage thereto. The Secretary of the Navy is further authorized to receive in payment of any such claim the amount due the United States pursuant to determination, compromise, or settlement as herein authorized and, upon acceptance of such payment but not until then, such determination, settlement, or compromise of such claim shall be final and conclusive for all purposes, any law to the contrary notwithstanding. All such payments shall be covered into the Treasury of the United States as miscellaneous receipts. The Secretary of the Navy is further authorized to execute on behalf of the United States and to deliver in exchange for such payment a full release of such claim: *Provided*, That this section, as respects the determination, compromise, settlement, and payment of claims, shall be supplementary to, and not in lieu of, all other provisions of law authorizing the determination, compromise, or settlement of claims for damage to property hereinabove described: *Provided further*, That no settlement or compromise where there is involved a payment in the net amount of over \$1,000,000 shall be authorized by this Act.

SEC. 2. Within twenty days after receipt of a payment in a net amount exceeding \$3,000 due the United States pursuant to determination, compromise, or settlement of any claim under section 1 of this Act, the Secretary of the Navy shall file reports with the Committees on Naval Affairs of the Senate and House of Representatives, setting forth the nature of the claim; the vessel or vessels involved; the amount received; the basis of determination, compromise, or settlement; and other pertinent facts: *Provided*, That during any war the reports required under this section may omit any fact or facts, disclosure of which, in the opinion of the Secretary, would be prejudicial to the national security.

SEC. 3. This Act shall not apply to any claim for which a suit filed by or against the United States is pending.

Approved December 5, 1945.

[CHAPTER 556]

AN ACT

December 5, 1945
[H. R. 1192]
[Public Law 247]

Granting travel pay and other allowances to certain soldiers of the War with Spain and the Philippine Insurrection who were discharged in the Philippine Islands.

War with Spain and
Philippine Insurrec-
tion.
Payments to certain
soldiers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who either enlisted in the Regular Army in the year 1898 under special Act of Congress for the duration of the War with Spain or enlisted or reenlisted in the Regular Army during such war for the regular enlistment period but secured his discharge under General Orders, Num-

bered 40, issued at the Headquarters of the Army, Adjutant General's Office, Washington, May 10, 1898, and who (1) was honorably discharged from such enlistment while serving in the Philippine Islands, (2) did not there reenter the military or naval service of the United States through commission or enlistment, and (3) embarked at Manila within one year after such discharge for return to the United States, shall be allowed and paid the sum of \$75 as reimbursement for lodging and subsistence in the Philippine Islands for the period during which he awaited transportation by Government transport, and, in addition, travel pay and commutation of subsistence, for the distance from Manila, Philippine Islands, to San Francisco, California, at the rate of travel pay and commutation of subsistence allowed to soldiers of the Regular Army honorably discharged on expiration of enlistment, under section 1290 of the Revised Statutes, in effect at the time of such discharge, less any sum or sums of money actually paid by the Government to such person at the time of such discharge, or subsequent thereto, and transportation and subsistence between such places: *Provided*, That such payments shall be without interest.

Lodging, subsistence,
and travel pay.

47 Stat. 1428.

SEC. 2. Claims hereunder shall be settled in the General Accounting Office.

SEC. 3. The Comptroller General is authorized and directed to certify to the Congress, pursuant to the provisions of section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), all claims allowed hereunder.

Certification of al-
lowed claims.

23 Stat. 254.

SEC. 4. Application for the benefits of this Act shall be filed within three years after the date of its passage.

SEC. 5. Payment to any attorney or agent for such assistance as may be required in the preparation and execution of the necessary papers in any application under this Act shall not exceed the sum of \$10; any person collecting or attempting to collect a greater amount than is herein allowed shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$500 or by imprisonment for not more than two years, or by both such fine and imprisonment.

Limitation on at-
torney's, etc., fees.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Approved December 5, 1945.

[CHAPTER 557]

AN ACT

To provide for financial control of Government corporations.

December 6, 1945

[H. R. 3660]

[Public Law 248]

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 "Government Corporation Control Act".

Government Corpo-
ration Control Act.

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of the Congress to bring Government corporations and their transactions and operations under annual scrutiny by the Congress and provide current financial control thereof.

TITLE I—WHOLLY OWNED GOVERNMENT
CORPORATIONS

SEC. 101. As used in this Act the term "wholly owned Government corporation" means the Commodity Credit Corporation; Federal Intermediate Credit Banks; Production Credit Corporations; Regional Agricultural Credit Corporations; Farmers Home Corporation; Federal Crop Insurance Corporation; Federal Farm Mortgage

Corporation; Federal Surplus Commodities Corporation; Reconstruction Finance Corporation; Defense Plant Corporation; Defense Supplies Corporation; Metals Reserve Company; Rubber Reserve Company; War Damage Corporation; Federal National Mortgage Association; the RFC Mortgage Company; Disaster Loan Corporation; Inland Waterways Corporation; Warrior River Terminal Company; The Virgin Islands Company; Federal Prison Industries, Incorporated; United States Spruce Production Corporation; Institute of Inter-American Affairs; Institute of Inter-American Transportation; Inter-American Educational Foundation, Incorporated; Inter-American Navigation Corporation; Precinradio, Incorporated; Cargoes, Incorporated; Export-Import Bank of Washington; Petroleum Reserves Corporation; Rubber Development Corporation; U. S. Commercial Company; Smaller War Plants Corporation; Federal Public Housing Authority (or United States Housing Authority) and including public housing projects financed from appropriated funds and operations thereof; Defense Homes Corporation; Federal Savings and Loan Insurance Corporation; Home Owners' Loan Corporation; United States Housing Corporation; Panama Railroad Company; Tennessee Valley Authority; and Tennessee Valley Associated Cooperatives, Incorporated.

Annual budget program.

Type.

Contents.

SEC. 102. Each wholly owned Government corporation shall cause to be prepared annually a budget program, which shall be submitted to the President through the Bureau of the Budget on or before September 15 of each year. The Bureau of the Budget, under such rules and regulations as the President may establish, is authorized and directed to prescribe the form and content of, and the manner in which such budget program shall be prepared and presented. The budget program shall be a business-type budget, or plan of operations, with due allowance given to the need for flexibility, including provision for emergencies and contingencies, in order that the corporation may properly carry out its activities as authorized by law. The budget program shall contain estimates of the financial condition and operations of the corporation for the current and ensuing fiscal years and the actual condition and results of operation for the last completed fiscal year. Such budget program shall include a statement of financial condition, a statement of income and expense, an analysis of surplus or deficit, a statement of sources and application of funds, and such other supplementary statements and information as are necessary or desirable to make known the financial condition and operations of the corporation. Such statements shall include estimates of operations by major types of activities, together with estimates of administrative expenses, estimates of borrowings, and estimates of the amount of Government capital funds which shall be returned to the Treasury during the fiscal year or the appropriations required to provide for the restoration of capital impairments.

Transmittal of budget programs to Congress.

42 Stat. 20.
31 U. S. C. § 1; Supp. IV, § 16 et seq.

Coverage.

Legislation.

Financing authorized activities, etc.

SEC. 103. The budget programs of the corporations as modified, amended, or revised by the President shall be transmitted to the Congress as a part of the annual Budget required by the Budget and Accounting Act, 1921. Amendments to the annual budget programs may be submitted from time to time.

Budget programs shall be submitted for all wholly owned Government corporations covering operations for the fiscal year commencing July 1, 1946, and each fiscal year thereafter.

SEC. 104. The budget programs transmitted by the President to the Congress shall be considered and, if necessary, legislation shall be enacted making available such funds or other financial resources as the Congress may determine. The provisions of this section shall not

be construed as preventing wholly owned Government corporations from carrying out and financing their activities as authorized by existing law, nor shall any provisions of this section be construed as affecting in any way the provisions of section 26 of the Tennessee Valley Authority Act, as amended. The provisions of this section shall not be construed as affecting the existing authority of any wholly owned Government corporation to make contracts or other commitments without reference to fiscal-year limitations.

SEC. 105. The financial transactions of wholly owned Government corporations shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States: *Provided*, That such rules and regulations may provide for the retention at the offices of such corporations, in whole or in part, of any accounts of accountable officers, covering corporate financial transactions, which are required by existing law to be settled and adjusted in the General Accounting Office, and for the settlement and adjustment of such accounts in whole or in part upon the basis of examinations in the course of the audit herein provided, but nothing in this proviso shall be construed as affecting the powers reserved to the Tennessee Valley Authority in the Act of November 21, 1941 (55 Stat. 775). The audit shall be conducted at the place or places where the accounts of the respective corporations are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the respective corporations and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians. The audit shall begin with the first fiscal year commencing after the enactment of this Act.

SEC. 106. A report of each such audit for each fiscal year ending on June 30 shall be made by the Comptroller General to the Congress not later than January 15 following the close of the fiscal year for which such audit is made. The report shall set forth the scope of the audit and shall include a statement (showing intercorporate relations) of assets and liabilities, capital and surplus or deficit; a statement of surplus or deficit analysis; a statement of income and expense; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep Congress informed of the operations and financial condition of the several corporations, together with such recommendations with respect thereto as the Comptroller General may deem advisable, including a report of any impairment of capital noted in the audit and recommendations for the return of such Government capital or the payment of such dividends as, in his judgment, should be accomplished. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President, to the Secretary of the Treasury, and to the corporation concerned at the time submitted to the Congress.

SEC. 107. Whenever it is deemed by the Director of the Bureau of the Budget, with the approval of the President, to be practicable and in the public interest that any wholly owned Government corporation be treated with respect to its appropriations, expenditures, receipts, accounting, and other fiscal matters as if it were a Government

TVA.

48 Stat. 71.
16 U. S. C. § 831y.

Audit of financial transactions.

Accounts of accountable officers.

TVA.

16 U. S. C., Supp. IV, § 831h.

Audit report by Comptroller General.

Scope.

Recommendations.

Unauthorized financial transactions.

Recommendation by Director of Bureau of the Budget.

agency other than a corporation, the Director shall include in connection with the budget program of such corporation in the Budget a recommendation to that effect. If the Congress approves such recommendation in connection with the budget program for any fiscal year, such corporation, with respect to subsequent fiscal years, shall be regarded as an establishment other than a corporation for the purposes of the Budget and Accounting Act, 1921, and other provisions of law relating to appropriations, expenditures, receipts, accounts, and other fiscal matters, and shall not be subject to the provisions of this Act other than this section. The corporate entity shall not be affected by this section.

TITLE II—MIXED-OWNERSHIP GOVERNMENT CORPORATIONS

Definition of term.

SEC. 201. As used in this Act the term "mixed-ownership Government corporations" means (1) the Central Bank for Cooperatives and the Regional Banks for Cooperatives, (2) Federal Land Banks, (3) Federal Home Loan Banks, and (4) Federal Deposit Insurance Corporation.

Audit of financial transactions.

SEC. 202. The financial transactions of mixed-ownership Government corporations for any period during which Government capital has been invested therein shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts of the respective corporations are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the respective corporations and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians. The audit shall begin with the first fiscal year commencing after the enactment of this Act.

Report of each audit.

SEC. 203. A report of each such audit for each fiscal year ending on June 30 shall be made by the Comptroller General to the Congress not later than January 15, following the close of the fiscal year for which such audit is made. The report shall set forth the scope of the audit and shall include a statement (showing intercorporate relations) of assets and liabilities, capital and surplus or deficit; a statement of surplus or deficit analysis; a statement of income and expense; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep Congress informed of the operations and financial condition of, and the use of Government capital by, each such corporation, together with such recommendations with respect thereto as the Comptroller General may deem advisable, including a report of any impairment of capital or lack of sufficient capital noted in the audit and recommendations for the return of such Government capital or the payment of such dividends as, in his judgment, should be accomplished. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President, to the Secretary of the Treasury, and to the corporation concerned at the time submitted to the Congress.

Scope; items to be included.

Unauthorized financial transactions.

SEC. 204. The President shall include in the annual Budget any recommendations he may wish to make as to the return of Government capital to the Treasury by any mixed-ownership corporation.

Recommendations.

TITLE III—GENERAL PROVISIONS

SEC. 301. (a) The expenses of auditing the financial transactions of wholly owned and mixed-ownership Government corporations as provided in sections 105 and 202 of this Act shall be borne out of appropriations to the General Accounting Office, and appropriations in such sums as may be necessary are hereby authorized: *Provided*, That each such corporation shall reimburse the General Accounting Office for the full cost of any such audit as billed therefor by the Comptroller General, and the General Accounting Office shall deposit the sums so reimbursed into the Treasury as miscellaneous receipts: *Provided further*, That in making the audits provided in said sections the Comptroller General shall, to the fullest extent deemed by him to be practicable, utilize reports of examinations of Government corporations made by a supervising administrative agency pursuant to law.

Expenses of auditing.

Reimbursement.

(b) For the purpose of conducting such audit the Comptroller General is authorized in his discretion to employ not more than ten persons without regard to the Classification Act of 1923, as amended, only one of whom may be compensated at a rate of as much as but not more than \$10,000 per annum, and to employ by contract, without regard to section 3709 of the Revised Statutes, professional services of firms and organizations for temporary periods or for special purposes.

Personal services.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Ante, p. 298 *et seq.*

41 U. S. C. § 5.

(c) The audit provided in sections 105 and 202 of this Act shall be in lieu of any audit of the financial transactions of any Government corporation required to be made by the General Accounting Office for the purpose of a report to the Congress or to the President under any existing law.

Substitution of audit provisions.

(d) Unless otherwise expressly provided by law, no funds of any Government corporation shall be used to pay the cost of any private audit of the financial records of the offices of such corporation, except the cost of such audits contracted for and undertaken prior to April 25, 1945.

Private audits.

SEC. 302. The banking or checking accounts of all wholly owned and mixed-ownership Government corporations shall be kept with the Treasurer of the United States, or, with the approval of the Secretary of the Treasury, with a Federal Reserve bank, or with a bank designated as a depository or fiscal agent of the United States: *Provided*, That the Secretary of the Treasury may waive the requirements of this section under such conditions as he may determine: *And provided further*, That this section will not apply to the establishment and maintenance in any bank for a temporary period of banking and checking accounts not in excess of \$50,000 in any one bank. The provisions of this section shall not be applicable to Federal Intermediate Credit Banks, Production Credit Corporations, the Central Bank for Cooperatives, the Regional Banks for Cooperatives, or the Federal Land Banks, except that each such corporation shall be required to report annually to the Secretary of the Treasury the names of the depositories in which such corporation keeps a banking or checking account, and the Secretary of the Treasury may make a report in writing to the corporation, to the President, and to the Congress which he deems advisable upon receipt of any such annual report.

Banking or checking accounts, depositories.

Waiver of requirements.

Temporary accounts.

Exemptions.

SEC. 303. (a) All bonds, notes, debentures, and other similar obligations which are hereafter issued by any wholly owned or mixed-

Bonds, notes, debentures, etc.

ownership Government corporation and offered to the public shall be in such forms and denominations, shall have such maturities, shall bear such rates of interest, shall be subject to such terms and conditions, shall be issued in such manner and at such times and sold at such prices as have been or as may be approved by the Secretary of the Treasury.

Sale or purchase of U. S. obligations.

(b) Hereafter, no wholly owned or mixed-ownership Government corporation shall sell or purchase any direct obligation of the United States or obligation guaranteed as to principal or interest, or both, for its own account and in its own right and interest, at any one time aggregating in excess of \$100,000, without the approval of the Secretary of the Treasury: *Provided*, That the Secretary of the Treasury may waive the requirement of his approval with respect to any transaction or classes of transactions subject to the provisions of this subsection for such period of time and under such conditions as he may determine.

Delegation of functions.

(c) The Secretary of the Treasury is hereby authorized to exercise any of the functions vested in him by this section through any officer, or employee of any Federal agency whom he may designate, with the concurrence of the head of the agency concerned, for such purpose.

Mixed-ownership Government corporation without Government capital.

Exempted corporations.

(d) Any mixed-ownership Government corporation from which Government capital has been entirely withdrawn shall not be subject to the provisions of section 302 or of this section during the period such corporation remains without Government capital. The provisions of subsections (a) and (b) of this section shall not be applicable to Federal Intermediate Credit Banks, Production Credit Corporations, the Central Bank for Cooperatives, the Regional Banks for Cooperatives, or the Federal Land Banks, except that each such corporation shall be required to consult with the Secretary of the Treasury prior to taking any action of the kind covered by the provisions of subsections (a) and (b) of this section, and in the event an agreement is not reached, the Secretary of the Treasury may make a report in writing to the corporation, to the President, and to the Congress stating the grounds for his disagreement.

Creation, etc., of corporations, restriction.

SEC. 304. (a) No corporation shall be created, organized, or acquired hereafter by any officer or agency of the Federal Government or by any Government corporation for the purpose of acting as an agency or instrumentality of the United States, except by Act of Congress or pursuant to an Act of Congress specifically authorizing such action.

Termination of wholly owned Government corporations.

(b) No wholly owned Government corporation created by or under the laws of any State, Territory, or possession of the United States or any political subdivision thereof, or under the laws of the District of Columbia, shall continue after June 30, 1948, as an agency or instrumentality of the United States, and no funds of, or obtained from, the United States or any agency thereof, including corporations, shall be invested in or employed by any such corporation after that date, except for purposes of liquidation. The proper corporate authority of every such corporation shall take the necessary steps to institute dissolution or liquidation proceedings on or before that date: *Provided*, That prior thereto any such corporation may be reincorporated by Act of Congress for such purposes and term of existence and with such powers, privileges, and duties as authorized by such Act, including the power to take over the assets and assume the liabilities of its respective predecessor corporation.

Reincorporation.

Approved December 6, 1945.

[CHAPTER 558]

AN ACT

Relating to clerical assistance at post offices, branches, or stations serving military and naval personnel, and for other purposes.

December 7, 1945
[H. R. 697]
[Public Law 249]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 9, 1943 (57 Stat. 391), entitled "An Act to provide for clerical assistance at post offices, branches, or stations serving military and naval personnel, and for other purposes", is hereby amended to read as follows:

Postal employees.
39 U. S. C., Supp.
IV, § 133 note.

"That, during the present war and for six months thereafter, whenever deemed necessary in serving military and naval personnel at military and naval camps, posts, or stations, or at civilian plants devoted to war production, the Postmaster General is hereby authorized to detail any postal employee from main post offices to postal units, at such camps, posts, or stations, or civilian plants, without changing the official station of such postal employee, and to authorize allowances, not exceeding \$4 per day in lieu of actual expenses, while so detailed, without regard to the Subsistence Expense Act of 1926, such allowances to be paid from the appropriation 'Miscellaneous items, first- and second-class post offices'.

Details to units
serving military and
naval personnel.

Allowances.

44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.

"SEC. 2. The Comptroller General of the United States is authorized and directed to allow credit for any payments made prior to July 9, 1943, not exceeding the allowances herein provided, to the employees so detailed."

Approved December 7, 1945.

[CHAPTER 559]

AN ACT

To authorize the head of the postgraduate school of the United States Navy to confer masters and doctors degrees in engineering and related fields.

December 7, 1945
[S. 1493]
[Public Law 250]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, pursuant to such regulations as the Secretary of the Navy may prescribe, the head of the postgraduate school of the United States Navy is authorized, upon due accreditation from time to time by the appropriate professional authority of the applicable curriculum of such school leading to masters or doctors degrees in engineering or related fields, to confer such degree or degrees on qualified graduates of such school.

Postgraduate school
of U. S. Navy.
Authority to confer
certain degrees.

Approved December 7, 1945.

[CHAPTER 560]

AN ACT

To amend the Act entitled "An Act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty", approved March 17, 1882, as amended.

December 7, 1945
[H. R. 4127]
[Public Law 251]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty", approved March 17, 1882 (22 Stat. 29), as amended (U. S. C., 1940 edition, title 39, sec. 49), be, and it is hereby, amended to read as follows:

Postal Service.

"The Postmaster General may investigate all claims of postmasters, Navy mail clerks, assistant Navy mail clerks, Coast Guard mail clerks, assistant Coast Guard mail clerks, Army mail clerks, and

Adjustment of cer-
tain claims for losses
by burglary, fire, etc.

assistant Army mail clerks for the loss of any funds or valuable paper which they may have in their official custody, resulting from burglary, fire, or other unavoidable casualty, and for the loss occurring after April 1, 1924, by bank failure of any such funds deposited in National or State banks, and if he shall determine that such loss resulted from no fault or negligence on the part of such officers or employees, may pay to them or credit them with the amount so ascertained to have been lost or destroyed, and may also credit them with the amount of any remittance of such funds or valuable paper made by them in compliance with the instructions of the Postmaster General, which shall have been lost or stolen while in transit by mail to the office designated as a depository, or after arrival at such depository office and before the postmaster at such depository office has become responsible therefor, or to the postmaster at any other post office, and authorized shipments of postage and other stamp stock or valuable paper lost while in transit by mail from one such officer or employee to another such officer or employee, or to or from the Post Office Department, and such funds remitted after April 1, 1924, in compliance with instructions of the Postmaster General in the form of drafts or checks which have been returned unpaid or dishonored by reason of the closing of the banks issuing such drafts or checks: *Provided*, That in all cases of bank failure the postmaster shall first file with the receiver of the insolvent bank a claim for the full amount of the funds involved and assign such claim to the Postmaster General, who shall receive all dividends accruing in any such case. No claim exceeding the sum of \$10,000 shall be paid or credited until after the facts shall have been ascertained by the Postmaster General, and an appropriation made therefor. All such claims must be presented within six months from the time the loss occurred: *Provided further*, That in the case of claims of Navy mail clerks, assistant Navy mail clerks, Coast Guard mail clerks, assistant Coast Guard mail clerks, Army mail clerks, assistant Army mail clerks, and postmasters outside the continental United States the limitation shall be two years as to claims for losses occurring while the United States is at war: *Provided further*, That the provisions of this Act, as regards Army mail clerks and assistant Army mail clerks, shall be applicable to claims which have arisen or may arise at any time subsequent to the Act of August 21, 1941 (55 Stat. 656), authorizing the designation of Army mail clerks and assistant Army mail clerks, and likewise shall, in the case of Coast Guard mail clerks and assistant Coast Guard mail clerks, be applicable to claims which have arisen or may arise at any time subsequent to the Act of July 11, 1941 (55 Stat. 586), authorizing the designation of Coast Guard mail clerks and assistant Coast Guard mail clerks.

“SEC. 2. The provisions of this Act shall not be applicable to claims for losses cognizable under the Government Losses in Shipment Act (Act of July 8, 1937, 50 Stat. 479, as amended; 5 U. S. C., 1940 edition, sec. 134–134h), nor to claims for losses by Army mail clerks and assistant Army mail clerks relating to stamps which were supplied to them by the War Department and not by the Post Office Department, nor to the funds received through the sale of such stamps, nor to claims for losses by Navy mail clerks and assistant Navy mail clerks relating to stamps which were supplied to them by the Navy Department and not by the Post Office Department, nor to the funds received through the sale of such stamps.”

Approved December 7, 1945.

By bank failure.

In transit by mail.

Filing of claim with receiver of insolvent bank.

Claim exceeding \$10,000.

Time limitation.

Applicability.

39 U. S. C., Supp. IV, § 138.

39 U. S. C., Supp. IV, § 134.

Nonapplicability.

[CHAPTER 561]

JOINT RESOLUTION

Making an appropriation for contingent expenses of the Senate.

December 10, 1945
[S. J. Res. 125]
[Public Law 252]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$400,000 for contingent expenses of the Senate, expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1946: *Provided,* That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Senate, contingent expenses.
Ante, p. 243.44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.

Approved December 10, 1945.

[CHAPTER 562]

AN ACT

To authorize the discharge of midshipmen from the United States Naval Academy by the Secretary of the Navy because of unsatisfactory conduct or aptitude.

December 11, 1945
[S. 1064]
[Public Law 253]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Superintendent of the United States Naval Academy shall, whenever he determines that the conduct of any midshipman is unsatisfactory or whenever it is determined by a unanimous decision of the Academic Board that any midshipman possesses insufficient aptitude for becoming a commissioned officer in the naval service, submit to the Secretary of the Navy in writing a full report of such determination and of the facts on which it is based. If, after according such midshipman an opportunity to examine such report and to submit a written statement thereon, the Secretary of the Navy shall deem the Superintendent's determination reasonable and well founded upon the basis of such report and statement, he may, in his discretion, discharge such midshipman from the Naval Academy.

Midshipmen, U. S. Naval Academy.
Discharge for unsatisfactory conduct, etc.

Approved December 11, 1945.

[CHAPTER 563]

AN ACT

To amend the Act authorizing postmasters in Alaska to administer oaths and affirmations.

December 11, 1945
[H. R. 304]
[Public Law 254]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act approved August 5, 1939, entitled "An Act to authorize postmasters within the Territory of Alaska to administer oaths and affirmations, and for other purposes" (53 Stat. 1219), is amended to read as follows:

Alaska:

48 U. S. C. § 35a.

"That each postmaster within the Territory of Alaska is hereby authorized and directed to administer oaths and affirmations and to take acknowledgments, and to make and execute certificates thereof, and to perform all other functions of a notary public within said Territory, whenever an oath, affirmation, or acknowledgment or a certificate thereof is authorized, permitted, or required by any Act or Acts of Congress, or of the Legislature of the Territory of Alaska."

Postmasters as notaries public.

48 U. S. C. § 35b.

And that section 2 of said Act approved August 5, 1939, is amended to read as follows:

Signature, etc.

"Each certificate of oath, affirmation, or acknowledgment executed by a postmaster within the Territory of Alaska under the authority of this Act shall be signed by the postmaster, with a designation of his title as such postmaster, shall have affixed thereto the cancellation stamp of the post office, and shall state the name of the post office and the date on which such oath or affirmation is administered or such acknowledgment is taken. Postmasters shall keep a memorandum of all deeds and other instruments of writing acknowledged before them and relating to the title to or transfer of property, which memorandum shall be transmitted to their successors in the office of postmaster and which shall be subject to public inspection."

Record.

Approved December 11, 1945.

[CHAPTER 564]

AN ACT

December 11, 1945
[H. R. 1123]
[Public Law 255]

To provide for a temporary increase in the age limit for appointees to the United States Military Academy and the United States Naval Academy.

U. S. Military
Academy.
10 U. S. C. §§ 1094,
1100.

Appointees; age
limit, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1318 of the Revised Statutes, as amended by the Act of March 30, 1920 (41 Stat. 548), is amended to read as follows:

"Appointees shall be admitted to the United States Military Academy only between the ages of seventeen and twenty-two years, except in the following case: Any appointee who has served honorably not less than one year in the armed forces of the United States during any of the present wars, and who possesses the other qualifications required by law, may be admitted between the ages of seventeen and twenty-four years: *Provided,* That whenever any member of the graduating class shall fail to complete the course with his class by reason of sickness, or deficiency in his studies, or other cause, such failure shall not operate to delay the admission of his successor."

U. S. Naval Acad-
emy.

Candidates; age
limit, etc.

SEC. 2. Section 1517 of the Revised Statutes as amended (34 U. S. C. 1045), is amended to read as follows:

"Candidates allowed for Congressional districts, for Territories and for the District of Columbia, must be actual residents of the districts or Territories, respectively, from which they are nominated. All candidates for admission to the Naval Academy must be not less than seventeen years of age nor more than twenty-one years of age on April 1st of the calendar year in which they enter the Academy: *Provided,* That any candidate who has served honorably not less than one year in the armed forces of the United States during any of the present wars and who possesses the other qualifications required by law may be admitted between the ages of seventeen and twenty-three years."

Approved December 11, 1945.

[CHAPTER 573]

AN ACT

December 12, 1945
[H. R. 694]
[Public Law 256]

To amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic.

Transportation Act
of 1940, amendment.
54 Stat. 954.
49 U. S. C. § 65 (a).
Government traffic.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 321 of title III, part II, of the Transportation Act of 1940, be, and the same is hereby, amended by striking out the following: "except that the foregoing provision shall not apply to the transpor-

tation of military or naval property of the United States moving for military or naval and not for civil use or to the transportation of members of the military or naval forces of the United States (or property of such members) when such members are traveling on official duty;”, so that said subsection, as so amended, shall read as follows:

“SEC. 321. (a) Notwithstanding any other provision of law, but subject to the provisions of sections 1 (7) and 22 of the Interstate Commerce Act, as amended, the full applicable commercial rates, fares, or charges shall be paid for transportation by any common carrier subject to such Act of any persons or property for the United States, or on its behalf, and the rate determined by the Interstate Commerce Commission as reasonable therefor shall be paid for the transportation by railroad of the United States mail: *Provided, however*, That any carrier by railroad and the United States may enter into contracts for the transportation of the United States mail for less than such rate: *Provided further*, That section 3709, Revised Statutes (U. S. C., 1934 edition, title 41, sec. 5), shall not hereafter be construed as requiring advertising for bids in connection with the procurement of transportation services when the services required can be procured from any common carrier lawfully operating in the territory where such services are to be performed.”

SEC. 2. The amendment made by section 1 of this Act shall take effect October 1, 1946: *Provided, however*, That any travel or transportation specifically contracted for prior to such effective date shall be paid for at the rate, fare, or charge in effect at the time of entering into such contract of carriage or shipment.

SEC. 3. The Interstate Commerce Commission, in the exercise of its power to prescribe just and reasonable rates, fares, and charges, shall give due consideration to the increased revenues which carriers will receive as a result of the enactment of this Act, so that such increased revenues will be reflected in appropriate readjustments in rates, fares, and charges to shippers.

Approved December 12, 1945.

[CHAPTER 575]

JOINT RESOLUTION

To limit the operation of sections 109 and 113 of the Criminal Code, and sections 361, 365, and 366 of the Revised Statutes, and certain other provisions of law.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in section 109 or 113 of the Criminal Code (U. S. C., 1940 edition, title 18, secs. 198 and 203), or in section 361, 365, or 366 of the Revised Statutes (U. S. C., 1940 edition, title 5, secs. 306, 314, and 315), or in any other provision of Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States, shall apply with respect to counsel serving under the provisions of S. Con. Res. 27, Seventy-ninth Congress, first session, passed by the Senate on September 6, 1945, and passed by the House of Representatives on September 11, 1945.

Approved December 14, 1945.

Rates, etc.
41 Stat. 475; 24 Stat.
387.
49 U. S. C. § 1 (7);
Supp. IV, § 22.

U. S. mail.

Advertising for bids.

Effective date.

Prior contracts.

Readjustments.

December 14, 1945
[S. J. Res. 110]
[Public Law 267]

Limitation of opera-
tion of designated stat-
utes.
35 Stat. 1107, 1109.
18 U. S. C., Supp.
IV, § 198 note.

Post, p. 845.

[CHAPTER 576]

JOINT RESOLUTION

To provide for national elections in the Philippine Islands.

December 14, 1945
[S. J. Res. 119]
[Public Law 258]

Whereas the interruption of constitutional processes of government in the Philippine Islands due to enemy occupation has prevented the holding of elections in 1943 and 1945 as provided by the constitution of the Philippines; and

48 U. S. C., Supp. IV.
§ 1232 note.

Whereas the term of office of the President of the Philippines has been continued by the joint resolution of November 12, 1943 (57 Stat. 590), until such time as a successor has been elected and qualified; and

Whereas the Philippine Congress under the terms of the constitution of the Philippines cannot convene after December 30, 1945, because the terms of office of Members of the House of Representatives and of two-thirds of the Members of the Philippine Senate will have expired on that date; and

Whereas the liberation of the Philippines and the restoration of constitutional processes of democracy in the Commonwealth now permit the holding of an election in the immediate future; and

Whereas the members of the electoral commission responsible for the conduct of the elections have already been appointed by the Commonwealth government in accordance with the constitution and laws of the Commonwealth; and

Whereas the Constitution of the Commonwealth of the Philippines makes no provision for the emergency in which elections though of vital necessity cannot be held at the regularly scheduled time; and

Whereas it is the desire of the United States to fulfill her pledge to prepare the Philippines for independence and to make possible that grant of independence in accordance with existing law: Now, therefore, be it

National elections
under Commonwealth
of the Philippines.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That elections shall be held for national elective offices under the Commonwealth of the Philippines not later than April 30, 1946. The present Philippine Congress shall fix the date for such elections, and the date fixed shall not be subsequent to April 30, 1946. Should the present Philippine Congress fail to fix such date, then April 30, 1946, is hereby fixed as the date elections shall be held for national elective offices under the Commonwealth of the Philippines.

Assumption of office
and convening of Con-
gress.

SEC. 2. The President and Vice President then elected, the Senators then elected (who shall be all but those then in office whose terms continue until December 30, 1947), and the Members of the House of Representatives shall take office, and the elected Philippine Congress shall convene in regular session not later than May 28, 1946. The present Philippine Congress shall fix the date or dates for the assumption of office and for the convening of the elected Philippine Congress in regular session, and the date or dates fixed shall not be subsequent to May 28, 1946. Should the present Philippine Congress fail to fix such date or dates, then May 28, 1946, is hereby fixed as the date for assumption of office and the convening of the elected Philippine Congress in regular session.

Expiration of terms
of office.

SEC. 3. The terms of office of the President, Vice President, and Representatives then elected shall expire on the date which would have been the case had they assumed office on December 30, 1945. The terms of office of eight of the Senators elected at such elections shall expire on the date which would have been the case had they assumed office on December 30, 1945; and the terms of eight Senators

then elected shall expire on the date which would have been the case had they assumed office on December 30, 1943. Division of the Senators elected at such elections into these two classes shall be made in accordance with the constitution and laws of the Commonwealth of the Philippines. The term of any Senator then elected to fill a vacancy in a term expiring on December 30, 1947, shall expire on that date.

SEC. 4. The manner of holding such elections shall be as provided by the constitution and laws of the Commonwealth of the Philippines.

Approved December 14, 1945.

[CHAPTER 577]

JOINT RESOLUTION

Making an additional appropriation for the United Nations Relief and Rehabilitation Administration.

Manner of holding elections.

December 14, 1945
[H. J. Res. 266]
[Public Law 259]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, an additional amount fiscal year 1946, to enable the President to carry out the provisions of the Act of March 28, 1944 (Public Law 267), to be available for expenditure in the manner specified in the appropriation for this purpose in the United Nations Relief and Rehabilitation Participation Appropriation Act, 1945, \$550,000,000: *Provided,* That no relief or rehabilitation supplies procured out of funds heretofore or herein appropriated shall be shipped to any country except in the Far East after December 31, 1946, and in the case of any country in the Far East after March 31, 1947.

UNRRA Participation Act, 1946.
Post, p. 634.

58 Stat. 122.
50 U. S. C., Supp. IV, app. §§ 1571-1578.
Post, pp. 612, 634.

58 Stat. 629.
Relief shipments.

In adopting this joint resolution the Congress does so with the following recommendations:

Recommendations of Congress.

Objectives.

A. That the United States member of the control committee of the United Nations Relief and Rehabilitation Administration is hereby requested, by appropriate resolutions or agreements, to secure favorable action by that committee or by the United Nations Relief and Rehabilitation Administration Council to attain the following objectives:

(1) That all trade agreements and all barter agreements of a recipient country with other nations, together with satisfactory information on all exports from, and imports into, such country, whether for governmental or private account, will be made available to the United Nations Relief and Rehabilitation Administration.

(2) That each recipient country shall supply accredited United Nations Relief and Rehabilitation Administration personnel with all necessary facilities, credentials, documents, and safe conduct in carrying out the objectives of the United Nations Relief and Rehabilitation Administration agreement, including all necessary inspections and investigations.

(3) That the Administration, if it determines such a course to be desirable, will be permitted, during the period of its operations in a recipient country, to retain title to all motor-transport equipment supplied by the Administration and will also be permitted to route such equipment and to direct the use of the fuel and lubricants supplied by the Administration.

B. That the President is hereby requested, through appropriate channels, to facilitate the admission to recipient countries of properly accredited members of the American press and radio in order that they be permitted to report without censorship on the utilization and

American press and radio.

distribution of United Nations Relief and Rehabilitation Administration supplies and services.

Citation of Act.

SEC. 2. This Act may be cited as the United Nations Relief and Rehabilitation Administration Participation Act, 1946.

Approved December 14, 1945.

[CHAPTER 578]

AN ACT

December 15, 1945
[S. 1212]
[Public Law 260]

To amend Section 12 of the Act entitled "An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940.

District of Columbia.
54 Stat. 739.
D. C. Code §40-712.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 12 of the Act entitled "An Act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940, is hereby amended to read:

Fees for recording liens, etc., on automobiles.

"SEC. 12. The fee for recording liens or assignments or releases of liens upon a certificate shall not exceed the sum of fifty cents for each lien or assignment or release of lien on each automobile contained in the instrument."

Approved December 15, 1945.

[CHAPTER 579]

AN ACT

December 15, 1945
[S. 1278]
[Public Law 261]

To provide for the taxation of rolling stock of railroad and other companies operated in the District of Columbia, and for other purposes.

District of Columbia.
Taxation of rolling stock of railroad and other companies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the rolling stock of railroad companies, refrigerator-car companies, parlor-car companies, sleeping-car companies, tank-car companies, express companies, car-renting companies, and all other companies owning parlor, sleeping, dining, tank, freight, or any other cars which are operated or run over or upon the line or lines of any railroad or terminal company in the District of Columbia, shall be deemed to be located in said District for purposes of taxation, whether or not the individual units are continuously in the District or are constantly changing, and such property shall be reported, assessed, and taxed within the time, and at the rates prescribed by law for the reporting and taxation of other personal property in the District of Columbia.

Rolling stock primarily located in D. C.

(b) Such rolling stock as is primarily located in the District of Columbia shall be reported and taxed at its full and true value on the last day of the calendar year preceding the tax date.

Elsewhere.

(c) Such rolling stock as is not primarily located in the District of Columbia shall be reported and taxed in the manner following:

Report.

(1) Every railroad company operating rolling stock over or upon the line or lines of any railroad or terminal company in the District shall report to the Assessor of the District of Columbia the various classes of such rolling stock so operated by such company whether owned by it or any other railroad company; the number of miles traveled by each class of such rolling stock within the District during the calendar year next preceding the tax date; the total number of miles traveled by each class of such rolling stock on all lines over which such company operates during the calendar year next preceding the tax date; the total full and true value of each class of such rolling stock owned by such company on the last day of the calendar year next preceding the tax date; and such other facts and information as said assessor may require. The taxable portion of the rolling

Taxable portion.

stock of each such company shall be determined by applying the mileage traveled in the District by the various classes of such rolling stock operated in the District by such company to the total mileage traveled by the various classes of such rolling stock on all lines over which such company operates, and the tax shall be assessed on that portion of such rolling stock owned by such company on the last day of the calendar year next preceding the tax date. The mileage and value of the rolling stock owned by such company which is permanently located outside of the District of Columbia shall not be included in the computation of such assessment.

Property outside
D. C.

(2) Every parlor-car company and sleeping-car company owning parlor and sleeping cars (except those owned by railroad companies and described in paragraph (1) of this subsection) which are operated in the District over or upon the tracks of any railroad or terminal company, shall report to the Assessor of the District of Columbia the total number of miles traveled by all such cars, and also the miles traveled by such cars within the District, during the calendar year next preceding the tax date; the total full and true value of all of such cars so used as of the last day of the calendar year next preceding the tax date; and such other facts and information as said assessor may require. The taxable portion of the value of the cars owned by any such company and used within the District shall be determined by applying to such value the ratio between the mileage traveled by such cars in the District and the total mileage traveled by such cars within and without the District.

Report of parlor-car
and sleeping-car com-
panies.

(3) Every car company, mercantile company, corporation or individual (other than railroad, parlor-car and sleeping-car companies described in paragraphs (1) and (2) of this subsection) owning or leasing any stock cars, furniture cars, fruit cars, refrigerator cars, meat cars, oil cars, tank cars, or other similar cars, which are run over or upon the line or lines of any railroad or terminal company in the District of Columbia, shall furnish to the Assessor of the District of Columbia, on forms prescribed by said assessor, a true, full, and accurate statement, verified by the affidavit of the officer or person making the same, showing the aggregate number of miles made by their several cars over or upon the several lines of railroad within the District of Columbia during the calendar year next preceding the tax date; the average number of miles traveled per day within the District of Columbia by the cars covered by the statement in the ordinary course of business during the year; and such other pertinent facts and information as said assessor may require.

Other designated
companies.

Every railroad company whose lines run through or into the District of Columbia shall annually furnish to the said assessor a statement showing the name and address of every car company, mercantile company, corporation, or individual (other than railroad, parlor-car and sleeping-car companies described in paragraphs (1) and (2) of this subsection) whose cars made mileage over its tracks in the District of Columbia during the calendar year next preceding the tax date, and the total number of miles made within the District of Columbia by each during said period.

Other data required.

It shall be the duty of the said assessor to ascertain from the best and most reliable information that can be obtained and from said statements the number of cars required to make the total mileage of each such car company, mercantile company, corporation, or individual within the District of Columbia during the period aforesaid, and to ascertain and fix the valuation upon each particular class of such cars, and the number so ascertained to be required to make the total mileage within the District of Columbia of the cars of each such car company, mercantile company, corporation, or individual within

Determination of
valuation.

said period shall be assessed against the respective car companies, mercantile companies, corporations, or individuals. The valuation thus obtained shall be the full and true value and shall be the taxable portion of the cars owned by any such car company, mercantile company, corporation, or individual and used within the District of Columbia.

(d) All of the provisions of law relating to the filing of returns, assessment, payment, and collection of personal property taxes in the District of Columbia shall be applicable to the companies described in the foregoing subsections.

(e) Any individual, partnership, unincorporated association, or corporation aggrieved by any assessment of taxes made pursuant to the provisions of this Act may appeal therefrom to the Board of Tax Appeals for the District of Columbia in the same manner and to the same extent as set forth in sections 3, 4, 7, 8, 9, 10, 11, and 12 of title IX of the Act entitled "An Act to amend the District of Columbia Revenue Act of 1937, and for other purposes", approved May 16, 1938.

(f) The provisions of this Act shall be applicable to the taxable year beginning July 1, 1945, and each taxable year thereafter.

Approved December 15, 1945.

[CHAPTER 580]

AN ACT

To enable the United States to further participate in the work of the United Nations Relief and Rehabilitation Administration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution of March 28, 1944, entitled "Joint resolution to enable the United States to participate in the work of the United Nations relief and rehabilitation organization", is amended in the following respect:

(1) The first section is amended by striking out "\$1,350,000,000" and inserting in lieu thereof "\$2,700,000,000".

(2) Section 9 is amended by striking out "1946" and inserting in lieu thereof "1947".

(3) Add a new section 8 (a) :

"8 (a). In adopting this joint resolution the Congress does so with the following recommendations:

"A. That the United States member of the control committee of the United Nations Relief and Rehabilitation Administration is hereby requested, by appropriate resolutions or agreements, to secure favorable action by that committee or by the United Nations Relief and Rehabilitation Administration Council to attain the following objectives:

"(1) That all trade agreements and all barter agreements of a recipient country with other nations, together with satisfactory information on all exports from, and imports into, such country, whether for governmental or private account, will be made available to the United Nations Relief and Rehabilitation Administration.

"(2) That each recipient country shall supply accredited United Nations Relief and Rehabilitation Administration personnel with all necessary facilities, credentials, documents, and safe conduct in carrying out the objectives of the United Nations Relief and Rehabilitation Administration agreement, including all necessary inspections and investigations.

"(3) That the Administration, if it determines such a course to be desirable, will be permitted, during the period of its operations in a recipient country, to retain title to all motor-transport equipment

Administrative provisions.

Tax appeals.

52 Stat. 371-375.
D. C. Code § 47-2403
et seq; Supp. IV, § 47-2403 note et seq.

Applicability.

December 18, 1945
[H. R. 4649]
[Public Law 262]

UNRRA, participation expenses.

58 Stat. 122.
50 U. S. C., Supp.
IV, app. §§ 1571-1578.
Ante, p. 606; post, p. 634.

Recommendations.

Objectives.

supplied by the Administration and will also be permitted to route such equipment and to direct the use of the fuel and lubricants supplied by the Administration.

“B. That the President is hereby requested, through appropriate channels, to facilitate the admission to recipient countries of properly accredited members of the American press and radio in order that they be permitted to report without censorship on the utilization and distribution of United Nations Relief and Rehabilitation Administration supplies and services.”

Approved December 18, 1945.

American press and radio.

[CHAPTER 582]

AN ACT

To provide for the reorganization of Government agencies, and for other purposes.

December 20, 1945
[H. R. 4129]
[Public Law 263]

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

TITLE I

SHORT TITLE

SECTION 1. This Act may be cited as the “Reorganization Act of 1945”.

Reorganization Act of 1945.

NEED FOR REORGANIZATIONS

SEC. 2. (a) The President shall examine and from time to time reexamine the organization of all agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes:

Examination of agencies; purposes.

(1) to facilitate orderly transition from war to peace;

(2) to reduce expenditures and promote economy, to the fullest extent consistent with the efficient operation of the Government;

(3) to increase the efficiency of the operations of the Government to the fullest extent practicable within the revenues;

(4) to group, coordinate, and consolidate agencies and functions of the Government, as nearly as may be, according to major purposes;

(5) to reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions thereof as may not be necessary for the efficient conduct of the Government; and

(6) to eliminate overlapping and duplication of effort.

(b) The Congress declares that the public interest demands the carrying out of the purposes specified in subsection (a) and that such purposes may be accomplished in great measure by proceeding under the provisions of this Act, and can be accomplished more speedily thereby than by the enactment of specific legislation.

Declaration of Congress.

(c) It is the expectation of the Congress that the transfers, consolidations, coordinations, and abolitions under this Act shall accomplish an over-all reduction of at least 25 per centum in the administrative costs of the agency or agencies affected.

Reduction of administrative costs.

REORGANIZATION PLANS

SEC. 3. Whenever the President, after investigation, finds that—

Findings by the President.

(1) the transfer of the whole or any part of any agency, or of the whole or any part of the functions thereof, to the jurisdiction and control of any other agency; or

(2) the abolition of all or any part of the functions of any agency; or

(3) the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof; or

(4) the consolidation or coordination of any part of any agency or the functions thereof with any other part of the same agency or the functions thereof; or

(5) the abolition of the whole or any part of any agency which agency or part does not have, or upon the taking effect of the reorganizations specified in the reorganization plan will not have, any functions,

is necessary to accomplish one or more of the purposes of section 2 (a), he shall prepare a reorganization plan for the making of the transfers, consolidations, coordinations, and abolitions, as to which he has made findings and which he includes in the plan, and transmit such plan (bearing an identifying number) to the Congress, together with a declaration that, with respect to each transfer, consolidation, coordination, or abolition referred to in paragraph (1), (2), (3), (4), or (5) of this section and specified in the plan, he has found that such transfer, consolidation, coordination, or abolition is necessary to accomplish one or more of the purposes of section 2 (a). The delivery to both Houses shall be on the same day and shall be made to each House while it is in session. The President, in his message transmitting a reorganization plan, shall specify with respect to each abolition of a function specified in the plan the statutory authority for the exercise of such function.

Preparation of reorganization plan and transmittal to Congress.

Delivery.

OTHER CONTENTS OF PLANS

SEC. 4. Any reorganization plan transmitted by the President under section 3—

Designation of affected agency.

(1) shall change, in such cases as he deems necessary, the name of any agency affected by a reorganization, and the title of its head; and shall designate the name of any agency resulting from a reorganization and the title of its head;

Heads and assistant heads of agencies.

(2) may include provisions for the appointment and compensation of the head and one or more assistant heads of any agency (including an agency resulting from a consolidation) if the President finds, and in his message transmitting the plan declares, that by reason of transfers, consolidations and coordinations made by the plan, the responsibilities and duties of such head are of such nature as to require such action. The head so provided for may be an individual or may be a commission or board with two or more members. In the case of any such appointment the term of office shall not be fixed at more than four years, the compensation shall not be at a rate in excess of \$10,000 per annum, and, if the appointment is not under the classified civil service, it shall be by the President, by and with the advice and consent of the Senate;

Transfer of records, property, and personnel.

(3) shall make provision for the transfer or other disposition of the records, property, and personnel affected by any transfer, consolidation, coordination, or abolition;

Transfer of funds.

(4) shall make provision for the transfer of such unexpended balances of appropriations available for use in connection with any function or agency transferred, consolidated, or coordinated, as he deems necessary by reason of the transfer, consolidation, or coordination for use in connection with the transferred, consolidated, or coordinated functions, or for the use of the agency to

which the transfer is made, but such unexpended balances so transferred shall be used only for the purposes for which such appropriation was originally made;

(5) shall make provision for winding up the affairs of any agency abolished.

Restriction.

Abolished agency.

LIMITATIONS ON POWERS WITH RESPECT TO REORGANIZATIONS

SEC. 5. (a) No reorganization plan shall provide for, and no reorganization under this Act shall have the effect of—

Limitations.

(1) abolishing or transferring an executive department or all the functions thereof or establishing any new executive department; or

(2) changing the name of any executive department or the title of its head, or designating any agency as "Department" or its head as "Secretary"; or

(3) continuing any agency beyond the period authorized by law for its existence or beyond the time when it would have terminated if the reorganization had not been made; or

(4) continuing any function beyond the period authorized by law for its exercise, or beyond the time when it would have terminated if the reorganization had not been made, or beyond the time when the agency in which it was vested before the reorganization would have terminated if the reorganization had not been made; or

(5) authorizing any agency to exercise any function which is not expressly authorized by law at the time the plan is transmitted to the Congress; or

(6) imposing, in connection with the exercise of any quasi-judicial or quasi-legislative function possessed by an independent agency, any greater limitation upon the exercise of independent judgment and discretion, to the full extent authorized by law, in the carrying out of such function, than existed with respect to the exercise of such function by the agency in which it was vested prior to the taking effect of such reorganization; except that this prohibition shall not prevent the abolition of any such function; or

(7) increasing the term of any office beyond that provided by law for such office.

(b) No reorganization plan shall provide for any reorganization affecting any agency named below in this subsection; except that this prohibition shall not apply to the transfer to such agency of the whole or any part of, or the whole or any part of the functions of, any agency not so named. No reorganization contained in any reorganization plan shall take effect if the reorganization plan is in violation of this subsection. The agencies above referred to in this subsection are as follows: Interstate Commerce Commission, Federal Trade Commission, Securities and Exchange Commission, National Mediation Board, National Railroad Adjustment Board, and Railroad Retirement Board.

Agencies exempted from reorganization plan.

(c) No reorganization plan shall provide for any reorganization affecting any civil function of the Corps of Engineers of the United States Army, or of its head, or affecting such Corps or its head with respect to any such civil function. No reorganization contained in any reorganization plan shall take effect if the reorganization plan is in violation of this subsection.

U. S. Army Corps of Engineers, civil functions.

(d) No reorganization plan shall provide for a reorganization affecting any agency named below in this subsection if it also provides for a reorganization which does not affect such agency; except that this prohibition shall not apply to the transfer to such agency of the

Restriction as to type of reorganization plan.

whole or any part of, or the whole or any part of the functions of, any agency not so named. No reorganization contained in any reorganization plan shall take effect if the reorganization plan is in violation of this subsection. The agencies above referred to in this subsection are as follows: Federal Communications Commission, Federal Deposit Insurance Corporation, United States Tariff Commission, and Veterans' Administration.

Status of certain agencies.

(e) If, since January 1, 1945, Congress has by law established the status of any agency in relation to other agencies or transferred any function to any agency, no reorganization plan shall provide for, and no reorganization under this Act shall have the effect of, changing the status of such agency in relation to other agencies or of abolishing any such transferred function or providing for its exercise by or under the supervision of any other agency.

Time limitation.

(f) No reorganization specified in a reorganization plan shall take effect unless the plan is transmitted to the Congress before April 1, 1948.

TAKING EFFECT OF REORGANIZATIONS

Effective date.

SEC. 6. (a) The reorganizations specified in the plan shall take effect in accordance with the plan upon the expiration of the first period of sixty calendar days, of continuous session of the Congress, following the date on which the plan is transmitted to it; but only if, between the date of transmittal and the expiration of such sixty-day period there has not been passed by the two Houses a concurrent resolution stating in substance that the Congress does not favor the reorganization plan.

(b) For the purposes of subsection (a)—

(1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

(2) in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain; except that if a resolution (as defined in section 202) with respect to such reorganization plan has been passed by one House and sent to the other, no exclusion under this paragraph shall be made by reason of adjournments of the first House taken thereafter.

Computation of sixty-day period.

Post, p. 618.

Provisions of plan; when operative.

(c) Any provision of the plan may, under provisions contained in the plan, be made operative at a time later than the date on which the plan shall otherwise take effect.

DEFINITION OF "AGENCY"

SEC. 7. When used in this Act, the term "agency" means any executive department, commission, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government. Such term does not include the Comptroller General of the United States or the General Accounting Office, which are a part of the legislative branch of the Government.

MATTERS DEEMED TO BE REORGANIZATIONS

SEC. 8. For the purposes of this Act any transfer, consolidation, coordination, abolition, change or designation of name or title, disposition, winding up of affairs, or provision for the appointment and compensation of the head or assistant heads of an agency, referred to in section 3 or 4, shall be deemed a "reorganization".

SAVING PROVISIONS

SEC. 9. (a) (1) Any statute enacted, and any regulation or other action made, prescribed, issued, granted, or performed, in respect of or by any agency or function transferred to, or consolidated or coordinated with, any other agency or function under the provisions of this Act, before the effective date of such transfer, consolidation, or coordination, shall, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law, have the same effect as if such transfer, consolidation, or coordination had not been made; but where any such statute, regulation, or other action has vested functions in the agency from which the transfer is made under the plan, such functions shall, insofar as they are to be exercised after the transfer, be considered as vested in the agency to which the transfer is made under the plan.

Applicability of existing law, regulations, etc.

(2) As used in paragraph (1) of this subsection the term "regulation or other action" means any regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, designation, or other action.

"Regulation or other action."

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of the taking effect of any reorganization under the provisions of this Act, but the court may, on motion or supplemental petition filed at any time within twelve months after such reorganization takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, allow the same to be maintained by or against the successor of such head or officer under the reorganization so effected or, if there be no such successor, against such agency or officer as the President shall designate.

Suits, proceedings, etc.

UNEXPENDED APPROPRIATIONS

SEC. 10. The appropriations or portions of appropriations unexpended by reason of the operation of this Act shall not be used for any purpose, but shall be impounded and returned to the Treasury.

PRINTING OF REORGANIZATION PLANS

SEC. 11. If the reorganizations specified in a reorganization plan take effect, the reorganization plan shall be printed in the Statutes at Large in the same volume as the public laws, and shall be printed in the Federal Register.

TITLE II

SEC. 201. The following sections of this title are enacted by the Congress:

Concurrent resolutions; rules.

(a) As an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in section 202); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

Applicability.

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

Modification.

“Resolution.”

SEC. 202. As used in this title, the term “resolution” means only a concurrent resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: “That the Congress does not favor the reorganization plan numbered _____ transmitted to Congress by the President on _____, 19 ____”, the blank spaces therein being appropriately filled; and does not include a concurrent resolution which specifies more than one reorganization plan.

Reference of resolution to committee.

SEC. 203. A resolution with respect to a reorganization plan shall be referred to a committee (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

Procedure for discharge of committee.

SEC. 204. (a) If the committee to which has been referred a resolution with respect to a reorganization plan has not reported it before the expiration of ten calendar days after its introduction (or, in the case of a resolution received from the other House, ten calendar days after its receipt), it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such reorganization plan which has been referred to the committee.

(b) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same reorganization plan), and debate thereon shall be limited to not to exceed one hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(c) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same reorganization plan.

Procedure for consideration of resolution.

SEC. 205. (a) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a reorganization plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

Time limitation on debate.

(b) Debate on the resolution shall be limited to not to exceed ten hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

Motion to postpone.

SEC. 206. (a) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a reorganization plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

Appeals from decisions of Chair.

(b) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

Procedure when resolution received from other House.

SEC. 207. If, prior to the passage by one House of a resolution of that House with respect to a reorganization plan, such House receives

from the other House a resolution with respect to the same plan, then—

(a) If no resolution of the first House with respect to such plan has been referred to committee, no other resolution with respect to the same plan may be reported or (despite the provisions of section 204 (a)) be made the subject of a motion to discharge.

(b) If a resolution of the first House with respect to such plan has been referred to committee—

(1) the procedure with respect to that or other resolutions of such House with respect to such plan which have been referred to committee shall be the same as if no resolution from the other House with respect to such plan had been received; but

(2) on any vote on final passage of a resolution of the first House with respect to such plan the resolution from the other House with respect to such plan shall be automatically substituted for the resolution of the first House.

Approved December 20, 1945.

[CHAPTER 583]

AN ACT

To provide for the appointment of representatives of the United States in the organs and agencies of the United Nations, and to make other provision with respect to the participation of the United States in such organization.

December 20, 1945
[S. 1580]
[Public Law 264]

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 "United Nations Participation Act of 1945".

Short title.

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States at the seat of the United Nations who shall have the rank and status of envoy extraordinary and ambassador plenipotentiary, shall receive annual compensation of \$20,000, and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may from time to time direct.

U. S. representative
at seat of United
Nations.

Duties.

(b) The President, by and with the advice and consent of the Senate, shall appoint a deputy representative of the United States to the Security Council who shall have the rank and status of envoy extraordinary and minister plenipotentiary, shall receive annual compensation of \$12,000, and shall hold office at the pleasure of the President. Such deputy representative shall represent the United States in the Security Council of the United Nations in the event of the absence or disability of the representative.

Deputy representa-
tive to Security Coun-
cil.

(c) The President, by and with the advice and consent of the Senate, shall designate from time to time to attend a specified session or specified sessions of the General Assembly of the United Nations not to exceed five representatives of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Assembly. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to receive compensation at the rate of \$12,000 per annum for such period as the President may specify, except that no member of the Senate or House of Representatives or officer of the United States who is designated under this subsection as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Assembly shall be entitled to receive such compensation.

Representatives and
alternates for sessions
of General Assembly.

Other appointments.

Economic and Social Council and Trusteeship Council.

Commission with respect to atomic energy, etc.

Representation of U. S. by President or Secretary of State.

Acts of representatives to accord with President's instructions.

Reports to Congress.

Application of enforcement measures.

Penal provisions.

(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in the organs and agencies of the United Nations at such salaries, not to exceed \$12,000 each per annum, as he shall determine, but the representative of the United States in the Economic and Social Council and in the Trusteeship Council of the United Nations shall be appointed only by and with the advice and consent of the Senate, except that the President may, without the advice and consent of the Senate, designate any officer of the United States to act, without additional compensation, as the representative of the United States in either such Council (A) at any specified meeting thereof in the absence or disability of the regular representative, or (B) in connection with a specified subject matter at any specified meeting of either such Council in lieu of the regular representative. The advice and consent of the Senate shall also be required for the appointment by the President of the representative of the United States in any commission that may be formed by the United Nations with respect to atomic energy or in any other commission of the United Nations to which the United States is entitled to appoint a representative.

(e) Nothing contained in this section shall preclude the President or the Secretary of State, at the direction of the President, from representing the United States at any meeting or session of any organ or agency of the United Nations.

SEC. 3. The representatives provided for in section 2 hereof, when representing the United States in the respective organs and agencies of the United Nations, shall, at all times, act in accordance with the instructions of the President transmitted by the Secretary of State unless other means of transmission is directed by the President, and such representatives shall, in accordance with such instructions, cast any and all votes under the Charter of the United Nations.

SEC. 4. The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress of the activities of the United Nations and of the participation of the United States therein. He shall make special current reports on decisions of the Security Council to take enforcement measures under the provisions of the Charter of the United Nations, and on the participation therein under his instructions, of the representative of the United States.

SEC. 5. (a) Notwithstanding the provisions of any other law, whenever the United States is called upon by the Security Council to apply measures which said Council has decided, pursuant to article 41 of said Charter, are to be employed to give effect to its decisions under said Charter, the President may, to the extent necessary to apply such measures, through any agency which he may designate, and under such orders, rules, and regulations as may be prescribed by him, investigate, regulate, or prohibit, in whole or in part, economic relations or rail, sea, air, postal, telegraphic, radio, and other means of communication between any foreign country or any national thereof or any person therein and the United States or any person subject to the jurisdiction thereof, or involving any property subject to the jurisdiction of the United States.

(b) Any person who willfully violates or evades or attempts to violate or evade any order, rule, or regulation issued by the President pursuant to paragraph (a) of this section shall, upon conviction, be fined not more than \$10,000 or, if a natural person, be imprisoned for not more than ten years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation or evasion shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents,

or any vessel, together with her tackle, apparel, furniture, and equipment, or vehicle, concerned in such violation shall be forfeited to the United States.

SEC. 6. The President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate Act or joint resolution, providing for the numbers and types of armed forces, their degree of readiness and general location, and the nature of facilities and assistance, including rights of passage, to be made available to the Security Council on its call for the purpose of maintaining international peace and security in accordance with article 43 of said Charter. The President shall not be deemed to require the authorization of the Congress to make available to the Security Council on its call in order to take action under article 42 of said Charter and pursuant to such special agreement or agreements the armed forces, facilities, or assistance provided for therein: *Provided*, That nothing herein contained shall be construed as an authorization to the President by the Congress to make available to the Security Council for such purpose armed forces, facilities, or assistance in addition to the forces, facilities, and assistance provided for in such special agreement or agreements.

SEC. 7. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the United Nations as apportioned by the General Assembly in accordance with article 17 of the Charter, and for all necessary salaries and expenses of the representatives provided for in section 2 hereof, and of their appropriate staffs, including personal services in the District of Columbia and elsewhere, without regard to the civil-service and classification laws; travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Subsistence Expense Act of 1926, as amended, and section 10 of the Act of March 3, 1933, and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a); cost of living allowance under such rules and regulations as the Secretary of State may prescribe; communication services; stenographic reporting, translating, and other services, by contract, if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); local transportation; equipment; transportation of things; rent of offices; printing and binding; official entertainment; stationery; purchase of newspapers, periodicals, books, and documents; and such other expenses as may be authorized by the Secretary of State.

Approved December 20, 1945.

[CHAPTER 584]

AN ACT

To amend further the Civil Service Retirement Act approved May 29, 1930, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 2 of section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, be, and the same is hereby, amended by striking out all of the said paragraph 2 thereof and inserting in lieu thereof the following: "In computing length of service for the purposes of this Act, all periods of separation from the service, and so much of any leaves of

Military agreements.

Availability of armed forces, etc.

Annual appropriations authorized.

Travel expenses.
44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.
47 Stat. 1516.
5 U. S. C. § 73b.

46 Stat. 818.

December 21, 1945
[S. 405]
[Public Law 265]

Civil Service Retirement Act, amendment.
46 Stat. 472.
5 U. S. C. § 707.
Act, p. 577.

Computation of length of service.

absence as may exceed six months in the aggregate in any calendar year, shall be excluded, except leaves of absence granted employees while performing active military or naval service in the Army, Navy, Marine Corps, or Coast Guard of the United States or while receiving benefits under the United States Employees' Compensation Act, and in the case of substitutes in the Postal Service credit shall be given from date of original appointment as a substitute."

Approved December 21, 1945.

[CHAPTER 585]

AN ACT

December 21, 1945
[S. 1366]
[Public Law 266]

To authorize the State of Tennessee to convey a railroad right-of-way through Montgomery Bell Park.

Montgomery Bell
Park, Dickson
County, Tenn.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Tennessee is hereby authorized and empowered to convey a right-of-way for railroad purposes, not in excess of one hundred feet in width, to The Nashville, Chattanooga and Saint Louis Railway over, through, and across the Montgomery Bell Park in Dickson County, Tennessee (previously known as the Montgomery Bell recreational demonstration area), notwithstanding the express condition contained in deed dated May 25, 1943, from the United States of America to the State of Tennessee, which deed was executed pursuant to the Act of June 6, 1942 (56 Stat. 326), entitled "An Act to authorize the disposition of recreational demonstration projects and for other purposes". Such conveyance by the State of Tennessee shall not be deemed a breach of the express condition that the State of Tennessee should use the said property exclusively for public park, recreational, and conservation purposes. The State of Tennessee is authorized to expend funds received as a consideration for such conveyance for the acquisition of additional land needed to round out the Montgomery Bell Park area.

Approved December 21, 1945.

[CHAPTER 586]

AN ACT

December 21, 1945
[H. R. 608]
[Public Law 267]

To exclude certain lands in Deschutes County, Oregon, from the provisions of Revised Statutes 2319 to 2337, inclusive, relating to the promotion of the development of the mining resources of the United States.

Deschutes County,
Oreg.
Mineral deposits
within designated
lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within the following-described real property situated in Deschutes County, Oregon, namely, sections 13 to 16, inclusive, sections 21 to 28, inclusive, sections 33 to 36, inclusive, township 21 south, range 12 east, Willamette meridian; sections 16 to 21, inclusive, sections 28 to 33, inclusive, township 21 south, range 13 east, Willamette meridian; sections 1 to 4, inclusive, sections 9 to 12, inclusive, township 22 south, range 12 east, Willamette meridian; and sections 4 to 9, inclusive, township 22 south, range 13 east, Willamette meridian; deposits of all minerals are excluded from the operation of Revised Statutes 2319 to 2337, inclusive (relating to the promotion of the development of the mining resources of the United States): *Provided,* That nothing in this Act shall disturb any vested rights of any person or persons in or to said real property or any part thereof.

Approved December 21, 1945.

30 U. S. C. § 22 et
seq.

[CHAPTER 588]

AN ACT

To amend the Servicemen's Readjustment Act of 1944, 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 second sentence of section 100 of the Servicemen's Readjustment Act of 1944, as amended, is amended to read as follows: "The Administrator is authorized, for the purpose of extending benefits to veterans and dependents, and to the extent he deems necessary, to procure the necessary space for administrative, clinical, medical, and out-patient treatment purposes by lease, purchase, or construction of buildings, or by condemnation or declaration of taking, pursuant to existing statutes."

SEC. 2. Section 104 of the Servicemen's Readjustment Act of 1944, as amended, is amended by striking out the second paragraph thereof and inserting in lieu thereof the following:

"Any veteran entitled to a prosthetic appliance shall be furnished such fitting and training, including institutional training, in the use of such appliance as may be necessary, whether in a Veterans' Administration facility, other training institution, or by out-patient treatment, including such service under contract and including necessary travel expenses to and from their homes to such hospital or training institution.

"The Administrator may procure any and all items mentioned herein, including necessary services required in the fitting, supplying, and training in use of such items by purchase, manufacture, contract, or in such other manner as the Administrator may determine to be proper without regard to any other provision of law."

SEC. 3. Section 200 of the Servicemen's Readjustment Act of 1944, as amended, is amended by adding at the end thereof the following new subsection:

"(c) The Administrator is further authorized at his discretion and under such regulations as he may prescribe to furnish, if available, necessary space and suitable office facilities for the use of paid full-time representatives of such organizations."

SEC. 4. Section 302 (a) of the Servicemen's Readjustment Act of 1944, as amended, is amended to read as follows:

"SEC. 302. (a) The Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury are authorized and directed to establish, from time to time, boards of review composed of five commissioned officers, two of whom shall be selected from the Medical Corps of the Army or Navy, or from the Public Health Service, as the case may be. It shall be the duty of any such board to review, at the request of any officer retired or released from active service, without pay, for physical disability pursuant to the decision of a retiring board, board of medical survey, or disposition board, the findings and decisions of such board. Such review shall be based upon all available service records relating to the officer requesting such review, and such other evidence as may be presented by such officer. Witnesses shall be permitted to present testimony either in person or by affidavit, and the officer requesting review shall be allowed to appear before such board of review in person or by counsel. In carrying out its duties under this section such board of review shall have the same powers as exercised by, or vested in, the board whose findings and decision are being reviewed. The proceedings and decision of each such board of review affirming or reversing the decision of any such retiring board, board of medical survey, or disposition board shall be transmitted to the Secretary of War, the Secretary of the Navy, or

December 28, 1945
[H. R. 3749]
[Public Law 268]

Space for medical, etc., treatment purposes.
58 Stat. 284.
38 U. S. C., Supp. IV, § 693.
Ante, p. 463.

58 Stat. 285.
38 U. S. C., Supp. IV, § 693f.

Prosthetic appliances.

58 Stat. 285.
38 U. S. C., Supp. IV, § 693f.

Facilities for representatives of veterans' organizations.

58 Stat. 287.
38 U. S. C., Supp. IV, § 693i.
Boards of review.

Duties.

Testimony.

Powers.

Approval or disapproval by President.

the Secretary of the Treasury, as the case may be, and shall be laid by him before the President for his approval or disapproval and orders in the case."

SEC. 5. (a) Paragraph 1 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended to read as follows:

"1. Any person who served in the active military or naval service on or after September 16, 1940, and prior to the termination of the present war, and who shall have been discharged or released therefrom under conditions other than dishonorable, and who either shall have served ninety days or more, exclusive of any period he was assigned for a course of education or training under the Army specialized training program or the Navy college training program, which course was a continuation of his civilian course and was pursued to completion, or as a cadet or midshipman at one of the service academies, or shall have been discharged or released from active service by reason of an actual service-incurred injury or disability, shall be eligible for and entitled to receive education or training under this part: *Provided*, That such course shall be initiated not later than four years after either the date of his discharge or the termination of the present war, whichever is the later: *Provided further*, That no such education or training shall be afforded beyond nine years after the termination of the present war."

(b) Paragraph 2 of part VIII of such Regulation is amended to read as follows:

"2. Any such eligible person shall be entitled to education or training at an approved educational or training institution for a period of one year plus the time such person was in the active service on or after September 16, 1940, and before the termination of the war, exclusive of any period he was assigned for a course of education or training under the Army specialized training program or the Navy college training program, which course was a continuation of his civilian course and was pursued to completion, or as a cadet or midshipman at one of the service academies, but in no event shall the total period of education or training exceed four years: *Provided*, That his work continues to be satisfactory throughout the period, according to the regularly prescribed standards and practices of the institution: *Provided further*, That wherever the period of eligibility ends during a quarter or semester and after a major part of such quarter or semester has expired, such period shall be extended to the termination of such unexpired quarter or semester."

(c) Paragraph 3 of part VIII of such Regulation is amended to read as follows:

"3. (a) Such person shall be eligible for and entitled to such course of education or training, full time or the equivalent thereof in part-time training, as he may elect, and at any approved educational or training institution at which he chooses to enroll, whether or not located in the State in which he resides, which will accept or retain him as a student or trainee in any field or branch of knowledge which such institution finds him qualified to undertake or pursue: *Provided*, That, for reasons satisfactory to the Administrator, he may change a course of instruction: *And provided further*, That any such course of education or training may be discontinued at any time, if it is found by the Administrator that, according to the regularly prescribed standards and practices of the institution, the conduct or progress of such person is unsatisfactory.

"(b) Any such eligible person may apply for a short, intensive postgraduate, or training course of less than thirty weeks: *Provided*, That the Administrator shall have the authority to contract with approved institutions for such courses if he finds that the agreed cost of such courses is reasonable and fair: *Provided further*, That (1)

58 Stat. 288.
33 U. S. C., Supp.
IV, note foll. ch. 12.
Education and
training.

Limitation.

Period of education
or training.

Limitation.

Extension to com-
plete quarter or se-
mester.

Election of courses
and institutions.

Change or discon-
tinuance.

Short courses.

the limitation of paragraph 5 shall not prevent the payment of such agreed rates, but there shall be charged against the veteran's period of eligibility the proportion of an ordinary school year which the cost of the course bears to \$500, and (2) not in excess of \$500 shall be paid for any such course.

"(c) Any such eligible person may apply for a course of instruction by correspondence without any subsistence allowance: *Provided*, That the Administrator shall have authority to contract with approved institutions for such courses if he finds that the agreed cost of such courses is reasonable and fair: *Provided further*, (1) That the provisions of paragraph 5 shall not apply to correspondence courses; (2) that one-fourth of the elapsed time in following such course shall be charged against the veteran's period of eligibility; and (3) that the total amount payable for a correspondence course or courses for any veteran shall not exceed \$500: *And provided further*, That nothing herein shall be construed to preclude the use of approved correspondence courses as a part of institutional or job training, subject to regulations prescribed by the Administrator."

(d) Paragraph 5 of part VIII of such Regulation is amended to read as follows:

"5. The Administrator shall pay to the educational or training institution, for each person enrolled in full time or part time course of education or training, the customary cost of tuition, and such laboratory, library, health, infirmary, and other similar fees as are customarily charged, and may pay for books, supplies, equipment, and other necessary expenses, exclusive of board, lodging, other living expenses, and travel, as are generally required for the successful pursuit and completion of the course by other students in the institution: *Provided*, That in no event shall such payments, with respect to any person, exceed \$500 for an ordinary school year unless the veteran elects to have such customary charges paid in excess of such limitation, in which event there shall be charged against his period of eligibility the proportion of an ordinary school year which such excess bears to \$500: *Provided further*, That no payments shall be made to institutions, business or other establishments furnishing apprentice training on the job: *And provided further*, That any institution may apply to the Administrator for an adjustment of tuition and the Administrator, if he finds that the customary tuition charges are insufficient to permit the institution to furnish education or training to eligible veterans, or inadequate compensation therefor, may provide for the payment of such fair and reasonable compensation as will not exceed the estimated cost of teaching personnel and supplies for instruction; and may in like manner readjust such payments from time to time."

(e) Effective on the first day of the first calendar month subsequent to the date of enactment of this Act, the first sentence of paragraph 6 of part VIII of such Regulation is amended to read as follows:

"6. While enrolled in and pursuing a course under this part, such person, upon application to the Administrator, shall be paid a subsistence allowance of \$65 per month, if without a dependent or dependents, or \$90 per month, if he has a dependent or dependents, including regular holidays and leave not exceeding thirty days in a calendar year."

(f) Paragraph 7 of part VIII of such Regulation is amended to read as follows:

"7. Any such person eligible for the benefits of this part, who is also eligible for the benefit of part VII, may elect either benefit or may be provided an approved combination of such courses: *Provided*, That the total period of any such combined courses shall not exceed the maximum period or limitations under the part affording the greater period of eligibility."

Infra.

Correspondence courses.

Limitation. *Infra.*

Payment of tuition and fees. *Supra.*

Limitation.

Exclusions.

Adjustments.

Subsistence allowance.

Election of benefits. 57 Stat. 43. 38 U. S. C., Supp. IV, note foll. ch. 12. Post, p. 626.

58 Stat. 290.
38 U. S. C., Supp.
IV, note foll. ch. 12.

Returned books,
etc.

57 Stat. 43.
38 U. S. C., Supp.
IV, note foll. ch. 12.
Training period.

57 Stat. 43.
38 U. S. C., Supp.
IV, note foll. ch. 12.

Subsistence allow-
ance.

58 Stat. 289.
38 U. S. C., Supp.
IV, note foll. ch. 12.
Ante, p. 625.
Minimum pay-
ment.

Restriction.
58 Stat. 229.
38 U. S. C., Supp.
IV, §§ 471a-1, 504,
507b.
Training on job by
employer.
Monthly statement.

58 Stat. 291.
38 U. S. C., Supp.
IV, §§ 694-694e.
Ante, pp. 270, 542.

SEC. 6. Section 4 of Public Law Numbered 16, Seventy-eighth Congress, as added by section 402 of the Servicemen's Readjustment Act of 1944, is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*Provided further*, That returned books, supplies, or equipment may be turned in to educational or training institutions for credit under such terms as may be approved by the Administrator, or disposed of in such other manner as may be approved by the Administrator."

SEC. 7. (a) The proviso in paragraph 1 of part VII of Veterans Regulation Numbered 1 (a), as amended, is amended to read as follows: "*Provided*, That no course of training in excess of a period of four years shall be approved except with the approval of the Administrator, nor shall any training under this part be afforded beyond nine years after the termination of the present war."

(b) Effective on the first day of the first calendar month subsequent to the date of enactment of this Act, paragraph 3 of part VII of Veterans Regulation Numbered 1 (a), as amended, is amended to read as follows:

"3. While pursuing training prescribed herein, and for two months after his employability is determined, each veteran shall be paid the amount of subsistence allowance specified in paragraph 6 of part VIII of Veterans Regulation Numbered 1 (a), as amended: *Provided*, That the minimum payment of such allowance, plus any pension or other benefit, shall be, for a person without a dependent, \$105 per month; and for a person with a dependent, \$115, plus the following amounts for additional dependents: (1) \$10 for one child and \$7 additional for each additional child, and (2) \$15 for a dependent parent: *Provided further*, That the rates set out herein shall not be subject to the increases authorized by Public Law Numbered 312, Seventy-eighth Congress, approved May 27, 1944: *And provided further*, That when the course of vocational rehabilitation furnished to any person as herein provided consists of training on the job by an employer, such employer shall be required to submit monthly to the Administrator a statement in writing showing any wage, compensation, or other income paid by him to such person during the month, directly or indirectly, and based upon such written statements, the Administrator is authorized to reduce the subsistence allowance of such person to an amount considered equitable and just."

SEC. 8. Title III of the Servicemen's Readjustment Act of 1944, as amended, is amended to read as follows:

"TITLE III—LOANS FOR THE PURCHASE OR CONSTRUCTION OF HOMES, FARMS, AND BUSINESS PROPERTY

"CHAPTER V—GENERAL PROVISIONS FOR LOANS

Eligibility.

SEC. 500. (a) Any person who shall have served in the active military or naval service of the United States at any time on or after September 16, 1940, and prior to the termination of the present war and who shall have been discharged or released therefrom under conditions other than dishonorable after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty, shall be eligible for the benefits of this title. Any loan made by such veteran within ten years after the termination of the war for any of the purposes, and in compliance with the provisions, specified in this title, is automatically guaranteed by the Government by this title in an amount not exceeding fifty per centum of the loan: *Provided*, That the aggregate amount guaranteed shall not exceed \$2,000 in the case of non-real-estate loans, nor \$4,000 in the case of real-estate

Guaranty of loan.

Limitation.

loans; or a prorated portion thereof on loans of both types or combination thereof.

“(b) Loans guaranteed under this title shall be payable under such terms and conditions as may be agreed upon by the parties thereto, subject to the conditions and limitations of this title and the regulations issued pursuant to section 504: *Provided*, That the liability under the guaranty within the limitations of this title shall decrease or increase pro rata with any decrease or increase of the amount of the unpaid portion of the obligation: *Provided further*, That loans guaranteed under this title shall bear interest at a rate not exceeding 4 per centum per annum and shall be payable in full in not more than twenty-five years, or in the case of loans on farm realty in not more than forty years: *And provided further*, That (1) the maturity on a non-real-estate loan shall not exceed ten years; (2) any loan for a term in excess of five years shall be amortized in accordance with established procedure; (3) except as provided in section 505 any real-estate loan, other than for repairs, alterations or improvements, shall be secured by a first lien on the realty, and a non-real-estate loan, except as to working or other capital, merchandise, good-will and other intangible assets, shall be secured by personally to the extent legal and practicable.

“(c) An honorable discharge shall be deemed a certificate of eligibility to apply for a guaranteed loan. Any veteran who does not have a discharge certificate, or who received a discharge other than honorable, may apply to the Administrator for a certificate of eligibility. Upon making a loan as provided herein, the lender shall forthwith transmit to the Administrator a statement setting forth the full name and serial number of the veteran, amount and terms of the loan, and the legal description of the property, together with the appraisal report made by the designated appraiser. Where the loan is automatically guaranteed, the Administrator shall provide the lender with a loan guaranty certificate or other evidence of the guaranty. He shall also endorse on the veteran’s discharge, or eligibility certificate, the amount and type of guaranty used, and the amount, if any, remaining. An amount equivalent to 4 per centum on the amount originally guaranteed shall be paid to the lender by the Administrator out of available appropriations, to be credited upon the loan. Nothing herein shall be deemed to preclude the assignment of any guaranteed loan nor the assignment of the security therefor.

“(d) Loans guaranteed hereunder may be made by any Federal land bank, national bank, State bank, private bank, building and loan association, insurance company, credit union, or mortgage and loan company, that is subject to examination and supervision by an agency of the United States or of any State or Territory, including the District of Columbia. Any loan at least 20 per centum of which is guaranteed under this title may be made by any national bank, or Federal savings and loan association; or by any bank, trust company, building and loan association or insurance company organized or authorized to do business in the District of Columbia; without regard to the limitations and restrictions of any other statute with respect to—

- “(1) ratio of amount of loan to the value of the property;
- “(2) maturity of loan;
- “(3) requirement for mortgage or other security;
- “(4) dignity of lien; or
- “(5) percentage of assets which may be invested in real estate loans.

“(e) Any loan proposed to be made to an eligible veteran by any

Terms and conditions.

Post, p. 629.
Liability under guaranty.

Interest, maturity.

Security requirements.
Post, p. 629.

Certificates of eligibility.

Statement by lender.

Loan guaranty certificate, etc.

Assignment.

Agencies authorized to make loans.

Designated limitations removed.

Guaranty by Administrator.

lender not of a class specified in subsection (d) may be guaranteed by the Administrator if he finds that it is in accord otherwise with the provisions of this title, as amended.

“PURCHASE OR CONSTRUCTION OF HOMES

Loans for homes,
etc.

“SEC. 501. Any loan made to a veteran under this title, the proceeds of which are to be used for purchasing residential property or constructing a dwelling to be occupied as his home or for the purpose of making repairs, alterations, or improvements in property owned by him and occupied as his home, is automatically guaranteed if made pursuant to the provisions of this title, including the following:

Requirements.

“(1) That the proceeds of such loan will be used for payment of the property purchased or constructed or improved;

“(2) That the contemplated terms of payment required in any mortgage to be given in part payment of the purchase price or the construction cost bear a proper relation to the veteran's present and anticipated income and expenses; and that the nature and condition of the property is such as to be suitable for dwelling purposes; and

“(3) That the price paid or to be paid by the veteran for such property or for the cost of construction, repairs, or alterations does not exceed the reasonable value thereof as determined by proper appraisal made by an appraiser designated by the Administrator.

“PURCHASE OF FARMS AND FARM EQUIPMENT

Loans for farms and
farm equipment.
Ante, p. 270.

“SEC. 502. Any loan made to a veteran under this title, the proceeds of which are to be used for purchasing any lands, buildings, livestock, equipment, machinery, supplies or implements, or for repairing, altering, constructing or improving any land, equipment, or building, including the farmhouse, to be used in farming operations conducted by the veteran involving production in excess of his own needs, or for working capital requirements necessary for such operations, or to purchase stock in a cooperative association where the purchase of such stock is required by Federal statute as an incident to obtaining the loan, is automatically guaranteed if made pursuant to the provisions of this title, including the following:

Requirements.

“(1) That the proceeds of such loan will be used for any such purposes in connection with bona fide farming operations conducted by the applicant;

“(2) That such property will be useful in and reasonably necessary for efficiently conducting such operations;

“(3) That the ability and experience of the veteran, and the nature of the proposed farming operations to be conducted by him, are such that there is a reasonable likelihood that such operations will be successful; and

“(4) That the purchase price paid or to be paid by the veteran for such property does not exceed the reasonable value thereof as determined by proper appraisal made by an appraiser designated by the Administrator.

“PURCHASE OF BUSINESS PROPERTY

Loans for business
enterprises.

“SEC. 503. Any loan made to a veteran under this title, the proceeds of which are to be used for the purpose of engaging in business or

pursuing a gainful occupation, or for the cost of acquiring for such purpose land, buildings, supplies, equipment, machinery, tools, inventory, stock in trade, or for the cost of the construction, repair, alteration or improvement of any realty or personalty used for such purpose, or to provide the funds needed for working capital, is automatically guaranteed if made pursuant to the provisions of this title, including the following:

Requirements.

“(1) That the proceeds of such loan will be used for any of the specified purposes in connection with bona fide pursuit of gainful occupation by the veteran;

“(2) That such property will be useful in and reasonably necessary for the efficient and successful pursuit of such business or occupation;

“(3) That the ability and experience of the veteran, and the conditions under which he proposes to pursue such business or occupation, are such that there is a reasonable likelihood that he will be successful in the pursuit of such business or occupation; and

“(4) That the purchase price paid or to be paid by the veteran for such property, or the cost of such construction, alterations, or improvements, does not exceed the reasonable value thereof as determined by proper appraisal made by an appraiser designated by the Administrator.

“REGULATIONS

“SEC. 504. The Administrator is authorized to promulgate such rules and regulations not inconsistent with this title, as amended, as are necessary and appropriate for carrying out the provisions of this title, and may delegate to subordinate employees authority to issue certificates, or other evidence, of guaranty of loans guaranteed under the provisions of this title, and to exercise other administrative functions hereunder.

“SECONDARY LOANS

“SEC. 505. (a) In any case wherein a principal loan, for any of the purposes stated in section 501, 502, or 503, is approved by a Federal agency to be made or guaranteed or insured by it pursuant to applicable law and regulations, and the veteran is in need of a second loan to cover the remainder of the purchase price or cost, or a part thereof, the Administrator, subject otherwise to the provisions of this title, may guarantee the full amount of the second loan: *Provided*, That such second loan shall not exceed 20 per centum of the purchase price or cost: *And provided further*, That regulations to be promulgated jointly by the Administrator and the head of such agency may provide for servicing of both loans by such agency and for refinancing of the principal loan to include any unpaid portion of the secondary loan with accrued interest, if any, after the curtailment thereon equals twice the amount of the secondary loan.

Guaranty provisions.

Limitation.

Servicing and refinancing.

“(b) Any person who is a veteran eligible for the benefits of this title, as provided in section 500 hereof, and who is found by the Secretary of Agriculture, by reason of his ability and experience, including training as a vocational trainee, to be likely to carry out successfully undertakings required of him under a loan which may be made under the Bankhead-Jones Farm Tenant Act, shall be eligible for the benefits of such Act to the same extent as if he were a farm tenant.

Eligibility under Bankhead-Jones Farm Tenant Act.

50 Stat. 522.
7 U. S. C. §§ 1000-
1020; Supp. IV, § 1011.
Ante, p. 161.

“PROCEDURE ON DEFAULT

“SEC. 506. In the event of default in the payment of any loan guaranteed under this title, the holder of the obligation shall notify the Administrator who shall thereupon pay to such holder the guaranty not in excess of the pro rata portion of the amount originally guaranteed, and shall be subrogated to the rights of the holder of the obligation to the extent of the amount paid on the guaranty: *Provided*, That prior to suit or foreclosure the holder of the obligation shall notify the Administrator of the default, and within thirty days thereafter the Administrator may, at his option, pay the holder of the obligation the unpaid balance of the obligation plus accrued interest and receive an assignment of the loan and security: *Provided further*, That (1) nothing herein shall be construed to preclude any forbearance for the benefit of the veteran as may be agreed upon by the parties to the loan and approved by the Administrator; and (2) the Administrator may establish the date, not later than the date of judgment and decree of foreclosure or sale, upon which accrual of interest or charges shall cease.

Notice of default.

Forbearance for benefit of veteran.

“LOANS ON DELINQUENT INDEBTEDNESS

“SEC. 507. Any loan made to a veteran, the proceeds of which are to be used to refinance any indebtedness of the veteran which is secured of record on property to be used or occupied by the veteran as a home or for farming purposes, or indebtedness incurred by him in the pursuit of a gainful occupation which he is pursuing or which he proposes in good faith to pursue, or any delinquent taxes or assessments on such property or business, is automatically guaranteed if made pursuant to the provisions of this title, including the following:

Refinancing indebtedness.

“(1) Such loan became in default or the delinquency occurred not later than ten years after the termination of the war;

“(2) Such refinancing will aid the veteran in his economic readjustment; and

“(3) The amount of the guaranteed loan does not exceed the reasonable value of the property or business, as determined by proper appraisal made by an appraiser designated by the Administrator.

“INSURANCE OF LOANS

“SEC. 508. (a) Any loans which might be guaranteed under the provisions of this title, when made or purchased by any financial institution subject to examination and supervision by an agency of the United States or of any State or Territory, including the District of Columbia, may, in lieu of such guaranty, be insured by the Administrator under an agreement whereby he will reimburse any such institution for losses incurred on such loan up to 15 per centum of the aggregate of loans so made or purchased by it.

Insurance of loans in lieu of guarantee.

Terms, etc.

“(b) Loans insured hereunder shall be made on such other terms, conditions, and restrictions as the Administrator may prescribe within the limitations set forth in this title. The Administrator may fix the maximum rate of interest payable on any class of non-real-estate loans insured hereunder at a figure not in excess of a 3 per centum discount rate or an equivalent straight interest rate on non-amortized loans.

Amount of payment.

“(c) The Administrator shall pay the same amount on each loan insured hereunder as he would be required to pay under the sixth sentence of section 500 (c) hereof if the loan were guaranteed rather than insured.

Note, p. 627.

"POWERS OF ADMINISTRATOR

"SEC. 509. (a) With respect to matters arising by reason of this title as now or hereafter amended and, notwithstanding the provisions of any other law, the Administrator may—

"(1) Sue and be sued in his official capacity in any court of competent jurisdiction, State or Federal;

"(2) Subject to specific limitations in this Act, consent to the modification, with respect to rate of interest, time of payment of principal or interest or any portion thereof, security or other provisions of any note, contract, mortgage or other instrument securing a loan which has been guaranteed or insured hereunder;

"(3) Pay, or compromise, any claim on, or arising because of, any such guaranty or insurance;

"(4) Pay, compromise, waive or release any right, title, claim, lien or demand, however acquired, including any equity or any right of redemption;

"(5) Purchase at any sale, public or private, upon such terms and for such prices as he determines to be reasonable, and take title to, property, real, personal or mixed; and similarly sell, at public or private sale, exchange, assign, convey, or otherwise dispose of any such property; and

"(6) Complete, administer, operate, obtain and pay for insurance on, and maintain, renovate, repair, modernize, lease, or otherwise deal with any property acquired or held pursuant to this title: *Provided*, That the acquisition of any such property shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction of, on, or over such property (including power to tax) or impair the rights under the State or local law of any persons on such property.

"(b) The powers by this section granted may be exercised by the Administrator without regard to any other provisions of law not enacted expressly in limitation hereof, which otherwise would govern the expenditure of public funds: *Provided*, That section 3709 of the Revised Statutes shall apply to any contract for services or supplies on account of any property acquired pursuant to this section if the amount of such contract exceeds \$1,000.

"(c) The financial transactions of the Administrator incident to, or arising out of, the guaranty of loans pursuant to this title, and the acquisition, management, and disposition of property, real, personal or mixed, as incident to such activities and pursuant to this section, shall be final and conclusive upon all officers of the Government.

Exercise of powers.

41 U. S. C. § 5.

Finality of financial transactions.

"EFFECTIVE DATE

"SEC. 510. This title, as amended, shall be effective from the date of enactment: *Provided*, That any application for guaranty of a loan filed within ninety days after such date may be approved under the title as it existed prior to amendment: *And provided further*, That nothing herein shall be construed to affect any contractual right under any certificate of guaranty issued thereunder."

SEC. 9. Section 1505 of the Servicemen's Readjustment Act of 1944, as amended, is hereby repealed.

SEC. 10. Title VI of the Servicemen's Readjustment Act of 1944, as amended, is amended by adding at the end thereof the following new sections:

"SEC. 1506. Persons who served in the active military or naval service of any government allied with the United States in World War II and who at time of entrance into such active service were citizens of the United States shall, by virtue of such service, and if

58 Stat. 301.
38 U. S. C., Supp.
IV, § 697e.58 Stat. 300.
38 U. S. C., Supp.
IV, §§ 697-697e.

Extension of benefits to designated persons.

58 Stat. 287-300; 57 Stat. 43.
 38 U. S. C., Supp. IV, §§ 694-696m, 701, note foll. ch. 12.
Ante, pp. 270, 542, 624 *et seq.*
 Nonresidents.

Terminal leave; benefits.
 58 Stat. 301.
 38 U. S. C., Supp. IV, § 697c.
 58 Stat. 287-293; 57 Stat. 43.
 38 U. S. C., Supp. IV, §§ 694-694e, 701, note foll. ch. 12.
Supra.

otherwise qualified, be entitled to the benefits of titles II, III, IV, and V of this Act or of Public Law 16, Seventy-eighth Congress, in the same manner and to the same extent as persons who served in the active military or naval service of the United States: *Provided*, That any such benefit shall not be extended to any person who is not a resident of the United States at time of filing claim or to any person who has applied for and received the same or similar benefit from the government of the nation in whose active military or naval service he served.

"SEC. 1507. Notwithstanding the provisions of section 1503, any person while on terminal leave, or while hospitalized pending final discharge, may be afforded the benefits of titles II and III of this Act, or vocational rehabilitation training under Public Law 16, Seventy-eighth Congress, as amended, subject to all conditions thereof except actual discharge: *Provided*, That no subsistence allowance shall be paid in such cases under title II of this Act or Public Law 16, Seventy-eighth Congress. This section shall be effective from June 22, 1944."

Approved December 28, 1945.

[CHAPTER 589]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, 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 following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE

SENATE

For payment to Minnie McN. Johnson, widow of Hiram W. Johnson, late a Senator from the State of California, \$10,000.

For payment to Mary T. Peavey, daughter of John Thomas, late a Senator from the State of Idaho, \$10,000.

The unobligated balance of the appropriation for mileage of the President of the Senate and of Senators, for the fiscal year 1945, is reappropriated and made available for the fiscal year 1946.

The Legislative Branch Appropriation Act for the fiscal year 1946 is hereby amended by striking out "night watchman, \$1,920", under the Office of the Secretary of the Senate, and inserting in lieu thereof "special officer, \$2,280", and the necessary amount is hereby authorized to be expended from the appropriation for salaries of officers and employees of the Senate beginning January 1, 1946.

Beginning January 1, 1946, the salary of the secretary for the majority shall be at the rate of \$5,400 per annum and \$1,500 additional so long as the position is held by the present incumbent.

The Sergeant at Arms is authorized to install in the offices of Senators special telephone wiring plans with features to pick up, hold, and intercommunicate on one to three lines, the cost thereof to be paid out of the appropriation for "Miscellaneous items, contingent expenses of the Senate".

December 28, 1945
 [H. R. 48051]
 [Public Law 2691]

First Deficiency
 Appropriation Act,
 1946.

58 Stat. 334.
Ante, p. 238.

Ante, p. 239.

Secretary for ma-
 jority.
Ante, p. 242.

Special telephone
 wiring plans.

Ante, p. 243.

For an additional allowance for stationery of \$500 for each Senator and the President of the Senate, for the second session of the Seventy-ninth Congress, \$48,500, to be immediately available and to remain available until June 30, 1946.

Ante, p. 244.

For an additional amount for "Miscellaneous items", exclusive of labor, fiscal year 1945, \$15,000.

58 Stat. 339.

HOUSE OF REPRESENTATIVES

For payment to the widow of James W. Mott, late a Representative from the State of Oregon, \$10,000, to be disbursed by the Sergeant at Arms of the House.

CONTINGENT EXPENSE OF THE HOUSE

Telegraph and telephone: For an additional amount for telegraph and telephone service, exclusive of personal services, fiscal year 1945, \$5,000.

58 Stat. 344.

Stationery: For an additional allowance for stationery of \$500 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the second session of the Seventy-ninth Congress, \$219,000, to be immediately available and to remain available until June 30, 1946.

Ante, p. 249.

Attending physician's office: For compensation at the rate of \$3,600 per annum of a technical assistant in the office of the attending physician, to be appointed by the attending physician, subject to the approval of the Speaker, fiscal year 1946, \$1,800.

Ante, p. 249.

Whenever the usual day for paying salaries in or under the Senate or House of Representatives falls on Saturday, the respective disbursing officers are authorized to make such payments on the preceding workday.

Payment of salaries.

NATIONAL MEMORIAL STADIUM COMMISSION

For carrying out the provisions of Public Law Numbered 523 of the Seventy-eighth Congress, entitled "Joint resolution to consider a site and design for a National Memorial Stadium to be erected in the District of Columbia", approved December 20, 1944, fiscal year 1945, \$1,183.47, to remain available until June 30, 1946, and to be disbursed by the Secretary of the Senate on vouchers approved by the Chairman of the Commission.

58 Stat. 844.

JOINT COMMITTEE ON PRINTING

The provisions of section 6 of the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917", approved May 10, 1916, as amended (relating to dual compensation), shall not apply to services rendered by the assistant clerk and stenographer of the Joint Committee on Printing from May 16 to August 3, 1944.

39 Stat. 120.
5 U. S. C. §§ 58, 59.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

Capitol buildings: For an additional amount for the Capitol Building, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1946, \$19,000.

Ante, p. 251.

LIBRARY BUILDINGS AND GROUNDS

Transfer of funds.
58 Stat. 348.

Not to exceed \$2,000 of the appropriation for salaries, Library Buildings and Grounds, 1945, shall be transferred to, merged with, and be available for the same purposes as the appropriation for general repairs, and so forth, Library Buildings and Grounds, 1945.

THE JUDICIARY

COURT OF CUSTOMS AND PATENT APPEALS

57 Stat. 240.

Printing and binding: For an additional amount, fiscal year 1944, for "Printing and binding", \$1,234.06.

MISCELLANEOUS ITEMS OF EXPENSE

Ante, p. 108.

Salaries of criers: For an additional amount, fiscal year 1946, for "Salaries of criers", \$20,000.

58 Stat. 357.

Fees of commissioners: For an additional amount, fiscal year 1945, for "Fees of commissioners", including the objects specified under this head in the Judiciary Appropriation Act, 1945, \$34,000.

EXECUTIVE OFFICE OF THE PRESIDENT

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

Ante, p. 609.

United Nations Relief and Rehabilitation Administration: For an additional amount, fiscal year 1946, to enable the President to carry out the provisions of the Act of March 28, 1944 (Public Law 267, Seventy-eighth Congress), to be available for expenditure in the manner specified in the appropriation for this purpose in the United Nations Relief and Rehabilitation Administration Participation Appropriation Act, 1945, and subject to the recommendations contained in the United Nations Relief and Rehabilitation Administration Participation Act, 1946, \$750,000,000.

Ante, p. 612.

58 Stat. 629.

Ante, p. 609.

EXECUTIVE MANSION AND GROUNDS

Ante, p. 106.

Maintenance, Executive Mansion and grounds: For an additional amount, fiscal year 1946, for "Maintenance, Executive Mansion and grounds", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$21,940.

Addition to the Executive Mansion: For an addition to the Executive Mansion; for alterations, improvements, and furnishings, and for improvement of grounds, to be expended as the President may determine, notwithstanding the provisions of any other Act, to remain available until expended, \$1,650,000.

Ante, p. 106.

BUREAU OF THE BUDGET

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$56,800.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$5,000.

OFFICE FOR EMERGENCY MANAGEMENT

OFFICE OF ALIEN PROPERTY CUSTODIAN

Ante, p. 474.

Administrative expenses: For an additional amount for the general administrative expenses of the Office of Alien Property Custodian

for the fiscal year 1946, including not to exceed \$8,900 for deposit in the general fund of the Treasury for cost of penalty mail, \$730,300, payable out of any funds or other property or interest vested in or transferred to the Alien Property Custodian.

Penalty mail.

OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the National War Agencies Appropriation Act, 1946, \$165,000.

Ante, p. 474.

INDEPENDENT EXECUTIVE AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

For an additional amount, fiscal year 1946, for "American Battle Monuments Commission", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$2,000.

Ante, p. 107.

CIVIL SERVICE COMMISSION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, Civil Service Commission", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$600,000.

Ante, p. 108.

Panama Canal construction annuity fund: For an additional amount, fiscal year 1946, for "Panama Canal construction annuity fund", \$510,000.

Ante, p. 109.

EMPLOYEES' COMPENSATION COMMISSION

Wage accruals: For an additional amount, fiscal year 1946, for "Wage accruals", \$4,800,000, to remain available until expended.

Ante, p. 377.

EXPORT-IMPORT BANK OF WASHINGTON

Administrative expenses: For an additional amount, fiscal year 1946, for "Export-Import Bank of Washington, administrative expenses", including the objects specified under this head in the Second Deficiency Appropriation Act, 1945, \$150,000, payable from the funds of the bank.

Ante, p. 526.*Ante*, p. 417.

FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$392,500, and the limitation on the amount which may be expended for personal services in the District of Columbia is hereby increased from "\$1,585,650" to "\$1,903,400".

Ante, p. 110.

FEDERAL LOAN AGENCY

RECONSTRUCTION FINANCE CORPORATION

Administrative expenses: For an additional amount, fiscal year 1946, for "Administrative expenses", \$5,500,000, payable from the funds of the Corporation: *Provided*, That none of the funds available under this head for administrative expenses shall be used in paying the salary of any person engaged in making or processing loans in excess of \$500,000 to any State, any subdivision thereof, any

Ante, p. 200.

Restriction on use of funds.

municipality therein, or any public authority, for construction purposes, unless in pursuance of a specific authorization, except, however, that this provision shall not apply to any application or loan approved or made prior to December 15, 1945.

FEDERAL POWER COMMISSION

Ante, p. 111.

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", Federal Power Commission, including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$250,000: *Provided*, That the amount under this head which may be expended for personal services in the District of Columbia is hereby increased from "\$1,315,991" to "\$1,469,000" and for travel is hereby increased from "\$185,475" to "\$212,500".

Personal services.

Travel.

Ante, p. 111.

Flood-control surveys: For an additional amount, fiscal year 1946, for "Flood-control surveys", Federal Power Commission, including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$25,000: *Provided*, That the amount under this head which may be expended for personal services in the District of Columbia is hereby increased from "\$85,000" to "\$93,000" and for travel is hereby increased from "\$10,000" to "\$11,250".

Personal services.

Travel.

FEDERAL SECURITY AGENCY

COLUMBIA INSTITUTION FOR THE DEAF

Ante, p. 365.

For an additional amount for "Columbia Institution for the Deaf", fiscal year 1946, including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, \$46,605.

FOOD AND DRUG ADMINISTRATION

Ante, p. 366.

Enforcement operations: For an additional amount, fiscal year 1946, for "Enforcement operations", to carry out the provisions of the Act of July 6, 1945 (Public Law 139), including not to exceed \$120,000 for personal services in the District of Columbia, \$153,400.

Ante, p. 463.

HOWARD UNIVERSITY

Plans and specifications: For the preparation of plans and specifications for construction on the grounds of Howard University of a dental school building, and engineering and architectural school building, two additional units of the women's dormitories, and an auditorium building with facilities for the school of music and the teaching of fine arts, including engineering and architectural services, printing, and travel, to remain available until expended, \$181,575.

Ante, p. 366.

Salaries: For an additional amount, fiscal year 1946, for "Salaries", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, \$188,000.

PUBLIC HEALTH SERVICE

Ante, p. 368.

Venereal diseases (national defense): For an additional amount, fiscal year 1946, for "Venereal diseases (national defense)", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, \$647,000.

Neponsit Beach
Hospital.

Ante, p. 369.

Hospitals and medical care: Not to exceed \$90,000 of the appropriation "Hospitals and medical care", fiscal year 1946, shall be available for necessary major repair, remodeling, and alteration of the Neponsit Beach Hospital without regard to section 3709 of the Revised Statutes and section 322 of the Act of June 30, 1932, as

41 U. S. C. § 5.

47 Stat. 412.

amended (40 U. S. C. 278a): *Provided*, That such additional amount of \$90,000 shall not become available for obligation until a contract shall have been concluded with the lessor allowing Federal occupancy for a period of not less than eighteen months with the right to extend the period of occupancy an additional period of eighteen months or less, the rental charge for any period of occupancy not to exceed the rate heretofore agreed upon.

Foreign quarantine service: For an additional amount, fiscal year 1946, for "Foreign quarantine service", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, and including the purchase of twelve passenger automobiles; construction, purchase, major repairs, and remodeling of buildings and auxiliary facilities; rental of buildings and other structures (including quarters for commissioned officers and other personnel) without regard to section 322 of the Act of June 30, 1932, as amended; and architectural and other special personal services by contract without regard to the civil-service or classification laws; \$320,000.

Ante, p. 370.

47 Stat. 412.
40 U. S. C. § 278a.

National Institute of Health, operating expenses: For an additional amount, fiscal year 1946, for "National Institute of Health, operating expenses", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, \$950,000, of which \$817,000 shall be available solely for grants-in-aid in accordance with the provisions of section 301 (d), Public Law 410 (including the purchase and distribution of penicillin and other antibiotic compounds for use in research projects for which grants are made), in addition to the \$100,000 specified for such grants in said Act.

Ante, p. 370.

58 Stat. 692.
42 U. S. C., Supp.
IV, § 241 (d).

Public health services, Philippine Islands: To enable the Surgeon General of the Public Health Service, fiscal year 1946, to assist the public-health organization of the Philippine Islands in reconstituting and reactivating public-health services and programs in the Philippine Islands, including personal services in the District of Columbia; personal services outside the District of Columbia without regard to the civil-service or classification laws; purchase, maintenance, repair, and operation of twenty-five passenger automobiles and ten aircraft; travel; printing and binding; purchase of supplies, materials, and equipment without regard to section 3709 of the Revised Statutes; and packing, unpacking, crating, uncrating, drayage, and transportation of personal effects of commissioned officers and transportation of their dependents on change of station, \$1,000,000.

41 U. S. C. § 5.

SOCIAL SECURITY BOARD

Ante, p. 373.

Grants to States for unemployment compensation administration: For an additional amount, fiscal year 1946, for "Grants to States for unemployment compensation administration", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, \$25,042,000.

Salaries, Bureau of Old-Age and Survivors Insurance: For an additional amount, fiscal year 1946, for "Salaries, Bureau of Old-Age and Survivors Insurance", \$1,766,625.

Salaries, office of the Social Security Board: For an additional amount, fiscal year 1946, for "Salaries, offices of the Social Security Board", \$50,000.

Miscellaneous expenses, Social Security Board: For an additional amount, fiscal year 1946, for "Miscellaneous expenses, Social Security Board", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, \$132,500.

OFFICE OF THE ADMINISTRATOR

Ante, p. 375.

For an additional amount, fiscal year 1946, for "Salaries, Office of the General Counsel", including personal services in the District of Columbia, \$16,000.

Ante, p. 376.

Traveling expenses, Federal Security Agency: For an additional amount, fiscal year 1946, for "Traveling expenses, Federal Security Agency", including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, and \$5,000 for carrying out the provisions of the Act of July 6, 1945 (Public Law 139), \$60,000.

Ante, p. 463.*Ante*, p. 376.

Printing and binding, Federal Security Agency: For an additional amount, fiscal year 1946, for "Printing and binding, Federal Security Agency", to carry out the provisions of the Act of July 6, 1945 (Public Law 139), \$1,000: *Provided*, That the amount of \$514,000 specified in the appropriation "Printing and binding, Federal Security Agency", for printed forms, tabulating cards, and tabulating forms in the Bureau of Old-Age and Survivors Insurance is hereby reduced by \$50,000, said amount to be available for the other purposes specified under this head.

Ante, p. 463.

FEDERAL WORKS AGENCY

OFFICE OF THE ADMINISTRATOR

Ante, p. 112.

Public works advance planning: For an additional amount for "Public works advance planning", fiscal year 1946, \$12,500,000, of which not to exceed \$375,000 shall be available for administrative expenses in the manner specified under this head in the Independent Offices Appropriation Act, 1946, except that the limitation on travel expenses is increased by \$40,000: *Provided*, That no loans shall be made or participated in by any Federal agency for the construction of any public works, plans for which have been wholly or partly financed out of this appropriation, except in pursuance of a specific authorization.

Loans for public works.

Ante, p. 113.

Virgin Islands public works: For an additional amount, fiscal year 1946, for "Virgin Islands public works", \$1,216,210.

Ante, p. 80.

Public Works Administration liquidation: The amount made available for administrative expenses during the fiscal year 1946 under the head "Public Works Administration liquidation" in the First Deficiency Appropriation Act, 1945, is hereby increased from "\$25,000" to "\$45,000".

Ante, p. 113.

PUBLIC BUILDINGS ADMINISTRATION

Federal office building, Nashville, Tennessee: For the acquisition of a site in Nashville, Tennessee, by purchase, condemnation, or otherwise, and the construction thereon of a new Federal office building for the use and accommodation of the United States, including the Veterans' Administration, \$5,575,000.

PUBLIC ROADS ADMINISTRATION

42 Stat. 212.
23 U. S. C. §§ 1-25;
Supp. IV, § 2 *et seq.*;
50 U. S. C. § 3.

58 Stat. 839.

For carrying out the provisions of the Federal Highway Act of November 9, 1921, as amended and supplemented, \$25,000,000, being a part of the \$100,000,000 authorized to be appropriated by section 2 of the Federal-Aid Highway Act of 1944 (Public Law 521), and to become available in accordance with said section 2 and to remain available until expended.

55 Stat. 768.
23 U. S. C., Supp.
IV, § 110.

Damage claims: For the payment of claims for damage to roads and highways under the Defense Highway Act of 1941, as amended

(23 U. S. C. 110), as follows: "The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways of States or their subdivisions substantially damaged by the Army or the Navy, or both, by any other agency of the Government, and so forth", as fully set forth in Senate Document Numbered 109, and House Document Numbered 354, Seventy-ninth Congress, \$473,528.31.

FOREIGN-SERVICE PAY ADJUSTMENT

Foreign-service pay adjustment: The appropriation "Foreign-service pay adjustment, appreciation of foreign currencies", in the Independent Offices Appropriation Act, 1946, shall be available, in such amounts as may be determined by the President, for transfer to and merger with other appropriations available for salaries, travel, cost-of-living, quarters, and other allowances in foreign countries.

Ante, p. 118.

GENERAL ACCOUNTING OFFICE

Ante, p. 118.

Salaries: For an additional amount, fiscal year 1946, for "Salaries", \$2,673,900.

Miscellaneous expenses: For an additional amount, fiscal year 1946, for "Miscellaneous expenses", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$506,700, of which not to exceed \$4,500 shall be available for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364).

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$22,500.

INTERSTATE COMMERCE COMMISSION

General administrative expenses: For an additional amount, fiscal year 1946, for "General administrative expenses", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$266,000, and the limitation on the amount which may be expended for personal services in the District of Columbia is hereby increased from "\$2,488,000" to "\$2,748,000".

Ante, p. 118.

Valuation of property of carriers: For an additional amount, fiscal year 1946, for "Valuation of property of carriers", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$50,000.

Ante, p. 119.

Motor transport regulation: For an additional amount, fiscal year 1946, for "Motor transport regulation", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$82,000.

Ante, p. 120.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding for the Interstate Commerce Commission", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$45,000.

Ante, p. 120.

NATIONAL HOUSING AGENCY

OFFICE OF THE ADMINISTRATOR

Ante, p. 121.

Veterans' housing: To enable the National Housing Administrator to carry out the purposes of title V of the Act of October 14, 1940, as amended (42 U. S. C. 1501), \$191,900,000, to remain available until expended: *Provided*, That, without regard to the provisions of any other law, but subject to the removal provisions of section 313 of said Act, said Administrator may transfer, for such consideration

Ante, p. 260; *post*, p. 674.

57 Stat. 388.
42 U. S. C., Supp.
IV, § 1563.

and subject to such terms and conditions as he deems feasible under the circumstances, any temporary housing (intact or in panels suitable for reuse) under his jurisdiction to any educational institution, State or political subdivision thereof, local public agency, or non-profit organization, for use or reuse in providing temporary housing for families of servicemen and for veterans and their families, or, in the discretion of the Administrator, for single veterans attending educational institutions.

FEDERAL HOME LOAN BANK ADMINISTRATION

Ante, p. 122.

Salaries and expenses: In addition to the funds made available to the Federal Home Loan Bank Administration by the Independent Offices Appropriation Act, 1946, for "Salaries and expenses", there is hereby made available to said Administration not to exceed \$150,000 from the sources specified under said head.

FEDERAL HOUSING ADMINISTRATION

Ante, p. 123.

Salaries and expenses: In addition to the funds made available to the Federal Housing Administration by the Independent Offices Appropriation Act, 1946, for "Salaries and expenses", there is hereby made available to said Administration not to exceed \$1,000,000 from the sources specified under said head.

NATIONAL LABOR RELATIONS BOARD

Ante, p. 377.

Salaries: For an additional amount, fiscal year 1946, for "Salaries", \$354,000: *Provided*, That no part of the funds appropriated in title IV, Labor-Federal Security Appropriation Act, 1946, or of any other funds appropriated to the National Labor Relations Board for the fiscal year 1946 hereafter shall be used, except for the discharge of obligations incurred up to and including the date of approval of this Act, by the National Labor Relations Board in any way in connection with the performance of the duties imposed upon it by the War Labor Disputes Act (50 U. S. C. App. 1501-11), including personal services in the District of Columbia and elsewhere, and other items otherwise properly chargeable to appropriations of the National Labor Relations Board for miscellaneous expenses and printing and binding, and the National Labor Relations Board shall return to the Treasury all funds appropriated to it under title IV of the National Labor Relations Board Appropriation Act, 1946, for the performance of the duties imposed upon it by the War Labor Disputes Act, less all sums actually expended and obligations actually incurred in the performance of its duties under the War Labor Disputes Act up to and including the date of approval of this Act.

57 Stat. 163.
50 U. S. C., Supp.
IV, app. §§ 1501-1511.

Ante, p. 377.

57 Stat. 163.
50 U. S. C., Supp.
IV, app. §§ 1501-1511.

Ante, p. 377.

Miscellaneous expenses: For an additional amount, fiscal year 1946, for "Miscellaneous expenses", including the objects specified under this head in the National Labor Relations Board Appropriation Act, 1946, \$110,000.

Ante, p. 378.

Penalty mail: For an additional amount, fiscal year 1946, for deposit in the general fund of the Treasury for costs of penalty mail of the National Labor Relations Board as required by the Act of June 28, 1944, \$2,500.

58 Stat. 394.
39 U. S. C., Supp.
IV, § 321d.

Ante, p. 378.

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, National Labor Relations Board, War Labor Disputes Act", including the objects specified under the appropriation for this purpose in the National Labor Relations Board Appropriation Act, 1946, \$300,000, for reimbursement to the appropriations "Salaries" and "Miscellaneous expenses", National Labor Relations Board, fiscal year 1946.

NATIONAL MEDIATION BOARD

Arbitration, emergency, and emergency panel boards: For an additional amount for "Arbitration, emergency and emergency panel boards, National Mediation Board, 1946", including the objects under this head in the Labor-Federal Security Appropriation Act, 1946, \$23,900.

Ante, p. 378.

There is hereby transferred \$3,000 from the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945", to the appropriation "Salaries and expenses, emergency panels, and so forth, National Mediation Board 1945".

Transfer of funds.
58 Stat. 568.
Ante, p. 82.

OFFICE OF WAR MOBILIZATION AND RECONVERSION

Expenses of disposal agencies: In addition to funds already appropriated and notwithstanding the provisions of section 30 (a) of the Surplus Property Act of 1944, hereafter all proceeds from any disposition of surplus property remaining after dispositions made as provided in sections 30 (b), (c), and (d) of such Act shall be set aside in a special fund account in the Treasury and funds so set aside in such special fund account are hereby appropriated and shall be available to the Surplus Property Administrator, not, however, to exceed \$170,000,000 for the fiscal year 1946, for "Expenses of disposal agencies", Office of War Mobilization and Reconversion, for allocation or reimbursement as specified under this head in the National War Agencies Appropriation Act, 1946, including expenses necessary to enable Government agencies designated by the Surplus Property Administration to render special services to the Administration or to disposal agencies; purchase, maintenance, operation, and repair of passenger automobiles; maintenance and operation of aircraft in connection with disposal activities in the Territories and possessions: *Provided*, That, notwithstanding any provision to the contrary, the appropriation under this head in this Act and in the National War Agencies Appropriation Act, 1946, shall be considered as available also for expenses incurred during the fiscal years 1945 and 1946 incident to the care, handling, transfer, and other disposition of property under the control of disposal agencies by whatever agency declared: *Provided further*, That the limitations under the appropriation "Surplus property program", Procurement Division, transferred to the Office of War Mobilization and Reconversion by the National War Agencies Appropriation Act, 1946, are hereby repealed: *Provided further*, That any unobligated balances in the special fund account created herein shall be covered into the Treasury as miscellaneous receipts not later than six months after the close of each fiscal year: *Provided further*, That any owning or disposal agency is authorized to transfer surplus property in its possession, other than real estate, to the United States Soldiers' Home without reimbursement or transfer of funds.

Ante, p. 484.

58 Stat. 781.
50 U. S. C., Supp.
IV, app. § 1639.

Ante, p. 484.

Repeal.
Ante, p. 484.

Special fund account.

Surplus property.

SECURITIES AND EXCHANGE COMMISSION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", \$166,200.

Ante, p. 125.

SMITHSONIAN INSTITUTION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, Smithsonian Institution", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$47,000.

Ante, p. 125.

VETERANS' ADMINISTRATION

Ante, p. 127.

Administrative, medical, hospital, and domiciliary services: The limitation under "Administration, medical, hospital, and domiciliary services", Veterans' Administration, in the Independent Offices Appropriation Act, 1946, on the amount which may be expended to repair, alter, improve, or provide facilities in the several hospitals and homes, is hereby increased from \$3,650,000 to \$5,000,000; the limitation under the above appropriation upon the number of passenger-carrying vehicles which may be purchased during the fiscal year 1946 is hereby increased from "fifty-five" to "two hundred and eighty-four"; the limitation under the above appropriation upon the amount which may be available for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures, and other visual educational information and descriptive material is hereby increased from "\$50,000" to "\$99,500"; and notwithstanding the provisions of section 106 of the above Act, the appropriation shall be available for the purchase of newspapers (other than legal) and periodicals in an amount not exceeding \$975. Subparagraph (c) of section 201 of the Independent Offices Appropriation Act, 1946, is hereby amended by striking therefrom the words following the words "Veterans' Administration" and substituting in lieu thereof the following words and figures, "the amount available for such purpose shall be \$10,000"; and the immediately succeeding additional appropriation for the construction of hospitals and domiciliary facilities, shall be merged with the existing appropriation for the construction of such facilities and remain available until expended.

Ante, p. 130.*Ante*, p. 131.

Hospitals and domiciliary facilities.

Ante, p. 129; *supra*.

For construction of hospitals and domiciliary facilities for fiscal year 1946, \$158,320,000.

Ante, p. 129.

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding for the Veterans' Administration", \$1,360,000, of which \$200,000 shall be reimbursed to the "Emergency fund for the President, national defense".

Ante, p. 129.

National service life insurance: For an additional amount, fiscal year 1946, for "National service life insurance", including the objects specified under this head in the Independent Offices Appropriation Act, 1946, \$928,000,000, to remain available until expended.

Ante, p. 129.

Hospital and domiciliary facilities: The Administrator of Veterans' Affairs, subject to the approval of the Federal Board of Hospitalization, is authorized to utilize such Army and Navy hospitals, temporary or otherwise, not required by the Army or Navy, as such Administrator and the Federal Board of Hospitalization may deem safe and suitable for the hospitalization or domiciliary care of veterans.

DISTRICT OF COLUMBIA

REGULATORY AGENCIES

Ante, p. 274.

Office of Recorder of Deeds: For an additional amount, fiscal year 1946, for the "Office of Recorder of Deeds", including the objects specified for this purpose in the District of Columbia Appropriation Act, 1946, \$12,400.

PUBLIC SCHOOLS

Ante, p. 275.

CAPITAL OUTLAY

For an additional amount for the construction of an underpass under Hiatt Place to connect the Powell Junior High School and the Johnson Building, \$7,000, to remain available until expended.

The Commissioners of the District of Columbia are authorized to enter into contract or contracts for construction of the following school buildings or additions to school buildings at a total cost in each case of not to exceed the specified amounts, namely, Alexander Graham Bell (Abbot) Vocational School, \$1,190,000; Spingarn High School, \$2,060,000; Miller Junior High School, \$1,350,000; Taft Junior High School addition, \$518,000; new elementary-school building, including assembly hall-gymnasium, in the vicinity of Eleventh and G Streets Southeast, to replace the present Cranch and Tyler Schools, \$600,000; and Logan School, \$350,000.

Buildings.
Ante, p. 276.

For an additional amount for the purchase of a site for elementary-school purposes in the vicinity of Eleventh and G Streets Southeast, for the replacement of the Cranch, Tyler, and Van Ness Schools, \$50,000, to remain available until expended.

Site.
Ante, p. 278.

HEALTH DEPARTMENT

Ante, p. 282.

Operating expenses, Gallinger Municipal Hospital: For an additional amount, fiscal year 1946, for "Operating expenses, Gallinger Municipal Hospital", including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$28,900.

Capital outlay, Gallinger Municipal Hospital: For an additional amount for the construction of a superintendent's residence, \$5,000.

PUBLIC WELFARE

FAMILY WELFARE SERVICE

Ante, p. 283.

Capital outlay, institutions for the indigent: For completing construction of a new heating plant at the Home for the Aged and Infirm, including all necessary appurtenances thereto, \$237,500.

JUVENILE CORRECTIONAL SERVICE

Ante, p. 284.

Capital outlay: For preparation of plans and specifications for new buildings for the Industrial Home School, to be constructed at a cost not to exceed \$600,000 on a new site near Laurel, Maryland, \$18,000, which amount may be credited to the appropriation account, "Office of Municipal Architect, construction services".

Industrial Home
School.

The unexpended balance of the appropriation of \$40,000 for the construction of temporary building for the National Training School for Girls on a new site to be acquired in Maryland, contained in the District of Columbia Appropriation Act, 1944, is reappropriated and made available during the fiscal years 1946 and 1947 for repairs, alterations, and improvements to existing buildings on the new site acquired near Laurel, Maryland, for the National Training School for Girls, including furniture and equipment and the installation of necessary utilities.

National Training
School for Girls.

57 Stat. 332.

MENTAL REHABILITATION SERVICE

Ante, p. 285.

Capital outlay, District Training School: For the construction of a third floor and a permanent roof to the hospital and administration building, \$70,000.

PUBLIC WORKS

Capital outlay, Sewer Division: For an additional amount, fiscal year 1946, for construction of sewers and receiving basins, and so forth, including the objects specified under this head in the District of Columbia Appropriation Act, 1946, \$320,000, and in conducting a survey for city relief sewers the Commissioners are authorized to

Ante, p. 290.

41 U. S. C. § 5.

employ engineering and other professional services by contract or otherwise, without regard to section 3709 of the Revised Statutes and civil-service and classification laws.

SETTLEMENT OF CLAIMS AND SUITS

45 Stat. 1160.
D. C. Code §§ 1-902
to 1-905.

For the payment of claims in excess of \$250, approved by the Commissioners in accordance with the provisions of the Act of February 11, 1929, as amended (46 Stat. 500), as set forth in House Document Numbered 370 of the Seventy-ninth Congress, \$1,504.50.

DIVISION OF EXPENSES

Ante, p. 271.

The sums appropriated in this Act for the District of Columbia, shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1946.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Ante, p. 147.

Salaries and expenses (foreign plant quarantine): For an additional amount, fiscal year 1946, for "Salaries and expenses" (foreign plant quarantines), including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, \$187,500.

FOREST SERVICE

Ante, p. 150.

National forest protection and management: For an additional amount, fiscal year 1946, for national forest protection and management, including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, \$300,000.

Ante, p. 152.

FOREST ROADS AND TRAILS

58 Stat. 842.

23 U. S. C. § 23b.

Forest roads and trails: For an additional amount, fiscal year 1946, for "Forest roads and trails", including the objects and subject to the conditions specified under this head in the Department of Agriculture Appropriation Act, 1946, \$4,000,000, to remain available until expended, of which amount \$2,000,000 is for forest development roads and trails, being a part of the \$12,500,000 authorized to be appropriated for the first postwar fiscal year by the Act of December 20, 1944 (58 Stat. 838), and \$2,000,000 is for forest highways, being a part of the balance of the \$7,000,000 authorized to be appropriated for the fiscal year 1942 by the Act of September 5, 1940 (54 Stat. 867).

WAR FOOD ADMINISTRATION

Ante, p. 152.

Salaries and expenses: The limitation on the amount which may be expended for the agricultural wage stabilization program under the appropriation "Salaries and expenses, War Food Administration", in the Department of Agriculture Appropriation Act, 1946, is hereby increased from "\$275,000" to "\$373,700".

COMMODITY CREDIT CORPORATION

Ante, pp. 153, 423.

Salaries and administrative expenses: For an additional amount, fiscal year 1946, for "Salaries and administrative expenses", Com-

modity Credit Corporation, including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, \$762,000, payable from the funds of said Corporation.

SCHOOL LUNCH PROGRAM

The limitation of \$50,000,000 for the objects and for the purposes of the item "School lunch program" contained in the Department of Agriculture Appropriation Act, 1946, is increased by \$7,500,000.

Ante, p. 157.

MARKETING SERVICE

Insecticide Act: For an additional amount, fiscal year 1946, for "Insecticide Act", including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, \$26,500, and the limitation on the amount which may be expended for departmental personal services in the District of Columbia is hereby increased from "\$1,228,446" to "\$1,235,446".

Ante, p. 159.

FARM LABOR SUPPLY PROGRAM

Supply and distribution of farm labor: The authority and funds provided by the Farm Labor Supply Appropriation Act, 1944, as amended and supplemented, are hereby continued through December 31, 1946, to assist in providing an adequate supply of agricultural labor for the production, harvesting, and preparation for markets of agricultural commodities essential to the orderly transition from war to peace and for carrying out the other purposes of said Act, and, in addition to the amount hereby continued available, there is hereby appropriated the sum of \$25,000,000 for such purposes, to be merged with the funds hereby continued available. Not less than \$7,000,000 of such additional funds shall be apportioned among the several States in the manner and for the purposes specified in section 2 of said Act, and of the amount so apportioned, not more than \$100,000 may be expended by the State agricultural extension services for the construction of labor supply centers under the limitations of said section 2. In addition to the amounts heretofore made available for administrative expenses pursuant to section 3 (c) of said Act, there is hereby made available, out of said funds, the sum of \$562,023 for such purposes. Agricultural workers may be admitted into the United States to perform agricultural labor in accordance with the provisions of section 5 (g) of said Act during the continuance of this program, notwithstanding any official determination of the cessation of hostilities in the present war.

58 Stat. 11.
50 U. S. C., Supp.
IV, app. §§ 1351-1355.

Payments to States.

58 Stat. 12.
50 U. S. C., Supp.
IV, app. § 1352.

58 Stat. 13.
50 U. S. C., Supp.
IV, app. § 1353 (c).
Agricultural work-
ers.

58 Stat. 15.
50 U. S. C., Supp.
IV, app. § 1355 (g).

DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$63,400.

Ante, pp. 187, 423.

Declassification and technical services: For all expenses necessary, fiscal year 1946, in the performance of activities and services relating to the declassification of scientific and technical data, its release for public benefit, the promotion of its maximum use by business and industry in the development and utilization of new products and processes, including all the objects for which the appropriation "Salaries and expenses, Office of the Secretary", is available, and including not to exceed \$50,000 for the temporary employment of persons or

41 U. S. C. § 5. organizations (including aliens where necessary for special studies, investigations, and the translation of foreign-language documents in this country and abroad) by contract or otherwise, without regard to section 3709, Revised Statutes, and the civil-service and classification laws, and not to exceed \$50,000 for printing and binding, \$300,000.

BUREAU OF THE CENSUS

Ante, pp. 188, 423.

Compiling census reports, and so forth: For an additional amount, fiscal year 1946, for "Compiling census reports, and so forth", including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$2,435,000.

OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

Ante, pp. 189, 424.

Establishment of air-navigation facilities: For an additional amount for "Establishment of air-navigation facilities", fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, \$182,000.

Construction, Washington National Airport: For an extension to the Terminal Building, construction of four hangars, extension to boilerhouse, and acquisition of land necessary for and planning of an access road to the airport, \$3,998,000, to remain available until expended.

Surplus aircraft engines, etc.
Ante, p. 190.

The War and Navy Departments are authorized to transfer to the Civil Aeronautics Administration aircraft engines, parts, and accessories surplus to the needs of such Departments, such transfer to be without charge therefor, and the appropriation "Maintenance and Operation of Aircraft" is hereby made available for the costs of transportation and storage incident to the procurement and care of such items.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

PETROLEUM CONSERVATION DIVISION

Ante, p. 319.

Petroleum Conservation Division: For an additional amount, fiscal year 1946, for "Petroleum Conservation Division", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$12,300.

GENERAL LAND OFFICE

Ante, p. 322.

Salaries: For an additional amount, fiscal year 1946, for "Salaries", \$50,000.

Ante, p. 323.

Salaries and expenses of land offices: For an additional amount, fiscal year 1946, for "Salaries and expenses of land offices", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$8,000.

Ante, p. 324.

Payment to Oklahoma, from royalties, oil and gas, south half of Red River: For an additional amount, fiscal year 1946, for "Payment to Oklahoma from royalties, oil and gas, south half of Red River", \$399.69: *Provided*, That expenditures under the total appropriation shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

Ante, p. 324.

Fire protection and timber management, public domain, continental United States: For an additional amount, fiscal year 1946, for "Fire protection and timber management, public domain, continental United

States", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$62,000.

BUREAU OF INDIAN AFFAIRS

Ante, p. 324.

For payment to certain individual Sioux Indians, their heirs or devisees, in full settlement of their claims against the United States for personal property losses, as authorized by the Act of June 30, 1945 (Public Law 97), including payment of attorney fees and other expenses authorized by said Act, \$111,630, to remain available as provided in said Act: *Provided*, That the respective Indian agency superintendents, acting as ex officio guardians, shall have authority to make application for, and to receive, payment of the amounts due the said claimants, their heirs or devisees.

Sioux Indians, property losses.

Ante, p. 265.

BUREAU OF RECLAMATION

RECLAMATION FUND, SPECIAL FUND

Construction: For additional amounts for salaries and expenses (other than project offices), construction of the following projects, and general investigations, including the objects specified under the head "Bureau of Reclamation" in the Interior Department Appropriation Act, 1946, to be expended from the reclamation fund, to remain available until expended and to be reimbursable under the reclamation law:

Ante, p. 339.

Salaries and expenses (other than project offices), \$500,000;

General investigations, \$1,000,000;

Projects:

San Luis project, Colorado, \$1,000,000;

Boise project, Idaho: Payette division, \$2,000,000; Anderson Ranch, \$1,925,000;

Minidoka project, Idaho, \$720,000;

Palisades project, Idaho, \$1,000,000;

Rio Grande project, New Mexico-Texas, \$750,000;

Tucumcari project, New Mexico, \$2,000,000;

Lugert-Altus project, Oklahoma, \$2,020,000;

Deschutes project, Oregon, \$1,000,000;

Klamath project, Oregon, \$1,000,000;

Owyhee project, Oregon, \$190,000;

Vale project, Oregon, \$3,000;

Provo River project, Utah, \$860,000;

Yakima project, Washington, Roza division, \$1,650,000;

Kendrick project, Wyoming, \$500,000;

Riverton project, Wyoming, \$1,000,000;

Shoshone project, Wyoming: Heart Mountain division, \$1,000,000; Power division, \$1,124,000;

Total, from the reclamation fund, \$21,242,000.

GENERAL FUND, CONSTRUCTION

Ante, pp. 339-342.

Construction: For additional amounts for construction of the following projects, including the objects specified under the head "Bureau of Reclamation" in the Interior Department Appropriation Act, 1946, to be expended from the general fund of the Treasury, to remain available until expended and to be reimbursable under the reclamation law:

Gila project, Arizona, \$2,000,000;

Davis Dam project, Arizona-Nevada, \$5,900,000;

Central Valley project, California: Storage system, Shasta Dam and Reservoir, relocation of secondary roads, \$100,000; road between

Shasta and Keswick Dams and United States Highway 99, \$150,000; clearing Shasta Reservoir area, \$100,000; Shasta Dam, \$500,000; Delta division, Delta-Mendota canal, \$7,500,000; Delta Cross channel, \$349,420; Friant division, Friant Dam and Reservoir, \$200,000; Friant-Kern canal, \$6,000,000; Power system, Shasta power plant, \$885,580; Keswick Dam, \$500,000; Keswick power plant, \$550,000; switchyards, \$1,600,000; transmission lines, Oroville to Sacramento, two hundred and thirty kilovolt, \$730,000, and Sacramento between substations, two hundred and thirty kilovolt, \$50,000; in all, \$19,215,000;

Colorado-Big Thompson project, Colorado, \$5,750,000;
Hungry Horse project, Montana, \$1,500,000;
Columbia Basin project, Washington, \$10,275,000;
Total, general fund, construction, \$44,640,000.

COLORADO RIVER DAM FUND

Ante, p. 342.

Boulder Canyon project (All-American Canal): For an additional amount, fiscal year 1946, to remain available until expended for continuation of construction, \$3,000,000.

COLORADO RIVER DEVELOPMENT FUND

Ante, p. 342.

43 U. S. C. § 618a.

Colorado River development fund (expenditure account): For an additional amount for investigations of projects for the utilization of the waters of the Colorado River system in the four States of the upper division, as authorized by section 2 of the Boulder Canyon Project Adjustment Act, approved July 19, 1940 (54 Stat. 774), \$1,000,000 from the Colorado River development fund (holding account).

Ante, p. 343.

FORT PECK PROJECT, MONTANA

For an additional amount for Fort Peck project, Montana, \$800,000, to remain available until expended.

MISSOURI RIVER BASIN

Ante, p. 343.

58 Stat. 891.

Missouri River Basin (reimbursable): For the partial accomplishment of the works to be undertaken by the Secretary of the Interior pursuant to section 9 of the Act of December 22, 1944 (58 Stat. 887), \$10,780,300, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Ante, p. 338.

Administrative provisions: The limitation contained in the Interior Department Appropriation Act, 1946, on the number of motor-propelled passenger-carrying vehicles which may be purchased is hereby increased from "two hundred and eighty" to "three hundred and eighty".

Ante, p. 344.

GEOLOGICAL SURVEY

Topographic surveys: For an additional amount, fiscal year 1946, for "Topographic surveys", \$13,900.

Geologic surveys: For an additional amount, fiscal year 1946, for "Geologic surveys", \$800.

Gaging streams: For an additional amount, fiscal year 1946, for "Gaging streams", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$321,100, and the amount that shall be available only for cooperation with States or municipalities is hereby increased from "\$1,300,000" to "\$1,620,000".

Classification of lands: For an additional amount, fiscal year 1946, for "Classification of lands", \$800.

Arkansas River compact: For payment of the compensation, without regard to the civil-service and classification laws, including time performed in travel, and expenses, including travel, of the person appointed by the President, pursuant to Public Law 34, Seventy-ninth Congress, to participate as the representative of the United States in the negotiation of a compact between the States of Colorado and Kansas relative to the division of the waters of the Arkansas River and its tributaries, to be available until June 30, 1947, \$15,000: *Provided*, That, notwithstanding the provisions of any other law to the contrary, the President is authorized to appoint a retired officer of the Army as such representative without prejudice to his status as a retired Army officer who shall receive such compensation and expenses in addition to his retired pay.

Ante, p. 53.

Appointment of retired Army officer.

NATIONAL PARK SERVICE

Ante, pp. 352, 353.

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$20,000; and the amount which may be expended for printing and binding is hereby increased from "\$25,000" to "\$29,000".

Regional offices: For an additional amount, fiscal year 1946, for "Regional offices", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$35,000.

National parks: For an additional amount, fiscal year 1946, for "National parks", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$111,650.

National monuments: For an additional amount, fiscal year 1946, for "National monuments", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$30,000.

National historical parks and memorials: For an additional amount, fiscal year 1946, for "National historical parks and memorials", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$51,000.

National military parks, battlefields, and cemeteries: For an additional amount, fiscal year 1946, for "National military parks, battlefields, and cemeteries", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$25,000.

Boulder Dam National Recreational Area, Arizona and Nevada: For an additional amount, fiscal year 1946, for "Boulder Dam National Recreational Area, Arizona and Nevada", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$5,000.

Recreational demonstration areas: For an additional amount, fiscal year 1946, for "Recreational demonstration areas", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$10,000.

Salaries and expenses, National Capital parks: For an additional amount, fiscal year 1946, for "Salaries and expenses, National Capital parks", including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$70,000.

FISH AND WILDLIFE SERVICE

SALARIES AND EXPENSES

Control of predatory animals and injurious rodents: For an additional amount, fiscal year 1946, for "Control of predatory animals and

Ante, p. 355.

injurious rodents”, including the objects specified under this head in the Interior Department Appropriation Act, 1946, \$20,000.

GOVERNMENT IN THE TERRITORIES

Ante, p. 358.

GOVERNMENT OF THE VIRGIN ISLANDS

Municipal government of Saint Croix: For defraying the deficit in the treasury of the municipal government of Saint Croix, Virgin Islands, because of the excess of current expenses over current revenues for the fiscal year 1946, \$150,000, to be paid in monthly installments.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES AND GENERAL ADMINISTRATION

Ante, p. 181.

Office of the Assistant Solicitor General: For an additional amount, fiscal year 1946, for “Office of the Assistant Solicitor General”, \$29,350.

Ante, p. 181.

Tax Division: For an additional amount, fiscal year 1946, for the “Tax Division”, \$18,360.

FEDERAL BUREAU OF INVESTIGATION

49 Stat. 1184.

Damage claims: For the payment of a claim for damages to privately owned property adjusted and determined by the Attorney General of the United States under the provisions of the Act entitled “An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation”, approved March 20, 1936 (31 U. S. C. 224b), as fully set forth in Senate Document Numbered 113, Seventy-ninth Congress, \$37.50.

IMMIGRATION AND NATURALIZATION SERVICE

Ante, p. 185.

Salaries and expenses: For an additional amount, fiscal year 1946, for “Salaries and expenses, Immigration and Naturalization Service”, including the objects specified under this head in the Department of Justice Appropriation Act, 1946, \$1,172,400.

DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

Ante, p. 361.

Contingent expenses: For an additional amount, fiscal year 1946, for “Contingent expenses”, including the objects specified under this head in the Department of Labor Appropriation Act, 1946, \$4,825.

Ante, p. 361.

Traveling expenses: For an additional amount, fiscal year 1946, for “Traveling expenses”, including the objects specified under this head in the Department of Labor Appropriation Act, 1946, \$35,000.

BUREAU OF LABOR STATISTICS

Ante, p. 362.

Salaries and expenses: For an additional amount, fiscal year 1946, for “Salaries and expenses”, including the objects specified under this head in the Department of Labor Appropriation Act, 1946, \$172,760.

APPRENTICE TRAINING SERVICE

Ante, p. 380.

Apprentice Training Service: For an additional amount, fiscal year 1946, for “Apprentice Training Service”, including the objects specified under this head in the War Manpower Commission Appropri-

ation Act, 1946, and including not to exceed \$3,250 additional for printing and binding and \$59,000 additional for travel expenses, \$431,500.

NAVY DEPARTMENT

Damage claims: For the payment of claims for real and personal property damage, adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries", approved April 22, 1943 (31 U. S. C. 224d-224i), as fully set forth in House Document Numbered 352, Seventy-ninth Congress, \$11,132.56.

57 Stat. 66.
31 U. S. C., Supp.
IV, §§ 224d-224i.
Ante, p. 511.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

Ante, p. 68.

For additional amounts for "Salaries in Office of Postmaster General and bureaus and offices", Post Office Department, fiscal year 1946, as follows:

Office of the Postmaster General, \$12,700.
Office of Budget and Administrative Planning, \$1,200.
Office of the First Assistant Postmaster General, \$31,500.
Office of the Second Assistant Postmaster General, \$20,600.
Office of the Third Assistant Postmaster General, \$30,000.
Office of the Fourth Assistant Postmaster General, \$28,800.
Office of the Solicitor for the Post Office Department, \$5,300.
Office of the Chief Inspector, \$9,600.
Bureau of Accounts, \$9,400.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

Contingent and miscellaneous expenses: For an additional amount, fiscal year 1946, for "Contingent and miscellaneous expenses", including the objects specified under this head in the Post Office Department Appropriation Act, 1946, \$25,000.

Ante, p. 68.

FIELD SERVICE, POST OFFICE DEPARTMENT

OFFICE OF THE POSTMASTER GENERAL

Personal or property damage claims: For an additional amount for "Personal or property damage claims", for the fiscal year 1946 and prior years, \$65,000.

Ante, p. 68.

OFFICE OF THE CHIEF INSPECTOR

Clerks, division headquarters: For an additional amount, fiscal year 1946, for "Clerks, division headquarters", \$22,500, and increase the limitation on the number of clerks from "three hundred and sixty-seven" to "four hundred and twelve".

Ante, p. 68.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Domestic Air Mail Service: For an additional amount, fiscal year 1945, for "Domestic Air Mail Service", including the objects specified under this head in the Post Office Department Appropriation Act, 1945, \$595,000.

58 Stat. 211.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Ante, p. 72.

Indemnities, domestic mail: For an additional amount, fiscal year 1946, for "Indemnities, domestic mail", \$728,000.

Ante, p. 72.

Unpaid money orders more than one year old: For an additional amount, fiscal year 1946, for "Unpaid money orders more than one year old", \$390,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Ante, p. 72.

Post office stationery, equipment, and supplies: For an additional amount, fiscal year 1946, for "Post office stationery, equipment, and supplies", including the objects specified under this head in the Post Office Department Appropriation Act, 1946, \$3,600: *Provided*, That the limitation on the amount available for the pay of employees in the District of Columbia in connection with the shipment of supplies is increased from "\$63,800" to "\$67,400".

Pay of certain employees in D. O.

DEPARTMENT OF STATE

OFFICE OF THE SECRETARY OF STATE

Ante, p. 160.

Salaries: For an additional amount, fiscal year 1946, for "Salaries", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$265,000.

FOREIGN SERVICE

Ante, p. 171.

Transportation, Foreign Service: For an additional amount, fiscal year 1946, for "Transportation, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$1,327,000.

Ante, p. 172.

The limitations under the appropriation, "Foreign Service quarters", fiscal year 1946, on the amounts which may be used for allowances for living quarters shall be exclusive of amounts paid in accordance with the Act approved March 26, 1934 (5 U. S. C. 118c), for losses sustained due to appreciation of foreign currencies.

Ante, p. 172.

Representation allowances, Foreign Service: For an additional amount, fiscal year 1946, for "Representation allowances, Foreign Service", \$23,000.

Ante, p. 172.

Salaries of clerks, Foreign Service: For an additional amount, fiscal year 1946, for "Salaries of clerks, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$838,000.

Ante, p. 172.

Miscellaneous salaries and allowances, Foreign Service: For an additional amount, fiscal year 1946, for "Miscellaneous salaries and allowances, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$258,000.

Ante, p. 173.

Foreign Service, auxiliary (emergency): For an additional amount, fiscal year 1946, for "Foreign Service, auxiliary (emergency)", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$4,385,000.

Ante, p. 173.

Contingent expenses, Foreign Service: For an additional amount, fiscal year 1946, for "Contingent expenses, Foreign Service", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$960,000.

INTERNATIONAL OBLIGATIONS

Ante, p. 176.

International conferences (emergency): For an additional amount for "International conferences (emergency)", fiscal year 1946, includ-

ing the objects specified under this head in the Department of State Appropriation Act, 1946, \$2,750,000.

United States contributions to international commissions, congresses, and bureaus: For an additional amount, fiscal year 1946, for "United States contributions to international commissions, congresses, and bureaus", as follows: International Bureau of Weights and Measures, \$29,403; International Office of Public Health, \$10,209.36; Inter-American Statistical Institute, \$1,947; Food and Agriculture Organization of the United Nations, \$577,500; International Labor Organization, \$80,000, to be available for the expenses of participation by the United States in the meetings of the General Conference and of the Governing Body of the International Labor Organization and in such regional, industrial, or other special meetings, as may be duly called by such Governing Body, including the objects specified for these purposes in the Department of State Appropriation Act, 1946; in all, \$699,059.36.

Ante, p. 175.

Ante, p. 427.

Ante, p. 529.

Ante, p. 175.

Intergovernmental Committee on Refugees: The appropriation "Intergovernmental Committee on Refugees" in the Second Deficiency Appropriation Act, 1945, is hereby continued available until April 1, 1946.

Ante, p. 428.

Salaries and expenses, International Boundary Commission, United States and Mexico: For an additional amount, fiscal year 1946, for "Salaries and expenses, International Boundary Commission, United States and Mexico", including the objects specified under this head in the Department of State Appropriation Act, 1946, \$175,000.

Ante, p. 176.

Douglas-Agua Prieta sanitation project: For an additional amount for construction of the Douglas-Agua Prieta sanitation project, including the objects specified under this head in the Department of State Appropriation Act, 1943, \$60,000, to remain available until expended.

56 Stat. 477.

TREASURY DEPARTMENT

OFFICE OF CHIEF CLERK

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding", \$4,000.

Ante, p. 57.

BUREAU OF ACCOUNTS

Division of Disbursement, salaries and expenses: For an additional amount, fiscal year 1946, for "Division of Disbursement, salaries and expenses", including the objects specified under this head in the Treasury Department Appropriation Act, 1946, \$1,000,000.

Ante, p. 58.

Printing and binding, Division of Disbursement: For an additional amount, fiscal year 1946, for "Printing and binding", Division of Disbursement, including the objects specified under this head in the Treasury Department Appropriation Act, 1946, \$54,000.

Ante, p. 58.

BUREAU OF CUSTOMS

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses", \$1,218,000.

Ante, p. 60.

BUREAU OF INTERNAL REVENUE

Salaries and expenses: The limitation under "Salaries and expenses", Bureau of Internal Revenue, on the amount which may be expended for printing and binding, fiscal year 1945, is hereby increased from "\$2,000,000" to "\$2,274,274".

58 Stat. 201.

WAR DEPARTMENT

MILITARY ACTIVITIES

DAMAGE CLAIMS

For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the Act entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army", approved July 3, 1943 (31 U. S. C. 223b), as fully set forth in Senate Document Numbered 107, and House Document Numbered 349, Seventy-ninth Congress, \$274,127.43.

CIVIL FUNCTIONS

CORPS OF ENGINEERS

RIVERS AND HARBORS AND FLOOD CONTROL

Ante, p. 40.

Repeal.

The proviso contained in the War Department Civil Appropriation Act, 1946, under the head "Rivers and harbors and flood control", reading "*Provided further*, That any appropriation for civil functions under the Corps of Engineers for the fiscal year 1946 shall be available for contracting in such manner as the Secretary of War may determine to be in the public interest without regard to the provisions of section 3709 of the Revised Statutes or section 3 of the River and Harbor Act of August 11, 1888", is hereby repealed.

41 U. S. C. § 5.
25 Stat. 423.
33 U. S. C. §§ 622,
623.

RIVERS AND HARBORS

Ante, pp. 40, 429.

For an additional amount, fiscal year 1946, for "Rivers and harbors", including the objects specified under this head in the War Department Civil Appropriation Act, 1946, \$25,516,000, to remain available until expended.

FLOOD CONTROL

Ante, pp. 41, 236, 429.

Flood control, general: For an additional amount, fiscal year 1946, for "Flood control, general", including the objects specified under this head in the War Department Civil Appropriation Act, 1946, \$84,659,000, to remain available until expended: *Provided*, That no part of the funds herein appropriated shall be available for the actual construction of the Garrison Reservoir Dam, North Dakota, itself: *Provided further*, That no part of the appropriation for the Garrison Reservoir herein contained may be expended for actual construction of the dam itself until suitable land found by the Secretary of the Interior to be equal in quality and sufficient in area to compensate the Three Affiliated Tribes shall be offered to the said tribes in exchange for the land on the Fort Berthold Reservation which shall be inundated by the construction of the Garrison Dam.

Ante, p. 41

For an additional amount, fiscal year 1946, for "Flood control, Mississippi River and tributaries", including the objects specified under this head in the War Department Civil Appropriation Act, 1946, \$15,000,000, to remain available until expended.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

PROPERTY DAMAGE CLAIMS

SEC. 201. (a) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in House Document Numbered 350, Seventy-ninth Congress, as follows:

Executive Office of the President:

Office for Emergency Management:

War Production Board, \$136.35;

War Shipping Administration, \$78.72;

Office of Price Administration, \$230.40;

Office of Strategic Services, \$21.50;

Independent offices:

National Advisory Committee for Aeronautics, \$97.84;

Selective Service System, \$106.98;

Federal Security Agency, \$234.68;

Federal Works Agency, \$203.65;

National Housing Agency, \$205.50;

Department of Agriculture, \$901.99;

Department of Commerce, \$189.20;

Department of the Interior, \$1,298.80;

Department of Justice, \$844.43;

Navy Department, \$60,962.23;

Post Office Department, \$3,520.89;

In all, \$69,033.16.

(b) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding \$1,000 in any one case", approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document Numbered 108, Seventy-ninth Congress, as follows:

Executive Office of the President:

Office for Emergency Management:

War Shipping Administration, \$676.57;

Federal Security Agency, \$591.54;

Federal Works Agency, \$100.85;

Department of Commerce, \$609.65;

Department of the Interior, \$149;

Navy Department, \$33,612.21;

Post Office Department, \$598.25;

Treasury Department, \$1,843.08;

In all, \$38,181.15.

JUDGMENTS, UNITED STATES COURTS

SEC. 202. (a) For the payment of final judgments, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by section 297 of the Act of March 3, 1911 (28 U. S. C. 761), and which have been certified to the Seventy-ninth Congress in Senate Document

42 Stat. 1066.
31 U. S. C., Supp.
IV, § 215 note.
Post, p. 662.

42 Stat. 1066.
31 U. S. C., Supp.
IV, § 215 note.
Post, p. 662.

24 Stat. 506.

36 Stat. 1108.

Numbered 111, and House Document Numbered 356, under the following agencies:

Veterans' Administration, \$60.42;
 Federal Works Agency: Public Buildings Administration, \$1,950;
 United States Maritime Commission, \$549.14;
 Department of Agriculture, \$6,287.50;
 Farm Security Administration, \$1,702.50;
 Navy Department, \$3,000;
 Coast Guard, \$2,250;
 Office for Emergency Management: War Shipping Administration, \$4,750;
 War Department, \$18,031.60;
 In all, \$38,581.16;

together with such additional sum as may be necessary to pay costs and in turn as specified in such judgment or as provided by law.

(b) For the payment of a judgment, rendered against the Government of the United States by a United States district court under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1928 (46 U. S. C., 781-789), and which was certified to the Seventy-ninth Congress in Senate Document Numbered 112, \$35,144.95.

43 Stat. 1112.

(c) For the payment of judgments Numbered Civil 3934-PH, 788, 754, and 755 rendered by United States district courts, in the total amount of \$19,933.36, and certified to the Seventy-ninth Congress in House Document Numbered 355, together with such amount as may be necessary to pay interest, to be paid from funds of the Reconstruction Finance Corporation.

Right of appeal.

(d) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

(e) Payment or interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of this Act.

JUDGMENTS, UNITED STATES COURT OF CLAIMS

SEC. 203. (a) For payment of judgments rendered by the Court of Claims and reported to the Seventy-ninth Congress in Senate Document Numbered 114, and House Document Numbered 357, under the following agencies, namely:

Legislative branch: Architect of the Capitol, \$16,776.90;
 Federal Works Agency: Public Buildings Administration, \$8,383.51;
 National Housing Agency: Federal Public Housing Authority, \$72,350.41;
 Veterans' Administration, \$2,155.14;
 Interior: Indians, \$850;
 Navy Department, \$6,223.23;
 Post Office Department (payable from postal revenues), \$60,274.76;
 Department of State, \$21,657.76;
 Treasury Department, \$32,804.56;
 War Department, \$1,294.58;

In all, \$222,770.85; together with such amount as may be necessary to pay interest as and when specified in the judgments.

(b) For the payment of judgment numbered 45990 rendered by the Court of Claims in favor of Alfred Oscar Schaffer, in the amount of \$4,170.10, and certified to the Seventy-ninth Congress in Senate

Alfred Oscar Schaffer.

Document Numbered 115, together with such amount as may be necessary to pay interest, to be paid from funds of the Reconstruction Finance Corporation.

(c) None of the judgments contained under this caption shall be paid until the right of appeal has expired, except such as has become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Right of appeal.

AUDITED CLAIMS

SEC. 204. For the payment of claims certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1943 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 106, and House Document Numbered 353, Seventy-ninth Congress, there is appropriated the sum of \$6,225,198.02, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in certain of the settlements of the General Accounting Office, to be disbursed and accounted for as a single fund, and \$1,483.79 payable from postal revenues; in all, \$6,226,681.81.

18 Stat. 110.

23 Stat. 254.

SEC. 205. For the payment of claims allowed by the General Accounting Office pursuant to the Act entitled "An Act for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain, and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899", approved May 2, 1940 (Public Act Numbered 505, Seventy-sixth Congress), and which have been certified to the Seventy-ninth Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), under the War Department in House Document Numbered 348, \$1,730.63.

Volunteers, War with Spain.

54 Stat. 176.
10 U. S. C. §§ 866a-866e.

23 Stat. 254.

SEC. 206. For the payment of a claim allowed by the General Accounting Office under sections 218 and 222 of title 31, United States Code, as amended by the Permanent Appropriation Repeal Act, June 26, 1934 (48 Stat. 1226), and which has been certified in Senate Document Numbered 110, and House Document Numbered 351, Seventy-ninth Congress, as follows:

23 Stat. 350.
Ante, p. 225.

31 U. S. C. §§ 725-725z; Supp. IV, § 725z *et seq.*

Under War Department: Claims of officers and men of the Army for destruction of private property, \$70.39.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year,

Persons advocating overthrow of U. S. Government.

Affidavit.

Penalty.

or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provision of existing law.

Short title.

SEC. 302. This Act may be cited as the "First Deficiency Appropriation Act, 1946".

Approved December 28, 1945.

[CHAPTER 590]

AN ACT

To amend the Second War Powers Act, 1942, as amended.

December 28, 1945
[H. R. 4780]
[Public Law 270]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title II of the Second War Powers Act, 1942, as amended, is amended by adding thereto the following section:

56 Stat. 177.
50 U. S. C., Supp.
IV, § 171a; 50 U. S. C.,
Supp. IV, app. § 632.

Acquisition of prop-
erty.

"SEC. 202. The Authority to acquire property, or any use thereof or interest therein, granted by section 2 of such Act of July 2, 1917, shall not be exercised after the date upon which this section becomes effective."

56 Stat. 181.
50 U. S. C., Supp.
IV, app. § 639.

(b) Title IX of the Second War Powers Act, 1942, as amended, is hereby repealed.

56 Stat. 182.
8 U. S. C., Supp.
IV, §§ 1001-1005; 50
U. S. C., Supp. IV,
app. § 640.

(c) Title III of the Nationality Act of 1940, as amended by title X of the Second War Powers Act, 1942 (relating to naturalization of persons serving in the armed forces of the United States during the present war), is amended as follows:

Filing of petition.

"(1) Section 701 of such title is amended by striking out 'and (3) the petition shall be filed not later than one year after the termination of the effective period of those titles of the Second War Powers Act, 1942, for which the effective period is specified in the last title thereof' and inserting in lieu thereof 'and (3) the petition shall be filed not later than December 31, 1946'.

"(2) Such title is amended by adding at the end thereof the following new section:

Naturalization re-
striction.

"SEC. 706. No person shall be naturalized under the provisions of this title unless such person has served in the military or naval forces of the United States prior to the date of enactment of this section."

56 Stat. 183.
50 U. S. C., Supp.
IV, app. §§ 641-641c.
Gifts.

(d) Title XI of the Second War Powers Act, 1942, as amended, is hereby amended by adding thereto the following section:

"SEC. 1107. On and after January 1, 1946, the authority granted by this title shall be exercised only for the benefit of personnel of the armed forces of the United States stationed abroad."

56 Stat. 184.
50 U. S. C., Supp.
IV, app. §§ 642-642e.

(e) Title XII of the Second War Powers Act, 1942, as amended, is hereby amended by substituting the date "December 31, 1945" for the date "December 31, 1946" wherever the latter date appears in such title.

56 Stat. 187.
50 U. S. C., Supp.
IV, app. § 645.
Time limit.

(f) Section 1501 of title XV of the Second War Powers Act, 1942, as amended, is hereby amended to read as follows:

"SEC. 1501. Titles I to V, inclusive, and titles VII, XI, and XIV of this Act, and the amendments to existing law made by any such title, shall remain in force only until June 30, 1946, or until such earlier time as the Congress by concurrent resolution, or the President, may designate, and after such amendments cease to be in force any provision of law amended thereby shall be in full force and effect as though this Act had not been enacted; but court proceedings brought under any such title shall not abate by reason of the termination hereunder of such title."

Approved December 28, 1945.

[CHAPTER 591]

AN ACT

To expedite the admission to the United States of alien spouses and alien minor children of citizen members of the United States armed forces.

December 28, 1945
[H. R. 4857]
[Public Law 271]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any of the several clauses of section 3 of the Act of February 5, 1917, excluding physically and mentally defective aliens, and notwithstanding the documentary requirements of any of the immigration laws or regulations, Executive orders, or Presidential proclamations issued thereunder, alien spouses or alien children of United States citizens serving in, or having an honorable discharge certificate from the armed forces of the United States during the Second World War shall, if otherwise admissible under the immigration laws and if application for admission is made within three years of the effective date of this Act, be admitted to the United States: *Provided*, That every alien of the foregoing description shall be medically examined at the time of arrival in accordance with the provisions of section 16 of the Act of February 5, 1917, and if found suffering from any disability which would be the basis for a ground of exclusion except for the provision of this Act, the Immigration and Naturalization Service shall forthwith notify the appropriate public medical officer of the local community to which the alien is destined: *Provided further*, That the provisions of this Act shall not affect the duties of the United States Public Health Service so far as they relate to quarantinable diseases.

Admission of certain aliens.
39 Stat. 875.
8 U. S. C. § 136;
Supp. IV, § 136.

Medical examination on arrival.

39 Stat. 885.
8 U. S. C., Supp.
IV, § 152.

Quarantinable diseases.

43 Stat. 157.
8 U. S. C. § 209.

43 Stat. 155.
8 U. S. C. § 204.

Readmission after temporary absence abroad.

Fines and penalties.

39 Stat. 884.
8 U. S. C. § 150.

SEC. 2. Regardless of section 9 of the Immigration Act of 1924, any alien admitted under section 1 of this Act shall be deemed to be a nonquota immigrant as defined in section 4 (a) of the Immigration Act of 1924.

SEC. 3. Any alien admitted under section 1 of this Act who at any time returns to the United States after a temporary absence abroad shall not be excluded because of the disability or disabilities that existed at the time of that admission.

SEC. 4. No fine or penalty shall be imposed under the Act of February 5, 1917, except those arising under section 14, because of the transportation to the United States of any alien admitted under this Act.

SEC. 5. For the purpose of this Act, the Second World War shall be deemed to have commenced on December 7, 1941, and to have ceased upon the termination of hostilities as declared by the President or by a joint resolution of Congress.

Approved December 28, 1945.

[CHAPTER 592]

AN ACT

To amend section 20 of the Act of May 28, 1896 (29 Stat. 184; 28 U. S. C. 527), so as to provide that nothing therein contained shall preclude a referee in bankruptcy or a national park commissioner from appointment also as a United States commissioner.

December 28, 1945
[H. R. 2463]
[Public Law 272]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 20, chapter 252, of the Act of May 28, 1896 (29 Stat. 184; 28 U. S. C. 527), be amended, to read as follows:

United States commissioner.

"SEC. 20. Except as provided in section 24 (ch. 252, 29 Stat. 186), as amended (28 U. S. C. 591), no marshal or deputy marshal, attorney or assistant attorney of any district, jury commissioner, clerk of marshal, no bailiff, crier, juror, janitor of any Government building, nor any civil or military authority of the Government, except as

Appointment restrictions.

Exception. provided in section 19 (ch. 252, 29 Stat. 184; 28 U. S. C. 526), and no clerk or employee of any United States justice or judge shall have, hold, or exercise the duties of the United States commissioner. However, nothing herein shall preclude a referee in bankruptcy or a national park commissioner from appointment also as a United States commissioner: *Provided, however,* That a national park commissioner for his services as a United States commissioner shall receive no fees or other compensation in addition to his salary as a national park commissioner. And it shall not be lawful to appoint any of the officers named in this section receiver or receivers in any case or cases brought in the courts of the United States."

Approved December 28, 1945.

[CHAPTER 593]

AN ACT

December 28, 1945
[H. R. 2553]
[Public Law 273]

To establish the status of funds and employees of the midshipmen's tailor shop at the United States Naval Academy.

U. S. Naval Academy.
Midshipmen's tailor shop.
Funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all funds collected from the operation of the midshipmen's tailor shop at the United States Naval Academy are appropriated for the purpose of providing and maintaining the necessary tailor service and shall hereafter be accounted for as public moneys.

Employees.

SEC. 2. All employees of such midshipmen's tailor shop whether heretofore paid from appropriated moneys or from receipts of the midshipmen's tailor shop, shall hereafter be deemed to be Government employees entitled to all benefits and subject to all restrictions arising under the laws of the United States applicable to civil-service employees of their grade and class. All employees of said midshipmen's tailor shop on the effective date of this Act shall be entitled to claim credit for prior employment in said tailor shop for purposes of any benefits to which they may be entitled under the laws of the United States, and no such employee shall suffer, by virtue of being placed in the status of a civil-service employee by this Act, a reduction in total pay below that being received by him on the effective date of this Act.

Credit for prior employment.

Approved December 28, 1945.

[CHAPTER 594]

AN ACT

December 28, 1945
[H. R. 2556]
[Public Law 274]

To establish the status of funds and employees of the midshipmen's cobbler and barber shops at the United States Naval Academy.

U. S. Naval Academy.
Midshipmen's cobbler and barber shops.
Funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all funds collected from the operations of the midshipmen's cobbler and barber shops at the United States Naval Academy are appropriated for the purpose of providing and maintaining the necessary cobbler and barber service and shall hereafter be accounted for as public moneys.

Employees.

SEC. 2. All employees of such midshipmen's cobbler and barber shops, whether heretofore paid from appropriated moneys or from receipts of the midshipmen's cobbler and barber shops, shall hereafter be deemed to be Government employees entitled to all benefits and subject to all restrictions arising under the laws of the United States applicable to civil-service employees of their grade and class. All employees of the midshipmen's cobbler and barber shops on the effective date of this Act shall be entitled to claim credit for prior employment in said cobbler and barber shops for purposes of any

Credit for prior employment.

benefits to which they may be entitled under the laws of the United States, and no such employee shall suffer, by virtue of being placed in the status of a civil-service employee by this Act, a reduction in total pay below that being received by him on the effective date of this Act.

Approved December 28, 1945.

[CHAPTER 595]

AN ACT

To permit the inclusion of land occupied by Dibble General Hospital within the corporate limits of the city of Menlo Park, California.

December 28, 1945
[H. R. 2965]
[Public Law 275]

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 take such action as may be necessary under the laws of the State of California to provide for or permit the inclusion within the corporate limits of the city of Menlo Park, California, of the tract of land occupied by the Dibble General Hospital, if requested so to do by such city within one year after the date of the enactment of this Act. The inclusion of such tract within the corporate limits of such city shall not affect the exclusive jurisdiction over such land heretofore accepted by the United States.

Menlo Park, Calif.
Dibble General
Hospital.

Approved December 28, 1945.

[CHAPTER 596]

AN ACT

To amend section 112 of the Judicial Code to change the times for holding the terms of the District Court for the Eastern District of the State of Washington.

December 28, 1945
[H. R. 3167]
[Public Law 276]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 112 of the Judicial Code, as amended (U. S. C., 1940 edition, title 28, sec. 193), is amended to read as follows:

Washington judicial
districts.
36 Stat. 1128.

“SEC. 112. The State of Washington is divided into two districts, to be known as the eastern and western districts of Washington. The eastern district shall include the territory embraced on the first day of July, nineteen hundred and ten, in the counties of Spokane, Stevens, Ferry, Okanogan, Chelan, Grant, Douglas, Lincoln, Adams, and Whitman, with the waters thereof, including all Indian reservations within said counties, which shall constitute the northern division; also the territory embraced on the date last mentioned in the counties of Asotin, Garfield, Columbia, Franklin, Walla Walla, Benton, Klickitat, Kittitas, and Yakima, with the waters thereof, including all Indian reservations within said counties, which shall constitute the southern division of said district. Terms of the district court for the northern division shall be held at Spokane on the first Tuesdays in April and September; for the southern division, at Yakima on the third Tuesday in May and on the second Tuesday in November, and at Walla Walla on the first Tuesdays in June and December. The western district shall include the territory embraced on the first day of July, nineteen hundred and ten, in the counties of Whatcom, Skagit, Snohomish, King, San Juan, Island, Kitsap, Clallam, and Jefferson, with the waters thereof, including all Indian reservations within said counties, which shall constitute the northern division; also the territory embraced on the date last mentioned in the counties of Pierce, Mason, Thurston, Chehalis, Pacific, Lewis, Wahkiakum, Cowlitz, Clarke, and Skamania, with the waters thereof, including all Indian reservations within said counties which shall constitute the

Eastern district.
Northern division.

Southern division.

Terms of district
court.

Western district.
Northern division.

Southern division.

Terms of district court.

Clerks' offices.

southern division of said district. Terms of the district court for the northern division shall be held at Bellingham on the first Tuesdays in April and October; at Seattle on the first Tuesdays in May and November; and for the southern division, at Tacoma on the first Tuesdays in February and July. The clerks of the courts for the eastern and western districts shall maintain an office in charge of himself or a deputy at each place in their respective districts where terms of court are required to be held."

Approved December 28, 1945.

[CHAPTER 597]

AN ACT

December 28, 1945
[H. R. 3759]
[Public Law 277]

To provide the Navy with a system of laws for the settlement of claims uniform with that of the Army.

Damage claims,
Navy Department or
Navy.
Powers of Secretary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy and his designees are authorized to exercise with respect to any claim against the United States for damages to or loss or destruction of property, real or personal, or for personal injury or death, caused by military personnel or civilian employees of the Navy Department, or of the Navy while acting within the scope of their employment, or otherwise incident to noncombat activities of the Navy Department or of the Navy, the respective powers conferred upon the Secretary of War and his designees by the Act of July 3, 1943 (57 Stat. 372) as amended by the Act of May 29, 1945 (Public Law 67, Seventy-ninth Congress).

31 U. S. C., Supp.
IV, §§ 223b, 223c, 215-
217, 222a, 222b.
Ante, p. 225.

SEC. 2. The Secretary of the Navy and his designees are further authorized to exercise with respect to claims of military personnel or civilian employees of the Navy Department or of the Navy for damages to or loss, destruction, capture, or abandonment of personal property occurring incident to their service, the respective powers conferred upon the Secretary of War and his designees by the Act of May 29, 1945 (Public Law 67, Seventy-ninth Congress).

Ante, p. 225.

Availability of ap-
propriations.

SEC. 3. Such appropriations as may be required for the payment of claims under the provisions of this Act are hereby authorized. Appropriations available to the Navy Department shall be available for the settlement of claims by the Secretary of the Navy or his designees under the provisions of this Act.

31 U. S. C. §§ 215-
217; Supp. IV, §§ 215-
217 notes.

34 U. S. C., Supp.
IV, §§ 984-989.
Ante, p. 578.

SEC. 4. The Act of December 28, 1922 (42 Stat. 1066), shall be inapplicable to the Navy Department sixty days after approval of this Act, and the Act approved October 27, 1943 (57 Stat. 582), is hereby repealed.

Approved December 28, 1945.

[CHAPTER 598]

AN ACT

December 28, 1945
[H. R. 3995]
[Public Law 278]

To extend the provisions of the Act of July 14, 1945, providing for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to pilots and marine engineers of the Fire Department.

D. C. Fire Depart-
ment.
Pilots and marine
engineers.
Ante, p. 471.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia", approved July 14, 1945, is repealed.

SEC. 2. This Act shall take effect as of the first day of the calendar month in which it is enacted.

Approved December 28, 1945.

[CHAPTER 599]

AN ACT

To amend section 74 of the Judicial Code, as amended, to change the terms of the District Court for the District of Connecticut.

December 28, 1945
[H. R. 4100]
[Public Law 279]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 74 of the Judicial Code, as amended, is hereby amended to read as follows: "The State of Connecticut shall constitute one judicial district to be known as the 'district of Connecticut'. Terms of the district court shall be held at New Haven on the second Tuesday in February and the third Tuesday in September; and at Hartford on the second Tuesday in May and the first Tuesday in December."

Connecticut judicial district.
36 Stat. 1108.
28 U. S. C. § 147.
Terms of district court.

Approved December 28, 1945.

[CHAPTER 600]

AN ACT

To authorize an investigation of means of increasing the capacity and security of the Panama Canal.

December 28, 1945
[H. R. 4480]
[Public Law 280]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor of the Panama Canal, under the supervision of the Secretary of War, is hereby authorized and directed to make a comprehensive review and study, with approximate estimates of costs, of the means for increasing the capacity and security of the Panama Canal to meet future needs of interoceanic commerce and national defense, including restudy of the construction of additional facilities for the Panama Canal authorized by the Act approved August 11, 1939 (53 Stat. 1409). He shall also make such study without drafting plans or sketches as he may deem desirable to permit him to determine whether a canal or canals at other locations, including consideration of any new means of transporting ships across land, may be more useful to meet the future needs of interoceanic commerce or national defense than can the present canal with improvements. He shall report thereon to the Congress, through the Secretary of War and the President, not later than December 31, 1947.

Panama Canal.
Study authorized and directed.

48 U. S. C. § 1307
note.

Report.

SEC. 2. There is hereby authorized to be appropriated such sum as may be necessary to insure the prompt and efficient completion of the study and report authorized hereunder.

Appropriation authorized.

Approved December 28, 1945.

[CHAPTER 601]

AN ACT

To provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes.

December 28, 1945
[H. R. 4587]
[Public Law 281]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared the policy of the Congress to provide for the immediate selection for appointment in the Regular Army in a fair and equitable manner of a limited number of persons who, by their outstanding performance of duties while serving as temporary officers of the Army of the United States during the present wars, have demonstrated their

Regular Army.
Policy of Congress.

fitness to hold commissioned grade in the Regular Army; and to provide a minimum increase in the commissioned officer strength of the Regular Army for that purpose.

Commissioned strength.

Graduates of U. S. Military Academy.

SEC. 2. On and after the effective date of this Act, the commissioned strength of the Regular Army shall not exceed twenty-five thousand officers: *Provided*, That notwithstanding the foregoing limitation on the commissioned strength of the Regular Army, graduates of the United States Military Academy may be promoted and commissioned as second lieutenants in the Regular Army in accordance with the provisions of the Act of May 17, 1886 (24 Stat. 50; 10 U. S. C. 486).

Appointment, etc., of additional officers.

SEC. 3. The President is authorized to bring the actual commissioned strength of the Regular Army up to the commissioned strength specified in section 2 of this Act by the appointment and commissioning of additional officers, by and with the advice and consent of the Senate, in such arms and services of the Regular Army as he may prescribe. Appointments of such additional commissioned officers may be made in accordance with any existing provision of law providing for the appointment of commissioned officers in the Regular Army, or as hereinafter provided.

Appointments in designated grades. Time limitation.

SEC. 4. At any time not later than a date eight months following the date of enactment of this Act, the President is authorized to appoint and commission additional officers in the Regular Army, by and with the advice and consent of the Senate, in the grades of second lieutenant, first lieutenant, captain, and major, subject to the conditions and limitations hereinafter set forth. Persons appointed under the provisions of this section shall—

Qualifications.

(a) be male citizens of the United States, at least twenty-one years of age, of good moral character, physically qualified for active military service, and have such other qualifications as may be prescribed by the Secretary of War; and shall

(b) have served honorably in the active Federal service as commissioned officers of the Army of the United States, or any component thereof, on or after December 7, 1941, in grades equal to or higher than those prescribed in section 5 of this Act for officers credited with the amounts of service with which they would be credited under that section if appointed in the Regular Army.

Service credits.

SEC. 5. Each person appointed as a commissioned officer of the Regular Army under the provisions of section 4 of this Act shall be credited, at the time of appointment, with service equivalent to the total period of active Federal service performed by him after attaining the age of twenty-one years as a commissioned officer in the Army of the United States or any component thereof from December 7, 1941, to the date of such appointment, or a period of service equal to the number of days, months, and years by which his age at the time of such appointment exceeds twenty-five years, whichever is the greater: *Provided*, That in computing the total period of active commissioned Federal service of any such person who was honorably discharged or relieved from active service subsequent to May 12, 1945, there shall also be credited the period from the date of his discharge or relief from active service to the date of his appointment in the Regular Army under the provisions of section 4 of this Act. Upon the basis of service so credited, the grade in which each such person shall be appointed shall be determined as follows:

Determination of grade.

(a) Persons appointed in arms or services of the Regular Army, the officers of which are on the promotion list, who are credited with less than three years' service shall be appointed in the grade of second lieutenant; such persons who are credited with three or more years' service, but less than ten years' service, shall be appointed in the

grade of first lieutenant; such persons who are credited with ten or more years' service, but less than seventeen years' service, shall be appointed in the grade of captain; and such persons who are credited with seventeen or more years' service, but less than twenty-three years' service, shall be appointed in the grade of major. Such persons shall be placed on the promotion list immediately below those officers of the same grade having the same or next greater period of service;

(b) Persons appointed in the Medical Corps, the Dental Corps, or the Veterinary Corps of the Regular Army, or as chaplains in the Regular Army, who are credited with less than three years' service shall be appointed in the grade of first lieutenant; such persons who are credited with three or more years' service, but less than twelve years' service, shall be appointed in the grade of captain; and such persons who are credited with twelve or more years' service, but less than twenty years' service, shall be appointed in the grade of major;

Medical, etc., Corps; chaplains.

(c) Persons appointed in the Medical Administrative Corps of the Regular Army who are credited with less than five years' service shall be appointed in the grade of second lieutenant; such persons who are credited with five or more years' service, but less than ten years' service, shall be appointed in the grade of first lieutenant; and such persons who are credited with ten or more years' service, but less than seventeen years' service, shall be appointed in the grade of captain;

Medical Administrative Corps.

(d) Persons appointed in the Pharmacy Corps of the Regular Army who are credited with less than three years' service shall be appointed in the grade of second lieutenant; such persons who are credited with three or more years' service, but less than six years' service, shall be appointed in the grade of first lieutenant; such persons who are credited with six or more years' service, but less than twelve years' service, shall be appointed in the grade of captain; and such persons who are credited with twelve or more years' service, but less than twenty years' service, shall be appointed in the grade of major.

Pharmacy Corps.

SEC. 6. No person shall be appointed as a commissioned officer of the Regular Army under the provisions of section 4 of this Act—

Restrictions on appointments.

(a) in a promotion-list arm or service if he would upon appointment receive credit with twenty-three or more years' service under section 5 of this Act;

(b) in the Medical Corps, the Dental Corps, the Veterinary Corps, the Pharmacy Corps, or as a chaplain, if he would upon appointment receive credit for twenty or more years' service under section 5 of this Act; or

(c) in the Medical Administrative Corps if he would upon appointment receive credit for seventeen or more years' service under section 5 of this Act.

SEC. 7. For the purpose of determining eligibility for promotion, each person appointed as a commissioned officer of the Regular Army under the provisions of section 4 of this Act shall be credited, as of the time of such appointment, with continuous commissioned service on the active list of the Regular Army equal to the period of service credited to him under section 5 of this Act. Each such person appointed in a promotion-list arm or service in the grade of major shall be deemed to have served in that grade during that portion of such credited service which exceeds seventeen years.

Eligibility for promotion, determination of.

SEC. 8. The first proviso of section 3 of the Act of July 31, 1935 (49 Stat. 506), as amended by section 2 of the Act of June 13, 1940 (54 Stat. 380), is hereby further amended by deleting therefrom the words "seven hundred and five" and substituting therefor the words "one thousand and fifty-four".

Promotion-list colonels.
10 U. S. C. § 552a.

Approved December 28, 1945.

[CHAPTER 602]

AN ACT

December 28, 1945
[H. R. 4683]
[Public Law 282]

To authorize the Export-Import Bank of Washington to extend its operations to include the Philippine Islands.

Export-Import
Bank of Washington.
Acte, p. 526.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (a) of the Export-Import Bank Act of 1945 (Public Law 173, Seventy-ninth Congress, approved July 31, 1945) is hereby amended by inserting immediately after the word "country" the following: "(or the Philippine Islands)".

Approved December 28, 1945.

[CHAPTER 603]

AN ACT

December 28, 1945
[S. 576]
[Public Law 283]

To amend the Act entitled "An Act extending the classified executive civil service of the United States", approved November 26, 1940, so as to eliminate the time limit within which incumbents of positions covered into the classified service pursuant to such Act may be recommended for classification.

Extension of Civil
Service Act.

5 U. S. C. § 631b.
Acquisition of
status.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (1) of subsection (a) of section 2 of the Act entitled "An Act extending the classified executive civil service of the United States", approved November 26, 1940 (54 Stat. 1212), is amended to read as follows: "(1) upon a finding by the Civil Service Commission on the basis of the personal record of the incumbent that such incumbent has served with merit for not less than six months immediately prior to the date such office or position was covered into the classified civil service;"

Approved December 28, 1945.

[CHAPTER 604]

AN ACT

December 28, 1945
[S. 715]
[Public Law 284]

To provide more efficient dental care for the personnel of the United States Navy.

Bureau of Medicine
and Surgery, Navy,
reorganization.

Dental functions of
Bureau.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within six months after the date of enactment of this Act the Bureau of Medicine and Surgery shall be reorganized so as to provide for greater integrity of the Dental Service in accordance with the provisions hereof.

SEC. 2. The dental functions of such Bureau shall be defined and prescribed by appropriate directives of such Bureau, and by any necessary regulations of the Secretary of the Navy, to the end that the Dental Division of such Bureau shall study, plan, and direct all matters coming within the cognizance of such Division, as hereinafter prescribed, and all matters relating to dentistry shall be referred to the Dental Division.

Dental Division.

SEC. 3. The Dental Division shall (1) establish professional standards and policies for dental practice; (2) conduct inspections and surveys for maintenance of such standards; (3) initiate and recommend action pertaining to complements, appointments, advancement, training assignment, and transfer of dental personnel; and (4) serve as the advisory agency for the Bureau of Medicine and Surgery on all matters relating directly to dentistry. An officer of the Dental Corps of the Navy shall be detailed as the Chief of the Dental Division. Such officer, while so serving, shall have the rank, pay, and allowances of a rear admiral.

SEC. 4. The Secretary of the Navy shall provide by regulations for establishing on ships and on shore stations dental services to be under the senior dental officer who shall be responsible to the commanding officer of such ship or shore station for all professional, technical, and administrative matters in connection therewith: *Provided*, That this section shall not be construed to impose any administrative requirements which would interfere with the proper functioning of battle organizations.

All laws and parts of laws in conflict herewith are hereby repealed, and nothing contained herein shall act to reduce the grade or rank of any person.

Approved December 28, 1945.

Administration.

Repeal of conflicting laws.

[CHAPTER 605]

AN ACT

To amend the Tariff Act of 1930, as amended, so as to permit the designation of freight forwarders as carriers of bonded merchandise.

December 28, 1945
[S. 914]
[Public Law 285]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 551 of the Tariff Act of 1930 (U. S. C., 1940 ed., title 19, sec. 1551) be, and it hereby is, amended to read as follows:

“SEC. 551. BONDING OF CARRIERS.—Under such regulations and subject to such terms and conditions as the Secretary of the Treasury shall prescribe, any common carrier of merchandise owning or operating a railroad, steamship, or other transportation line or route for the transportation of merchandise in the United States, or any freight forwarder, as defined in section 402 of part IV of the Interstate Commerce Act (U. S. C., 1940 edition, Supp. III, title 49, sec. 1002 (5)), upon application, may, in the discretion of the Secretary, be designated as a carrier of bonded merchandise for the final release of which from customs custody a permit has not been issued.”

Approved December 28, 1945.

Freight forwarders.
46 Stat. 742.

Designation as carriers of bonded merchandise.

56 Stat. 264.
49 U. S. C., Supp.
IV, § 1002 (5).

[CHAPTER 606]

AN ACT

To transfer certain land and personal property in Limestone County, Texas, to the State of Texas, acting by and through the State Board of Control.

December 28, 1945
[S. 1471]
[Public Law 286]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized and directed to transfer, convey, grant, and quitclaim unto Texas Rural Communities, for subsequent use by or transfer to the State of Texas, acting by and through the State Board of Control, for the benefit and rehabilitation of convalescent or handicapped residents of the State of Texas, all right, title, claim, interest, equity, and estate in and to the real and personal property comprising the Mexia Colony project of Farm Security Administration, Limestone County, Texas, presently administered by the Secretary of Agriculture as trustee under an agreement of transfer, dated October 31, 1939, with Texas Rural Communities.

SEC. 2. Such transfer by the Secretary of Agriculture shall be subject to any legal rights existing by virtue of any lease or other agreement by the Secretary, his successors or representatives, as such trustee.

SEC. 3. Any such transfer shall not be deemed to impose any liability upon the Secretary of Agriculture with respect to his obligations under such agreement of transfer of October 31, 1939.

Approved December 28, 1945.

Limestone County,
Tex.
Conveyance.

Existing rights.

Liability.

[CHAPTER 607]

JOINT RESOLUTION

December 28, 1945
[H. J. Res. 180]
[Public Law 287]

Giving official recognition to the pledge of allegiance to the flag of the United States.

Flag of the U. S. A.
56 Stat. 380.
36 U. S. C., Supp.
IV, § 172.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of Public Law Numbered 623 of June 22, 1942, entitled "To codify and emphasize existing rules and customs pertaining to the display and use of the flag of the United States of America", as amended, is amended to read as follows:

Pledge of allegiance.

"SEC. 7. The following is designated as the pledge of allegiance to the flag: 'I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation indivisible, with liberty and justice for all'. Such pledge should be rendered by standing with the right hand over the heart. However, civilians will always show full respect to the flag when the pledge is given by merely standing at attention, men removing the headdress. Persons in uniform shall render the military salute."

Approved December 28, 1945.

[CHAPTER 608]

JOINT RESOLUTION

December 28, 1945
[H. J. Res. 290]
[Public Law 288]

Providing for the continuance to the end of June 1946, of the Navy's V-12 program.

Navy.
Continuance of V-
12 program.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That surplus amounts under any naval appropriation for the fiscal year 1946, not to exceed in the aggregate \$10,000,000, may be transferred to the appropriation "Naval Reserve, 1946", for continuing the V-12 program to the end of June 1946.

Ante, p. 204.

Approved December 28, 1945.

[CHAPTER 609]

JOINT RESOLUTION

December 28, 1945
[H. J. Res. 294]
[Public Law 289]

Fixing the date of meeting of the second session of the Seventy-ninth Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second session of the Seventy-ninth Congress shall begin at noon on Monday, January 14, 1946.

Approved December 28, 1945.

[CHAPTER 651]

JOINT RESOLUTION

December 28, 1945
[H. J. Res. 111]
[Public Law 290]

Designating January 5, 1946, as George Washington Carver Day.

George Washington
Carver Day.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the 5th day of January of 1946 is hereby designated as George Washington Carver Day, in commemoration of the great scientist, and the President of the United States is authorized and requested to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day.

Approved December 28, 1945.

[CHAPTER 652]

AN ACT

To extend certain privileges, exemptions, and immunities to international organizations and to the officers and employees thereof, and for other purposes.

December 29, 1945

[H. R. 4489]

[Public Law 291]

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

TITLE I

SECTION 1. For the purposes of this title, the term "international organization" means a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designated by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities herein provided. The President shall be authorized, in the light of the functions performed by any such international organization, by appropriate Executive order to withhold or withdraw from any such organization or its officers or employees any of the privileges, exemptions, and immunities provided for in this title (including the amendments made by this title) or to condition or limit the enjoyment by any such organization or its officers or employees of any such privilege, exemption, or immunity. The President shall be authorized, if in his judgment such action should be justified by reason of the abuse by an international organization or its officers and employees of the privileges, exemptions, and immunities herein provided or for any other reason, at any time to revoke the designation of any international organization under this section, whereupon the international organization in question shall cease to be classed as an international organization for the purposes of this title.

SEC. 2. International organizations shall enjoy the status, immunities, exemptions, and privileges set forth in this section, as follows:

(a) International organizations shall, to the extent consistent with the instrument creating them, possess the capacity—

- (i) to contract;
- (ii) to acquire and dispose of real and personal property;
- (iii) to institute legal proceedings.

(b) International organizations, their property and their assets, wherever located, and by whomsoever held, shall enjoy the same immunity from suit and every form of judicial process as is enjoyed by foreign governments, except to the extent that such organizations may expressly waive their immunity for the purpose of any proceedings or by the terms of any contract.

(c) Property and assets of international organizations, wherever located and by whomsoever held, shall be immune from search, unless such immunity be expressly waived, and from confiscation. The archives of international organizations shall be inviolable.

(d) Insofar as concerns customs duties and internal-revenue taxes imposed upon or by reason of importation, and the procedures in connection therewith; the registration of foreign agents; and the treatment of official communications, the privileges, exemptions, and immunities to which international organizations shall be entitled shall be those accorded under similar circumstances to foreign governments.

SEC. 3. Pursuant to regulations prescribed by the Commissioner of Customs with the approval of the Secretary of the Treasury, the baggage and effects of alien officers and employees of international organizations, or of aliens designated by foreign governments to serve as their representatives in or to such organizations, or of the families, suites, and servants of such officers, employees, or representatives shall

International Organizations Immunities Act.

"International organization."

Withholding, etc., of privileges, exemptions, and immunities.

Revocation of designation; effect.

Powers.

Immunity from suit and judicial process.

Immunity from search and confiscation.

Privileges, etc., as accorded foreign governments.

Baggage and effects of designated alien personnel.

be admitted (when imported in connection with the arrival of the owner) free of customs duties and free of internal-revenue taxes imposed upon or by reason of importation.

Internal Revenue Code, amendments.

SEC. 4. The Internal Revenue Code is hereby amended as follows:

53 Stat. 48.
26 U. S. C. § 116 (c).

(a) Effective with respect to taxable years beginning after December 31, 1943, section 116 (c), relating to the exclusion from gross income of income of foreign governments, is amended to read as follows:

“(c) INCOME OF FOREIGN GOVERNMENTS AND OF INTERNATIONAL ORGANIZATIONS.—The income of foreign governments or international organizations received from investments in the United States in stocks, bonds, or other domestic securities, owned by such foreign governments or by international organizations, or from interest on deposits in banks in the United States of moneys belonging to such foreign governments or international organizations, or from any other source within the United States.”

53 Stat. 50.
26 U. S. C., Supp.
IV, § 116 (b) (1).

(b) Effective with respect to taxable years beginning after December 31, 1943, section 116 (h) (1), relating to the exclusion from gross income of amounts paid employees of foreign governments, is amended to read as follows:

“(1) RULE FOR EXCLUSION.—Wages, fees, or salary of any employee of a foreign government or of an international organization or of the Commonwealth of the Philippines (including a consular or other officer, or a nondiplomatic representative), received as compensation for official services to such government, international organization, or such Commonwealth—

“(A) If such employee is not a citizen of the United States, or is a citizen of the Commonwealth of the Philippines (whether or not a citizen of the United States); and

“(B) If, in the case of an employee of a foreign government or of the Commonwealth of the Philippines, the services are of a character similar to those performed by employees of the Government of the United States in foreign countries or in the Commonwealth of the Philippines, as the case may be; and

“(C) If, in the case of an employee of a foreign government or the Commonwealth of the Philippines, the foreign government or the Commonwealth grants an equivalent exemption to employees of the Government of the United States performing similar services in such foreign country or such Commonwealth, as the case may be.”

“Employment.”
53 Stat. 178, 1385,
1386.
26 U. S. C. § 1426
(b).

(c) Effective January 1, 1946, section 1426 (b), defining the term “employment” for the purposes of the Federal Insurance Contributions Act, is amended (1) by striking out the word “or” at the end of paragraph (14), (2) by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon and the word “or”, and (3) by inserting at the end of the subsection the following new paragraph:

“(16) Service performed in the employ of an international organization.”

53 Stat. 187, 1395.
26 U. S. C. § 1607 (c).

(d) Effective January 1, 1946, section 1607 (c), defining the term “employment” for the purposes of the Federal Unemployment Tax Act, is amended (1) by striking out the word “or” at the end of paragraph (14), (2) by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon and the word “or”, and (3) by inserting at the end of the subsection the following new paragraph:

“(16) Service performed in the employ of an international organization.”

(e) Section 1621 (a) (5), relating to the definition of "wages" for the purpose of collection of income tax at the source, is amended by inserting after the words "foreign government" the words "or an international organization".

"Wages."
57 Stat. 126.
26 U. S. C., Supp. IV, § 1621 (a) (5).

(f) Section 3466 (a), relating to exemption from communications taxes is amended by inserting immediately after the words "the District of Columbia" a comma and the words "or an international organization".

55 Stat. 714.
26 U. S. C., Supp. IV, § 3466 (a).

(g) Section 3469 (f) (1), relating to exemption from the tax on transportation of persons, is amended by inserting immediately after the words "the District of Columbia" a comma and the words "or an international organization".

55 Stat. 722.
26 U. S. C., Supp. IV, § 3469 (f) (1).

(h) Section 3475 (b) (1), relating to exemption from the tax on transportation of property, is amended by inserting immediately after the words "the District of Columbia" a comma and the words "or an international organization".

58 Stat. 65.
26 U. S. C., Supp. IV, § 3475 (b) (1).

(i) Section 3797 (a), relating to definitions, is amended by adding at the end thereof a new paragraph as follows:

53 Stat. 469.
26 U. S. C. § 3797(a);
Supp. IV, § 3797 (a).

"(18) INTERNATIONAL ORGANIZATION.—The term 'international organization' means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act."

SEC. 5. (a) Effective January 1, 1946, section 209 (b) of the Social Security Act, defining the term "employment" for the purposes of title II of the Act, is amended (1) by striking out the word "or" at the end paragraph (14), (2) by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon and the word "or", and (3) by inserting at the end of the subsection the following new paragraph:

Social Security Act,
amendments.
53 Stat. 1375, 1376.
42 U. S. C. § 409 (b).

"(16) Service performed in the employ of an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act."

(b) No tax shall be collected under title VIII or IX of the Social Security Act or under the Federal Insurance Contributions Act or the Federal Unemployment Tax Act, with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of sections 1426 (b) and 1607 (c) of the Internal Revenue Code, as amended, and any such tax heretofore collected (including penalty and interest with respect thereto, if any) shall be refunded in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax. No interest shall be allowed or paid on the amount of any such refund. No payment shall be made under title II of the Social Security Act with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of section 209 (b) of such Act, as amended.

Services rendered
prior to January 1946.
49 Stat. 636, 639; 53
Stat. 1387, 1396.
42 U. S. C. §§ 1001-
1110; Supp. IV, § 1101
note *et seq.*; 26 U. S. C.
§§ 1432, 1611; Supp. IV,
§ 1400 *et seq.*
Ante, pp. 38, 548,
576, 670.

SEC. 6. International organizations shall be exempt from all property taxes imposed by, or under the authority of, any Act of Congress, including such Acts as are applicable solely to the District of Columbia or the Territories.

Supra.

Property taxes.

SEC. 7. (a) Persons designated by foreign governments to serve as their representatives in or to international organizations and the officers and employees of such organizations, and members of the immediate families of such representatives, officers, and employees residing with them, other than nationals of the United States, shall, insofar as concerns laws regulating entry into and departure from the United States, alien registration and fingerprinting, and the registration of foreign agents, be entitled to the same privileges, exemptions, and

Representatives,
etc.
Privileges, exemp-
tions, and immuni-
ties.

immunities as are accorded under similar circumstances to officers and employees, respectively, of foreign governments, and members of their families.

Immunity from suit and legal process.

(b) Representatives of foreign governments in or to international organizations and officers and employees of such organizations shall be immune from suit and legal process relating to acts performed by them in their official capacity and falling within their functions as such representatives, officers, or employees except insofar as such immunity may be waived by the foreign government or international organization concerned.

Immigration Act of 1924, amendments.
43 Stat. 154.

(c) Section 3 of the Immigration Act approved May 26, 1924, as amended (U. S. C., title 8, sec. 203), is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and (7) a representative of a foreign government in or to an international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act, or an alien officer or employee of such an international organization, and the family, attendants, servants, and employees of such a representative, officer, or employee".

43 Stat. 162.

(d) Section 15 of the Immigration Act approved May 26, 1924, as amended (U. S. C., title 8, sec. 215), is hereby amended to read as follows:

Admission of certain aliens.

Supra.

43 Stat. 155.
8 U. S. C. § 204 (e).

"SEC. 15. The admission to the United States of an alien excepted from the class of immigrants by clause (1), (2), (3), (4), (5), (6), or (7) of section 3, or declared to be a nonquota immigrant by subdivision (e) of section 4, shall be for such time and under such conditions as may be by regulations prescribed (including, when deemed necessary for the classes mentioned in clause (2), (3), (4), or (6) of section 3 and subdivision (e) of section 4, the giving of bond with sufficient surety, in such sum and containing such conditions as may be by regulations prescribed) to insure that, at the expiration of such time or upon failure to maintain the status under which admitted, he will depart from the United States: *Provided*, That no alien who has been, or who may hereafter be, admitted into the United States under clause (1) or (7) of section 3, as an official of a foreign government, or as a member of the family of such official, or as a representative of a foreign government in or to an international organization or an officer or employee of an international organization, or as a member of the family of such representative, officer, or employee, shall be required to depart from the United States without the approval of the Secretary of State."

Foreign government officials, etc.

Requirements for benefits.

SEC. 8. (a) No person shall be entitled to the benefits of this title unless he (1) shall have been duly notified to and accepted by the Secretary of State as a representative, officer, or employee; or (2) shall have been designated by the Secretary of State, prior to formal notification and acceptance, as a prospective representative, officer, or employee; or (3) is a member of the family or suite, or servant, of one of the foregoing accepted or designated representatives, officers, or employees.

Undesirable persons.

(b) Should the Secretary of State determine that the continued presence in the United States of any person entitled to the benefits of this title is not desirable, he shall so inform the foreign government or international organization concerned, as the case may be, and after such person shall have had a reasonable length of time, to be determined by the Secretary of State, to depart from the United States, he shall cease to be entitled to such benefits.

Diplomatic status.

(c) No person shall, by reason of the provisions of this title, be considered as receiving diplomatic status or as receiving any of the

privileges incident thereto other than such as are specifically set forth herein.

SEC. 9. The privileges, exemptions, and immunities of international organizations and of their officers and employees, and members of their families, suites, and servants, provided for in this title, shall be granted notwithstanding the fact that the similar privileges, exemptions, and immunities granted to a foreign government, its officers, or employees, may be conditioned upon the existence of reciprocity by that foreign government: *Provided*, That nothing contained in this title shall be construed as precluding the Secretary of State from withdrawing the privileges, exemptions, and immunities herein provided from persons who are nationals of any foreign country on the ground that such country is failing to accord corresponding privileges, exemptions, and immunities to citizens of the United States.

SEC. 10. This title may be cited as the "International Organizations Immunities Act".

Benefits not conditioned upon reciprocity.

Rights reserved.

Citation of title.

TITLE II

SEC. 201. EXTENSION OF TIME FOR CLAIMING CREDIT OR REFUND WITH RESPECT TO WAR LOSSES.

If a claim for credit or refund under the internal revenue laws relates to an overpayment on account of the deductibility by the taxpayer of a loss in respect of property considered destroyed or seized under section 127 (a) of the Internal Revenue Code (relating to war losses) for a taxable year beginning in 1941 or 1942, the three-year period of limitation prescribed in section 322 (b) (1) of the Internal Revenue Code shall in no event expire prior to December 31, 1946. In the case of such a claim filed on or before December 31, 1946, the amount of the credit or refund may exceed the portion of the tax paid within the period provided in section 322 (b) (2) or (3) of such code, whichever is applicable, to the extent of the amount of the overpayment attributable to the deductibility of the loss described in this section.

56 Stat. 852,
26 U. S. C., Supp.
IV, § 127 (a).
53 Stat. 91.
26 U. S. C. § 322
(b) (1).

53 Stat. 92; 56 Stat.
876.
26 U. S. C., Supp.
IV, § 322 (b) (2), (3).

SEC. 202. CONTRIBUTIONS TO PENSION TRUSTS.

(a) DEDUCTIONS FOR THE TAXABLE YEAR 1942 UNDER PRIOR INCOME TAX ACTS.—Section 23 (p) (2) of the Internal Revenue Code is amended by striking out the words "January 1, 1943" and inserting in lieu thereof "January 1, 1942", and by striking out the words "December 31, 1942" and inserting in lieu thereof "December 31, 1941".

(b) EFFECTIVE DATE.—The amendment made by this section shall be applicable as if it had been made as a part of section 162 (b) of the Revenue Act of 1942.

Internal Revenue
Code, amendments.

53 Stat. 15.
26 U. S. C., Supp.
IV, § 23 (b) (2).

56 Stat. 863.
26 U. S. C., Supp.
IV, § 23 (b) (2).

SEC. 203. PETITION TO THE TAX COURT OF THE UNITED STATES.

(a) TIME FOR FILING PETITION.—The second sentences of sections 272 (a) (1), 732 (a), 871 (a) (1), and 1012 (a) (1), respectively, of the Internal Revenue Code are amended by striking out the parenthetical expression appearing therein and inserting in lieu thereof the following: "(not counting Saturday, Sunday, or a legal holiday in the District of Columbia as the ninetieth day)".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as of September 8, 1945.

53 Stat. 82; 55 Stat.
26; 53 Stat. 132, 149.
26 U. S. C., Supp.
IV, §§ 272 (a) (1), 732
(a), 871 (a) (1), 1012
(a) (1).

Approved December 29, 1945.

[CHAPTER 657]

JOINT RESOLUTION

December 31, 1945
[S. J. Res. 122]
[Public Law 292]

To amend section 502 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, to authorize an additional appropriation for the purpose of providing housing for distressed families of servicemen and for veterans and their families, and for other purposes.

Defense housing,
amendment.
Ante, pp. 260, 639.

Housing for veter-
ans, etc.
Funds authorized.
54 Stat. 1125; 55
Stat. 361.
42 U. S. C. note
prec. § 1501; Supp.
IV, §§ 1521-1524.
Temporary housing,
restriction.
Reimbursement for
relocation.

Ante, p. 632.

Transfer of certain
Federal Agency struc-
tures, etc.; utilization.

Transfer of tempo-
rary housing.
57 Stat. 388.
42 U. S. C., Supp.
IV, § 1553.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is amended to read as follows:

"SEC. 502. (a) To carry out the purposes of this title V, and for administrative expenses in connection therewith, any funds made available under title I of this Act are hereby made available, and for such purposes there is also authorized to be appropriated the sum of \$160,000,000: *Provided*, That none of the funds herein authorized to be used for the purposes of this title shall be used to construct any new temporary housing: *And provided further*, That any educational institution, State or political subdivision thereof, local public agency, or nonprofit organization which has incurred expenses in the relocation (including the costs of disassembling, transporting, site preparation, and re-erection but not including the costs of site acquisition or the installation of off-site utilities) of temporary housing or other facilities (but not including demountable houses) under the jurisdiction or control of the National Housing Administrator for re-use in providing temporary housing for distressed families of servicemen and for veterans and their families shall, upon application therefor, be reimbursed for such expenses by said Administrator out of the funds made available by the First Deficiency Appropriation Act, 1946 (H. R. 4805) to carry out the purpose of this title.

"(b) Upon request of the National Housing Administrator, any Federal agency having jurisdiction or control of structures or facilities (including lands, improvements, equipment, materials, or furnishings) which are no longer required by such agency and which, in the determination of said Administrator, can be utilized to provide temporary housing for distressed families of servicemen, for veterans and their families, or for single veterans attending educational institutions, in accordance with this title V, may, notwithstanding any other provisions of law, transfer such structures or facilities to said Administrator, without reimbursement, for such use.

"(c) Without regard to the provisions of any other law, but subject to the removal provisions of section 313 of said Act, said Administrator may transfer, for such consideration and subject to such terms and conditions as he deems feasible under the circumstances, any temporary housing (intact or in panels suitable for reuse) under his jurisdiction to any educational institution, State or political subdivision thereof, local public agency, or nonprofit organization, for use or reuse in producing temporary housing for families of servicemen, for veterans and their families, or, in the discretion of the Administrator, for single veterans attending educational institutions."

Approved December 31, 1945.

[CHAPTER 658]

AN ACT

To establish a Department of Medicine and Surgery in the Veterans' Administration.

January 3, 1946
[H. R. 4717]
[Public Law 293]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the medical service in the Veterans' Administration, as at present constituted, is hereby abolished and in its stead there is authorized and established in the Veterans' Administration a Department of Medicine and Surgery under a Chief Medical Director. The functions of the Department of Medicine and Surgery shall be those necessary for a complete medical and hospital service to be prescribed by the Administrator of Veterans' Affairs (hereinafter referred to as the Administrator) pursuant to this Act, other statutory authority and regulations established pursuant to law, for the medical care and treatment of veterans.

Veterans' Administration.

Department of Medicine and Surgery.
Functions.

SEC. 2. The Department of Medicine and Surgery shall include the following: Office of the Chief Medical Director, Medical Service, Dental Service, Nursing Service, and Auxiliary Service.

Composition.

SEC. 3. (a) The Office of the Chief Medical Director shall consist of the Chief Medical Director, one Deputy Medical Director, not to exceed eight Assistant Medical Directors, and such other personnel and employees as may be authorized by this Act.

Office of Chief Medical Director.

(b) The Chief Medical Director shall be the Chief of the Department of Medicine and Surgery and shall be directly responsible to the Administrator for the operations of the Department. He shall be a qualified doctor of medicine, appointed by the Administrator. During the period of his service as such, the Chief Medical Director shall be paid a salary of \$12,000 a year.

(c) The Deputy Medical Director shall be the principal assistant of the Chief Medical Director. He shall be a qualified doctor of medicine, appointed by the Administrator. During the period of his service as such, the Deputy Medical Director shall be paid a salary of \$11,500 a year.

Deputy Medical Director.

(d) There may be not to exceed eight Assistant Medical Directors, appointed by the Administrator, who shall be paid a salary of \$11,000 a year each: *Provided*, That one shall be a qualified doctor of dental surgery who shall be directly responsible to the Chief Medical Director for the operations of the Dental Service.

Assistant Medical Directors.

(e) The Director and Deputy Director of Nursing Service shall be qualified registered nurses, appointed by the Administrator and shall be responsible to the Chief Medical Director for the operation of the Nursing Service. During the period of her service as such, the Director of Nursing Service shall be paid a salary of \$8,000 a year and the Deputy Director shall be paid a salary of \$7,000 a year.

Director, etc., of Nursing Service.

(f) The Administrator may appoint a chief pharmacist, a chief dietitian, a chief physical therapist, and a chief occupational therapist. During the period of his service as such, each chief shall be paid a salary of \$6,000 a year.

Chief pharmacist and other designated chiefs.

(g) Any appointment herein above provided shall be for a period of four years subject to removal by the Administrator for cause.

Period of appointment.

(h) Reappointments may be made for successive like periods.

Reappointment.

SEC. 4. There shall be appointed by the Administrator additional personnel as he may find necessary for the medical care of veterans, as follows:

Additional personnel.

(a) Doctors, dentists, and nurses;

(b) Managers, pharmacists, physical therapists, occupational therapists, dietitians; scientific personnel, such as pathologists, bacteriologists, chemists, biostatisticians, and other medical and dental technologists.

Conditions of eligibility.

Citizenship.
Professional qualifications.
Medical Service.

SEC. 5. Any person to be eligible for appointment in the Department of Medicine and Surgery must—

(a) Be a citizen of the United States.

(b) In the Medical Service—

hold the degree of doctor of medicine or of doctor of osteopathy from a college or university approved by the Administrator, have completed an internship satisfactory to the Administrator, and be licensed to practice medicine, surgery, or osteopathy in one of the States or Territories of the United States or in the District of Columbia.

Dental Service.

(c) In the Dental Service—

hold the degree of doctor of dental surgery from a college or university approved by the Administrator, and be licensed to practice dentistry in one of the States or Territories of the United States or in the District of Columbia.

Nursing Service.

(d) In the Nursing Service—

have successfully completed a full course of nursing in a recognized school of nursing, approved by the Administrator, and be registered as a graduate nurse in one of the States or Territories of the United States or in the District of Columbia.

Auxiliary Service.

(e) In the Auxiliary Service—

(1) manager of hospital, home, or center—

have such business and administrative experience and qualifications as the Administrator shall prescribe;

(2) pharmacist—

hold the degree of bachelor of science in pharmacy, or its equivalent, from a school of pharmacy approved by the Administrator, and be registered as a pharmacist in one of the States or Territories of the United States or in the District of Columbia;

(3) physical therapists, occupational therapists, dietitians, and other auxiliary employees shall have such scientific or technical qualifications as the Administrator shall prescribe.

Appointments while on terminal leave.

(f) Persons may be appointed under this Act while on terminal leave from the armed forces and may be paid for their services rendered under such appointment notwithstanding any law or regulation to the contrary.

Appointments of doctors, dentists, and nurses.

SEC. 6. (a) Appointments of doctors, dentists, and nurses shall be made only after qualifications have been satisfactorily established in accordance with regulations prescribed by the Administrator, without regard to civil-service requirements.

Probationary period.

(b) Such appointments as described in subsection (a) of this section shall be for a probationary period of three years and the record of each person serving under such appointment in the Medical, Dental, and Nursing Services shall be reviewed from time to time by a board, appointed in accordance with regulations of the Administrator, and if said board shall find him not fully qualified and satisfactory he shall be separated from the service.

Separations.

Promotions.

(c) Promotions of doctors, dentists, and nurses shall be made only after examination given in accordance with regulations prescribed by the Administrator. Automatic promotions within grade may be made in increments of the minimum pay of the grade in accordance with regulations to be prescribed by the Administrator.

Status of doctors, etc., in present Medical Service.

(d) Doctors, dentists, and nurses in the present Medical Service shall be continued in their present positions until the Administrator shall have determined their qualifications as provided in subsection (a) of this section.

Reinstatement in Federal civil service. Eligibility.

(e) In determining eligibility for reinstatement in Federal civil service of persons appointed to positions in the Department of Medi-

cine and Surgery, who at the time of appointment shall have a civil-service status, and whose employment in the Department of Medicine and Surgery is terminated, the period of service performed in the Department of Medicine and Surgery shall be included in computing the period of service under Civil Service Rule IX, except that this subsection shall not be construed as authorizing restoration of any position abolished by section 1 of this Act.

SEC. 7. (a) The grades and per annum full-pay ranges for positions provided in subsection (a) of section 4 of this Act shall be as follows:

Grades and per annum full-pay.

MEDICAL SERVICE

Chief grade, \$8,750 minimum to \$9,800 maximum.
 Senior grade, \$7,175 minimum to \$8,225 maximum.
 Intermediate grade, \$6,230 minimum to \$7,070 maximum.
 Full grade, \$5,180 minimum to \$6,020 maximum.
 Associate grade, \$4,300 minimum to \$5,180 maximum.
 Junior grade, \$3,640 minimum to \$4,300 maximum.

DENTAL SERVICE

Senior grade, \$7,175 minimum to \$8,225 maximum.
 Intermediate grade, \$6,230 minimum to \$7,070 maximum.
 Full grade, \$5,180 minimum to \$6,020 maximum.
 Associate grade, \$4,300 minimum to \$5,180 maximum.
 Junior grade, \$3,640 minimum to \$4,300 maximum.

NURSING SERVICE

Assistant Director, \$5,180 minimum to \$6,020 maximum.
 Senior grade, \$4,300 minimum to \$5,180 maximum.
 Full grade, \$3,640 minimum to \$4,300 maximum.
 Associate grade, \$2,980 minimum to \$3,640 maximum.
 Junior grade, \$2,320 minimum to \$2,980 maximum.

(b) Notwithstanding any law, Executive order, or regulation, the Administrator shall prescribe by regulation the hours and conditions of employment and leaves of absence of doctors, dentists, and nurses.

Conditions of employment.

SEC. 8. (a) Within the restrictions herein imposed, the Chief Medical Director may rate any doctor appointed under subsection (a) of section 4 of this Act as a medical or surgical specialist: *Provided*, That no person shall at any one time hold more than one such rating.

Medical or surgical specialist.

(b) No person may be rated as a medical or surgical specialist unless he is certified as a specialist by an American specialty board, recognized by the Administrator where such boards exist; or if no such boards exist, he has been examined and found qualified by a board appointed by the Chief Medical Director from specialists of the Department of Medicine and Surgery holding ratings in the specialty to which the candidate aspires: *Provided*, That, whenever there are insufficient specialists, rated in the proper specialty, who are readily available to constitute such a board, the Chief Medical Director may substitute consultants with comparable qualifications employed under section 14 of this Act.

Requirement as to certification, etc.

Consultants.

(c) Any person, rated as a medical or surgical specialist under the provisions of this section shall retain such rating until it shall be withdrawn by the Chief Medical Director: *Provided*, That the Chief Medical Director shall not withdraw any such rating until it shall have been determined by a board of specialists that the person holding such rating is no longer qualified in his specialty.

Post, p. 670.

Retention of rating.

(d) Any person, rated as a medical or surgical specialist under the provisions of this section, shall receive, in addition to his basic pay,

Allowance additional to basic pay.

an allowance equal to 25 percent of such pay: *Provided*, That in no event shall the pay plus the allowance authorized by this subscription exceed \$11,000 per annum.

Retirement.

SEC. 9. Persons appointed to the Department of Medicine and Surgery shall be subject to the provisions of and entitled to the benefits under the Civil Service Retirement Act of May 22, 1920, as amended (5 U. S. C. 691 and the following).

41 Stat. 614.
5 U. S. C., Supp.
IV, § 691 *et seq.*
Ante, pp. 577, 621.
Disciplinary boards.

SEC. 10. (a) The Chief Medical Director, under such regulations as the Administrator shall prescribe, shall from time to time appoint boards to be known as disciplinary boards, each such board to consist of not less than three nor more than five employees, senior in grade, of the Department of Medicine and Surgery, to determine, upon notice and fair hearing, charges of inaptitude, inefficiency, or misconduct of any person employed in a position provided in subsection (a) of section 4 of this Act.

Ante, p. 675.

Oaths.

(b) The Administrator shall appoint the chairman and secretary of the board, each of whom shall have authority to administer oaths.

Investigators.

(c) The Chief Medical Director may designate or appoint one or more investigators, to assist each disciplinary board in the collection and presentation of evidence. Any person answering to charges before a disciplinary board may be represented by counsel of his own choosing.

Counsel.

Recommendation of board.

(d) A disciplinary board, when in its judgment charges are sustained, shall recommend to the Administrator suitable disciplinary action, within limitations prescribed by the Administrator, which shall include reprimand, suspension without pay, reduction in grade, and discharge from the Department of Medicine and Surgery of such person. The Administrator shall either approve the recommendation of the board, approve such recommendation with modification or exception, approve such recommendation and suspend further action at the time, or disapprove such recommendation. He shall cause to be executed such action as he approves. The decision of the Administrator shall be final.

Additional employees.

SEC. 11. There shall be appointed by the Administrator under civil-service laws, rules, and regulations, such additional employees, other than those provided in section 3, subsection (a) of section 4, and those specified in section 14 of this Act as may be necessary to carry out the provisions of this Act: *Provided*, That employees of the Medical Service as at present constituted, other than those provided in section 3, subsection (a) of section 4, and section 14 of this Act, shall receive original appointments to the Department of Medicine and Surgery in their present civil-service status upon certification of satisfactory service by the manager of the hospital, home, or center where such person is presently employed: *And provided further*, That the per annum salary range for hospital attendants shall be \$1,572 minimum to \$1,902 maximum.

Ante, p. 675.

Post, p. 679.

Present employees of Medical Service.

Hospital attendants.

Special medical advisory group.

SEC. 12. The Administrator shall establish a special medical advisory group composed of members of the medical and allied scientific professions, nominated by the Chief Medical Director, whose duties shall be to advise the Administrator, through the Chief Medical Director, and the Chief Medical Director direct, relative to the care and treatment of disabled veterans, and other matters pertinent to the Department of Medicine and Surgery. The special medical advisory group shall conduct regular calendar quarterly meetings. The number, terms of service, compensation, and allowances to members of such advisory group shall be in accord with existing law and regulations.

Expenses authorized.

SEC. 13. (a) The expenses, except membership fees, of employees described in section 3 and subsection (a) of section 4 of this Act

Ante, p. 675.

detailed by the Chief Medical Director to attend meetings of associations for the promotion of medical and related sciences are hereby authorized subject to available appropriations.

(b) (1) The Administrator is authorized to place employees of the Department of Medicine and Surgery described in section 3 and subsection (a) of section 4 of this Act on duty, for a period not to exceed ninety days in a year, in schools, of the Army, Navy, and Public Health Service, and in civil institutions of learning, with the consent of the authorities concerned, for the purpose of increasing the professional knowledge or technical training of the personnel of the Department: *Provided*, That not to exceed 5 per centum of the personnel of the Department be placed upon such duty at any one time.

(2) The Administrator is authorized, subject to available appropriations, to pay for tuition, transportation, and educational fees of personnel placed on duty under the provisions of subsection (b) (1) of this section.

(c) Any person authorized to attend a course of training shall be required to reimburse the Veterans' Administration the expenses thereof if he voluntarily leaves the service within two years after completion of such course.

SEC. 14. (a) The Administrator, upon the recommendation of the Chief Medical Director, may employ, without regard to the Classification Act of 1923, as amended, physicians, dentists, and nurses, on a temporary full-time, part-time, or fee basis; and dietitians, social workers, librarians, and such other professional, clerical, technical, and unskilled personnel, in addition to personnel described in section 3, subsection (a) of section 4, and section 11 of this Act, on a temporary full-time or part-time basis at such rates of pay as he may prescribe: *Provided*, That no temporary full-time appointment shall be for a period of more than ninety days.

(b) The Administrator shall have authority to establish residencies; to appoint qualified persons to such positions without regard to civil service or classification laws, rules, or regulations; and to prescribe the conditions of such employment, including necessary training, and the customary amount and terms of pay during the period of such employment and training.

SEC. 15. The Chief Medical Director with the approval of the Administrator, unless specifically otherwise provided, shall promulgate all regulations necessary to the administration of the Department of Medicine and Surgery and consistent with existing law, including regulations relating to travel, transportation of household goods and effects, and deductions from pay for quarters and subsistence; and to the custody, use, and preservation of the records, papers, and property of the Department of Medicine and Surgery.

SEC. 16. This Act shall be effective from the date of its approval.

Approved January 3, 1946.

Course of training.
Ante, p. 675.

Limitation.

Tuition, etc.

Requirement.

Employment of personnel on temporary full-time basis, etc.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Ante, p. 298 *et seq.*
Ante, pp. 675, 678.

Other employment provisions.

Regulations.

Effective date.

INDEX

A		Page	Page
<p>Abbapoola Creek, S. C., improvement authorized.....</p> <p>Aberdeen, S. Dak., clerk of United States District Court, restriction on use of funds for maintaining office of.....</p> <p>Aberdeen, Wash., river and harbor maintenance work authorized.....</p> <p>Accounting Office. <i>See</i> General Accounting Office.</p> <p>Acushnet River, Mass., examination and survey authorized.....</p> <p>Adams Act, appropriation to effect provisions of.....</p> <p>Adjusted Compensation Payment Act, 1936, appropriation for administrative expenses.....</p> <p>Adjutant General's Department. <i>See under</i> War Department.</p> <p>Aerial Flights, increased pay for nonflying officers, limitation.....</p> <p>Aerial Legal Experts, International Technical Committee of, appropriation for.....</p> <p>Aeronautics, Bureau of. <i>See under</i> Navy Department.</p> <p>Aeronautics, Civil. <i>See</i> Civil Aeronautics, Office of Administrator of; Civil Aeronautics Board.</p> <p>Aeronautics, National Advisory Committee for:</p> <p style="padding-left: 20px;">Appropriation for.....</p> <p style="padding-left: 20px;">Damage claims, appropriation for.....</p> <p style="padding-left: 20px;">Penalty mail costs, appropriation for.....</p> <p style="padding-left: 20px;">Printing and binding, appropriation for.....</p> <p>Africa, appropriation for cultural relations program with.....</p> <p>Agreements. <i>See</i> International Agreements.</p> <p>Agricultural Adjustment Act of 1933, hops, orders applicable to, repeal of provision relating to.....</p> <p>Agricultural Adjustment Act of 1938:</p> <p style="padding-left: 20px;">Acreage allotment status, producers of cotton, wheat, and peanuts, protection of.....</p> <p style="padding-left: 20px;">Appropriation to effect provisions of.....</p>	<p>16</p> <p>198</p> <p>22</p> <p>25</p> <p>142</p> <p>428</p> <p>386</p> <p>428</p> <p></p> <p>82, 120</p> <p>93,</p> <p>431, 655</p> <p>120</p> <p>120</p> <p>179</p> <p></p> <p>263</p> <p>9</p> <p>154,</p> <p>159, 422</p>	<p>Agricultural Adjustment Act of 1938—Con.</p> <p style="padding-left: 20px;">Cotton, sale by Commodity Credit Corporation, suspension of certain provisions for designated period.....</p> <p style="padding-left: 20px;">Marketing quotas—</p> <p style="padding-left: 40px;">Printing and binding, transfer of funds for.....</p> <p style="padding-left: 40px;">Tobacco—</p> <p style="padding-left: 80px;">Acreage allotments.....</p> <p style="padding-left: 80px;">Fire-cured and dark air-cured.....</p> <p style="padding-left: 80px;">Loans on crops.....</p> <p style="padding-left: 20px;">Agricultural Adjustment Agency, transfer of funds to certain Treasury Department appropriations.....</p> <p>Agricultural and Industrial Chemistry, Bureau of. <i>See under</i> Agriculture, Department of.</p> <p>Agricultural Byproducts Laboratory, Ames, Iowa, conveyance to State of Iowa.....</p> <p>Agricultural Commodities:</p> <p style="padding-left: 20px;">Acreage allotment status, producers of certain war crops, protection.....</p> <p style="padding-left: 20px;">Freight rates for, appropriation to effect provisions of Agricultural Adjustment Act of 1938 relating to.....</p> <p style="padding-left: 20px;">Hops, orders applicable to, repeal of provision relating to.....</p> <p style="padding-left: 20px;">Lend-lease of, appropriation for.....</p> <p style="padding-left: 20px;">Market inspection, appropriation for.....</p> <p style="padding-left: 20px;">Marketing information, etc., appropriation for acquisition and diffusion of.....</p> <p style="padding-left: 20px;">Maximum prices, restriction on use of certain funds for enforcement of.....</p> <p style="padding-left: 20px;">Price control, approval of Secretary of Agriculture.....</p> <p style="padding-left: 40px;">Livestock, inclusion as agricultural commodity.....</p> <p style="padding-left: 20px;">Sale by Commodity Credit Corporation.....</p> <p style="padding-left: 20px;">School lunch program, distribution under.....</p> <p style="padding-left: 20px;">Subsidy allocations for meat, butter, and flour.....</p> <p style="padding-left: 20px;">Subsidy payments, Commodity Credit Corporation, increase in limitations.....</p> <p style="padding-left: 20px;">Vocational courses in food production, reduction in appropriation available in fiscal year 1945.....</p>	<p></p> <p>50</p> <p>138</p> <p>506</p> <p>506</p> <p>506</p> <p>58, 60</p> <p></p> <p>546</p> <p></p> <p>9</p> <p>159</p> <p>263</p> <p>430</p> <p>158</p> <p>158</p> <p>415</p> <p>307</p> <p>308</p> <p>50</p> <p>157</p> <p>261</p> <p>506</p> <p>408</p>

Agricultural Economics, Bureau of. <i>See under</i> Agriculture, Department of.		Agriculture, Department of—Continued.	
Agricultural Engineering Investigations, appropriation for.....	146	Animal Industry, Bureau of—Con.	
Agricultural Experiment Stations:		Condemned animals, indemnity for; limitation.....	144
Payments to States and Territories, appropriation for.....	142	Destroyed animals, indemnity for; limitation.....	144
Salaries and expenses, appropriation for..	143	Apple production estimates, restriction..	140
Virgin Islands, appropriation for salaries and expenses.....	359	Appropriation Act, 1946.....	136
Agricultural Extension Work:		Arid and semiarid areas, water facilities, appropriation for.....	162
Cooperative, development of.....	231	Bankhead-Jones Act. <i>See separate title.</i>	
Appropriation authorized.....	232	Beltsville Research Center. <i>See</i> Agricultural Research Center, <i>this title.</i>	
Appropriation for.....	422	Child-care centers, funds available for food program.....	157
Payments to States and Territories, appropriation for.....	141	Commodity Credit Corporation. <i>See separate title.</i>	
Salaries and expenses, appropriation for..	141	Cotton, acreage allotment status of certain producers, protection of.....	9
Agricultural Labor, continuation of funds and authority under Farm Labor Supply Appropriation Act, 1944.....	645	Cotton acreage report, restriction on use of funds for.....	140
Agricultural Research Administration. <i>See under</i> Agriculture, Department of.		Cotton prices, prediction by employees, restriction.....	136
Agricultural Research Center:		Dairy Industry, Bureau of, appropriation for.....	145
Appropriation for.....	141	Damage claims, appropriation for. 93, 431, 655	
Buildings and improvements, appropriation available; limitation.....	142	Distribution, Office of, transfer of funds to certain Treasury Department appropriations.....	58, 60
Agricultural Sciences, Inter-American Institute of, appropriation for contribution.....	176	Entomology and Plant Quarantine, Bureau of—	
Agricultural Subsidies, restrictions on use of funds for payment of.....	390, 430	Airlanes, purchase, maintenance, etc., appropriation for.....	146
Agricultural Wage Stabilization. <i>See</i> Wage stabilization program <i>under</i> War Food Administration.		Appropriation for.....	146, 644
Agriculture, Census of, increase in appropriation.....	6	Barberry eradication, matching of funds.....	147
Agriculture, Department of. <i>See also</i> Farmers.		Dutch elm disease, State, etc., cooperation.....	147
AAA program, restriction on payment of persons demanding joining of as condition of draft deferment, etc..	155	Foreign plant quarantine, appropriation for.....	147, 644
Agricultural and Industrial Chemistry, Bureau of, appropriation for.....	148	Sweetpotato weevil control, State cooperation.....	147
Agricultural commodities, distribution under school lunch program.....	157	White pine blister rust control, funds available for.....	149
Agricultural Economics, Bureau of, appropriation for.....	139	Experiment Stations, Office of, appropriation for.....	142
Agricultural land resources, appropriation for conservation and use.....	154, 422	Extension Service, appropriation for..	141
Agricultural Research Administration, appropriation for.....	46, 141, 644	Extension work, cooperative, development.....	231
Agricultural Research Center, appropriation for.....	141	Appropriation authorized.....	232
Alaska, conveyance of certain lands in Tongass National Forest to Catholic bishop of Alaska.....	535	Appropriation for.....	422
Aliens, employment of.....	165	Farm Credit Administration. <i>See separate title.</i>	
Animal Industry, Bureau of—		Farm labor supply program, appropriation for.....	645
Appropriation for.....	143	States, payments to.....	645
		Farm Security Administration. <i>See separate title.</i>	
		Farm Tenant Act. <i>See separate title.</i>	

Agriculture, Department of—Continued.		Page
Farming materials, availability of funds for purchases and grants of.....	155	
Federal Crop Insurance Act, appropriation for expenses under.....	155	
Federal Farm Mortgage Corporation, appropriation for.....	164	
Field offices, restriction on use of funds for.....	138	
Flood-control projects, restriction on use of funds; priorities.....	41	
Foreign Agricultural Relations, Office of—		
Aliens, employment of.....	165	
Appropriation for.....	140	
Foreign Service Personnel, Board of, Department of State, membership of officer designated by Secretary of Agriculture.....	105	
Forest roads and trails—		
Appropriation for.....	152, 644	
Buildings, cost limitation.....	152	
Forest Service—		
Airplanes, purchase and maintenance, appropriation for.....	150	
Appropriation for.....	83, 149	
Buildings, cost limitation.....	149	
Farm and other private forestry cooperation, appropriation for.....	151	
Forest-fire cooperation, appropriation for.....	151	
National forest protection and management, appropriation for.....	150, 644	
Salaries and expenses, appropriation for.....	149	
White pine blister rust control, funds available for.....	149	
Hog cholera—		
Control, appropriation for.....	144	
Virus and serum, marketing agreements, appropriation for.....	144	
Human Nutrition and Home Economics, Bureau of, appropriation for.....	148	
Information, Office of, appropriation for.....	137	
Information employees, restriction on use of funds for payment of.....	154	
Insect pests and plant diseases—		
Incipient and emergency outbreaks, appropriation for control of.....	46, 148	
Airplanes, purchase and maintenance, appropriation for.....	148	
International Production Control Committees, appropriation for.....	141	
International Seed Testing Congress, appropriation for share of expenses.....	159	
Iowa, State of, conveyance of Agricultural Byproducts Laboratory to.....	546	
Judgments, appropriation for.....	432, 656	

Agriculture, Department of—Continued.		Page
Land-use planning, restriction on use of funds for.....	140	
Land utilization and retirement of sub-marginal land, appropriation for.....	157	
Lands, options to purchase.....	136	
Library, appropriation for.....	139	
Loans, grants, and rural rehabilitation, appropriation for.....	160	
Restrictions on use.....	161	
Loans or advances, limitations respecting.....	164	
Louisiana State University and Agricultural and Mechanical College, transfer of certain lands to.....	468	
Marketing Service, appropriation for.....	158, 645	
Mexia Colony project, conveyance of land and personal property to State of Texas.....	667	
Motion pictures and exhibits, funds available for.....	138	
Temporary employment of specialists.....	138	
Naval-stores investigations, appropriation for.....	148	
Nurseries, restriction on use of funds for establishment of.....	151	
Overthrow of United States Government, restriction on employment of persons advocating.....	165	
Exception, certain emergency work.....	166	
Peanuts, acreage allotment status of certain producers, protection of.....	9	
Penalty mail costs, appropriation for.....	137	
Plant diseases—		
Incipient and emergency outbreaks, appropriation for control of.....	46, 148	
Airplanes, purchase and maintenance, appropriation for.....	148	
Plant Industry, Soils and Agricultural Engineering, Bureau of—		
Airplanes, purchase, maintenance, etc., appropriation for.....	145	
Appropriation for.....	145	
Political activities, pernicious, restriction on payment of persons engaging in.....	155	
Price control, approval of regulations, etc., by Secretary.....	307	
Printing and binding, appropriation for.....	138	
Reconstruction Finance Corporation.		
<i>See separate title.</i>		
Report, annual, printing and binding of—		
Appropriation for.....	138	
Restriction on use of Government Printing Office funds for.....	257	
Report to Congress on administration of grants and coordination of research with States.....	143	
Research laboratories, regional, appropriation for.....	148	

Agriculture, Department of—Continued.	Page	Agriculture, Department of—Continued.	Page
Rubber project, emergency—		Water conservation and utilization projects, appropriation for.....	162, 343
Aliens, employment of.....	165	Wheat, acreage allotment status of certain producers, protection of....	9
Appropriation for.....	152	White pine blister rust control, appropriation for.....	149
Amendment.....	422	Agriculture, Secretary of. <i>See</i> Agriculture, Department of.	
Rubber Reserve Company, appropriation for harvesting and processing of guayule shrub.....	423	Agriculture, Yearbook of, printing and binding, restriction on use of Government Printing Office funds for.....	257
Rural Electrification Administration—		Agriculture and Mechanic Arts, Colleges of, appropriation for endowment.....	367
Appropriation for.....	162, 422	Air Corps. <i>See under</i> War Department.	
Engineer trainees, employment of citizens of other American republics.....	165	Air-Mail Service:	
Rural rehabilitation, appropriation for.....	160	Alaska, appropriation for.....	70
Restrictions on use.....	161	Domestic—	
Salaries and expenses, appropriation for.....	136	Appropriation for.....	71, 651
San Francisco radio office, use of funds for maintenance of.....	138	Availability of appropriation for telephone and telegraph service.....	427
Sanders, D. X., appropriation for payment of judgment.....	94	Foreign air-mail, transportation, appropriation for.....	71
School lunch program, funds available for.....	157, 645	Salaries, reclassification of.....	451
Sebastian Martin grant lands, N. Mex., adjustment of claims by Secretary.....	532	Air-Navigation Facilities:	
Secretary, Office of, appropriation for.....	136	Establishment, appropriation for.....	189, 424, 646
Seeds of grasses and legumes, harvesting of, appropriation for additional payments for.....	154	Maintenance and operation, appropriation for.....	83, 189, 424
Slaughtering plants, certification of sanitary conditions, etc.....	309	Aircraft. <i>See also</i> Civil Aeronautics, Office of Administrator of; Civil Aeronautics Board; Navy Department; War Department.	
Distribution requirements.....	309	Appropriations available for purchase or hire, etc.—	
Maldistribution, refusal or revocation of certification in cases of.....	310	Alaska.....	358
Soil-building, etc., practices, funds available for.....	154	Alaska fisheries.....	355
Soil Conservation and Domestic Allotment Act. <i>See separate title.</i>		Fish and Wildlife Service.....	356, 357
Soil Conservation Service—		Public Health Service.....	369
Appropriation for.....	156	Disposal under Surplus Property Act, availability of appropriations.....	484
Buildings, cost limitation.....	156	National Motor Vehicle Theft Act, applicability of.....	536
Demonstration projects, restriction.....	156	Purchase, etc., by Government departments and agencies, limitation.....	132
Missouri, approval by central State agency of soil conservation agreements.....	156	Aircraft Engine Research Laboratory, Cleveland, Ohio, appropriation for.....	82, 120
Solicitor, Office of, appropriation for.....	137, 422	Airport Advisory Service, appropriation for.....	189
Special research fund, appropriation for.....	142	Airports and Landing Areas, appropriation for development, etc.....	190
Springfield Township, Montgomery County, Pa., conveyance for highway and park purposes.....	508	Ak Chin Irrigation Project, Ariz., appropriation for.....	328
Sugar Act of 1937, appropriation to effect provisions of.....	158	Alabama:	
Twine, restriction on purchase of foreign product.....	136	Navigation and flood-control projects authorized.....	17
Vehicles, funds available for purchase; limitation on number purchased, use, etc.....	165	Preliminary examinations and surveys of rivers, etc., authorized.....	30
War crops, producers of, protection of acreage allotment status.....	9	Salt Springs land, disposition authorized, use of proceeds.....	264
War Food Administration. <i>See separate title.</i>			

Alabama-Coosa River, Ala., improvement authorized	Page 17	Alaska—Continued.	Page
Alabama River, Fla. and Ala., waterway, examination and survey authorized ...	30	Public schools, appropriation for.....	357
Alaska:		Railroads, additional income tax on, appropriation for.....	62
Agricultural experiment stations, appropriation for.....	142	Real property ownership declaration law, authority of certain General Land Office employees with respect to.....	537
Agricultural extension work, appropriation for.....	141	Reindeer service, appropriation for....	335
Air mail service, appropriation for....	70	Richardson Highway, appropriation for construction.....	358
Aircraft, appropriations available for..	358	Roads, bridges, etc., appropriation for..	357, 358
Civil Aeronautics Administration—		Salmon River, appropriation for flood-control.....	41
Medical services for employees.....	195	Star-route service, appropriation for...	70
Subsistence supplies for resale.....	195	Tlingit and Haida Indians, extension of time for filing suit.....	231
Travel expenses of appointees.....	195	Tongass National Forest, conveyance of certain lands to Catholic bishop of Alaska.....	535
District attorneys, United States, appropriation for office expenses.....	183	Topographic surveys, appropriation for..	344
Federal land bank branch, loans by, restriction.....	267	Travel expenses of new appointees.....	359
Fire prevention and suppression, appropriation for.....	323	Weather Bureau—	
Fisheries, appropriation for.....	355	Government employees, compensation for taking and transmitting meteorological observations.....	195
Aircraft, appropriation for purchase, maintenance, etc.....	355	Medical services for employees.....	195
Game law, appropriation for enforcement.....	356	Subsistence supplies for resale.....	195
Government in, appropriation for....	86, 357	Travel expenses of appointees.....	195
Indigent, relief of, appropriation for...	59	Wildlife resources, appropriation for investigations of.....	355
Insane, appropriation for care and custody of.....	357	Alaska Communication System , appropriation for operation, etc.....	39
International Boundary Commission, United States and Canada and Alaska and Canada, appropriation for.....	178	Alaska Game Law , appropriation for enforcement.....	356
Marshals, United States, appropriation for services in collecting evidence..	183	Alaska Railroad:	
Medical relief, appropriation for.....	334	Maintenance, etc., funds available for..	358
Mineral resources, appropriation for investigation of.....	344	Retirement and disability fund, appropriation for.....	110
Mount McKinley National Park, appropriation for lodges, etc.....	358	Albemarle Sound—Thoroughfare, N. C., channel, examination and survey authorized	28
Natives, appropriation for support, education, etc.....	334	Albuquerque, N. Mex., appropriation for education of Indians	333
Navigation and flood-control projects authorized.....	23	Albuquerque Indian School, N. Mex., appropriation for payment of assessments	330
Postmasters, service as notaries public, authorized.....	605	Alcohol Plants, Industrial, emergency production of sugars and sirups	555
Signature, seal, etc.....	606	Alhambra Creek, Calif., examination and survey authorized	32
Postmasters of fourth-class post offices, eligibility of certain U. S. employees.....	544	Alien Property Custodian:	
Preliminary examinations and surveys of rivers, etc., authorized.....	33	Expenses, funds available for.....	474
Pribilof Islands, appropriation for furnishing food, etc., to natives.....	355	Office of, appropriation for.....	634
Prisoners, Federal, appropriation for support of.....	187	Report to Congress on expenses incurred	474
Public lands, sale or lease of, to certain employees of the Department of the Interior.....	467	Aliens. See also Citizenship and Naturalization.	
		Admission of certain personnel of foreign governments or international organizations.....	672

	Page		Page
Aliens—Continued.		Alley Dwelling Authority Act , appropriation for maintenance of properties under	121
Agricultural workers, importation, duration of authority	645	Allied Ministers of Education, London Conference , appropriation for	179
Armed forces—		Alligator Harbor, Fla. , waterway, examination and survey authorized	29
Naturalization petition, time limit for filing	658	Allowances, Military and Naval Personnel. <i>See</i> Pay Readjustment Act of 1942, Amendments.	
Restriction on extension of designated naturalization benefits	658	Alma, Wis. , Mississippi River, examination and survey authorized	31
Spouses and minor children of citizen members, admission to U. S.	659	Alsea Bay, Oreg. , harbor of refuge, examination and survey authorized	33
Deportation and exclusion, appropriation for	185	Altamaha River, Ga. , improvement authorized	16
Disability, etc., claims, employees of U. S., adjudication of payments	503	Alton, Ill. , construction of lock and dam numbered 26	19
Employment of, by—		Alumina, Production of:	
Agriculture, Department of	165	Appropriation for	349
Commerce, Department of	646	Reduction in appropriation available in fiscal year 1945	408
Interior, Department of the, for emergency work	359	Aluminum Clays:	
Price Administration, Office of, limitation on use of funds for	414	Alumina, production, investigations, etc., appropriation for	349
War Relocation Authority	485	Reduction in appropriation available in fiscal year 1945	408, 409
Enemy aliens—		Aluminum Plants and Facilities , disposal of, extension of period of prohibition	546
Detention, maintenance, etc., appropriation for—		Alunite:	
Justice, Department of	185	Alumina, production of, appropriation for investigations, etc.	349
Navy Department	202	Reduction in appropriation available in fiscal year 1945	408
War Department	406	Ores, appropriation for investigation of	349
Disability, etc., claims, employees of U. S., adjudication	504	Reduction in appropriation available in fiscal year 1945	409
Escape, procurement of or assistance in, penalty	101	Alvin, Tex. , waterway, examination and survey authorized	31
Registration and control of, appropriation for Department of Justice	182	Ambassadors and Ministers:	
Temporary aid to, appropriation for	80, 375	Classification and salaries	103
Government service, restriction on employment. <i>See</i> Citizenship requirements, employees, <i>under</i> Government Departments and Agencies.		Double-salary restriction	171
“Ineligible to citizenship,” definition	551	Emergency assignments	171
International organizations, officers, employees, etc.—		Liberated areas, assignments in	171
Baggage and effects, admission free of specified charges	669	Salaries, appropriation for	170
Privileges, exemptions, and immunities	671, 672	Vehicles, official, exemption from certain limitations on use	132
Reciprocity, benefits not conditioned upon	673	Amelia River, Fla. , improvement authorized	16
Restrictions	672	American Battle Monuments Commission , appropriation for	107, 635
Taxation by U. S., exemptions	670, 671	American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas , appropriation for	108
Migration of workers to United States, appropriation for	381	American Historical Association , appropriation for printing report of	125
Veterans, U. S. forces, waiver of certain naturalization fees	585	American International Institute for the Protection of Childhood , appropriation for contribution	175
All-American Canal , appropriation for	342, 648		
Allegheny River, N. Y. , examination and survey authorized	31		
Allegiance, Pledge of , flag of U. S., official recognition to	668		
Alley Dwelling Act, D. C. , time extension	410		

American Mexican Claims Commission, appropriation for.....	Page 428	Annisquam River, Mass.: Improvement authorized.....	Page 12
American Printing House for the Blind, appropriation for.....	365	Waterway to Plum Island Sound, exami- nation and survey authorized.....	25
American Red Cross: Tax-exempt status of certain real prop- erty in D. C.....	589	Anniston, Ala., clerk of United States District Court, restriction on use of funds for maintaining office of.....	198
Transportation, etc., in time of war, appropriation for naval expenses incident to.....	222	Antarctic Expedition of 1939-41, U. S.: Presentation of medals to members of, provision for.....	536
American Republics: Agricultural workers, importation of, duration of authority.....	645	Appropriation authorized.....	536
Cooperation with, appropriation for....	180	Anthracite Investigations, appropriation for.....	346
Nonprofit institutions, availability of appropriation for contracts, etc., with.....	428	Anti-Strike Act. <i>See</i> War Labor Disputes Act.	
Employment of citizens of, by Rural Electrification Administration.....	165	Antitrust Division. <i>See</i> under Justice, Department of.	
Inter-American Affairs, Office of. <i>See</i> <i>separate title.</i>		Antitrust Laws, violations of, continuance of suspension of statutes of limita- tions.....	306
Migration of workers from, appropria- tion for.....	381	Apalachicola Bay, Fla., improvement of Intracoastal Waterway authorized....	17
Travel in Western Hemisphere by citizens of.....	180	Apalachicola River, Ga. and Fla., improve- ment authorized.....	17
War Department, appropriation for inter-American relations.....	401	Appomattox River, Va., improvement au- thorized.....	15
Ames, Iowa, conveyance of Agricultural Byproducts Laboratory, etc., to State of Iowa.....	546	Apprentice Training Service, appropria- tion for.....	380, 650
Ames Aeronautical Laboratory, appropria- tion for.....	120	Appropriation Acts. <i>See</i> also Appropria- tions.	
Amite River, La., examination and survey authorized.....	30	Agriculture, Department of.....	136
Anacostia River, examination and survey authorized.....	27	Commerce, Department of.....	187
Anadarko, Okla., appropriation for Indian arts and crafts building, etc.....	331	Defense Aid.....	429
Anchorage Harbor, Alaska, examination and survey authorized.....	33	Deficiency—	
Anclote River, Fla., improvement author- ized.....	17	First, 1945.....	77
Anderson Ranch, Boise Project, Idaho, appropriation for.....	342	Second, 1945.....	412
Angelina River, Tex., improvement au- thorized.....	18	First, 1946.....	632
Animal Diseases, investigation, control, etc., appropriation for.....	143, 144	District of Columbia.....	271
Animal Husbandry, appropriation for in- vestigations, etc.....	143	Employees' Compensation Commission..	377
Animal Industry, Bureau of. <i>See</i> under Agriculture, Department of.		Federal Loan Agency.....	200
Annapolis, Md.: Engineering Experiment Station, appro- priation for.....	206	Federal Security Agency.....	365
Naval Academy. <i>See</i> <i>separate title.</i>		Independent Offices.....	106
Anne Arundel County, Md., roadway through District Training School property.....	589	Interior, Department of the.....	318
		Judiciary.....	196
		Justice, Department of.....	181
		Labor, Department of.....	361
		Labor-Federal Security.....	361
		Legislative Branch of the Government..	238
		Military.....	384
		National Labor Relations Board.....	377
		National Mediation Board.....	378
		National War Agencies.....	473
		Naval.....	201
		Post Office Department.....	68
		Railroad Retirement Board.....	379
		State, Department of.....	169
		Supplemental, 1945.....	46, 166
		Treasury Department.....	56
		War Department Civil.....	39
		War Manpower Commission	380

Appropriations. See also Appropriation Acts.	Page	Appropriations—Continued.	Page
Agricultural extension work, cooperative, development of—		Postal Service, reclassification of salaries, authorized and available.....	461
Appropriation authorized.....	232	Public Health Service, hospitals, maintenance, etc., additional.....	7
Appropriation for.....	422	Public works, war, increase.....	383
Agriculture, Census of, increase.....	6	Reductions in certain, for fiscal year 1945.....	407
Antarctic Expedition of 1939-41, U. S., presentation of medals to members of, authorized.....	536	Selective Service personnel, awards of merit, appropriations available.....	312
Arkansas River, negotiations for division of waters, salary, etc., of United States representative, authorized..	53	Appropriation for.....	484
Appropriation for.....	649	Senate, contingent expenses.....	605
Audits of Government corporations, authorized.....	6, 601	Statements of, preparation.....	251
Bayocean Peninsula, Oreg., repair of storm damage, authorized.....	21	United Nations, United States participation, authorized.....	621
Capitol Building, improvements, appropriations authorized and made available.....	472	United Nations Relief and Rehabilitation Administration.....	609, 634
Claims, personal property—		Authorization, increase and time extension.....	612
Navy Department or Navy, settlement; appropriations authorized and made available.....	662	United States Naval Academy Centennial Commission, authorized.....	135
War Department or Army, settlement; appropriations authorized and made available.....	225	War public works, increase.....	383
Appropriation for.....	389	Appropriations, Committee on:	
District of Columbia, purchases in connection with investigations of food sales by false advertising, authorized.....	99	Employment of assistants for obtaining factual data.....	243
Federal Employees Pay Act of 1945, authorized.....	306	Status of certain employees.....	243
Flood-control work, emergency—		Aransas Pass—Corpus Christi Channel, Tex., improvement authorized.....	18
Appropriation authorized.....	231	Arapahoe Indians, Wyo., appropriation for expenses of tribal councils, etc....	336
Appropriation for.....	235	Arbitration and Emergency Boards, National Mediation Board, appropriation for.....	82, 378, 641
Appropriations available; limitation.....	236	Arboretum, National, appropriation for maintenance, etc.....	146
General Accounting Office, audit of financial transactions of Government corporations, authorized.....	6, 81, 601	Architect of the Capitol:	
Marine Band, attendance at national encampment of Grand Army of the Republic, authorized.....	465	Appropriation for.....	79, 251, 633
Medical Badge, additional compensation to wearers of, appropriations available.....	462	Capitol building, improvements, authority to enter into contracts for..	472
Navy Department, public-works projects, authorized.....	10	Expenditures without reference to public contract requirements.....	252
Appropriation for.....	211	Hours of labor, discretionary power....	304
Navy mail clerks, waiving of bond requirement, expenditures, authorized.....	316	House of Representatives restaurant, appropriation for.....	248
Navy V-12 program, availability for continuance.....	668	Judgments, appropriation for.....	656
Philippine Insurrection, payment to certain soldiers of; appropriation authorized.....	597	Overtime compensation, basis.....	296
		Per diem and per hour employees....	301
		Pay increases.....	295
		Penalty mail, appropriation for.....	251
		Senate restaurant, appropriation for.....	243, 412
		Travel expenses, funds available for....	251
		Archives, National:	
		Appropriation for.....	121
		Government records, disposal of certain; report to Congress.....	434
		Ardmore, Okla., clerk of United States District Court, restriction on use of funds for maintaining office of.....	198
		Arecibo Harbor, P. R., examination and survey authorized.....	33

Army—Continued.	Page	Army—Continued.	Page
Dental Corps—		Medical Administrative Corps, determination of grade of officer appointees; restriction.....	665
Officer appointees, determination of grade; restriction.....	665	Medical Badge, additional pay to enlisted men entitled to wear.....	462
Officers, removal of limitation on right to command.....	264	Medical Corps—	
Promotion, temporary discontinuance of professional examinations for, time extension.....	168	Officer appointees, determination of grade; restriction.....	665
Dependents—		Promotion, temporary discontinuance of professional examinations for, time extension.....	168
Person standing in loco parentis, definition.....	587	Medical Department, officers of Dental Corps, removal of limitation on right to command.....	264
Transportation of, on change of station.....	388	Mexican Border Service Medal, issuance.....	313
Dependents of enlisted men—		Money allowances in lieu of transportation, payment in advance; rate..	134
Family allowance.....	541	Mount, no additional pay to officer owning.....	386
Quarters, monetary allowances in lieu of; restriction.....	541	Mustering-out payments, method of payment.....	540
Enlistments and reenlistments—		National Guard. <i>See separate title.</i>	
Enlistment allowance, computation ..	541	Occupied areas, funds for administration of.....	404
Furlough travel allowance; payment..	539	Organized Reserves. <i>See separate title.</i>	
Appropriations available.....	540	Per diem rates of allowance.....	134, 388
Restriction.....	539	Pharmacy Corps, determination of grade of officer appointees; restriction...	665
Grades.....	539	Philippine Insurrection, payment to certain soldiers of.....	596
Optional periods of service.....	538	Appropriation authorized.....	597
Restriction.....	539	Limitation on attorney, etc., fees...	597
Reports to Congress.....	539	Postage, free—	
Termination of authority to accept...	539	Repeal of provision respecting.....	658
Wartime enlistments; limitation; term of service.....	230	Time extension.....	542
Family allowances, restriction on use of funds for audit work respecting..	406	Promotion, determination of eligibility for.....	665
“Flying officer”, definition.....	386	Promotion-list colonels, increase in number.....	665
Foreign duty, base pay increase for, repeal of time limitation.....	542	Promotions from seventh to sixth grade..	539
General officers, wartime reduction of temporary grades.....	168	Prostitution, prohibition of, near military establishments, time extension..	168
Government employees, protection of civil-service retirement rights.....	577	Publications, restriction on pay of Army personnel connected with certain..	386
Government housing facilities, occupancy on rental basis without loss of rental allowances.....	316	Recruiting campaigns authorized.....	538
Guam, settlement of certain damage claims in.....	582	Rental allowances, occupancy of Government facilities under Military Establishment.....	407
Household effects, transportation of, on change of station.....	388	Reserve officers on active duty, funds available for pay and allowances..	403
Housing facilities, emergency, rental of, money allowances for quarters.....	222	Reserve Officers' Training Corps. <i>See separate title.</i>	
Income tax, additional allowance.....	571	Retired officers selling supplies to Army, restriction.....	386
Credits or refunds for 1941 and 1942..	572	Retirement—	
Deferment of tax, etc.....	572	Disability, former enlisted men, after 20 years or more of service.....	135
Years to which applicable.....	572		
Inspectors of buildings abroad, assignment of personnel as.....	181		
Insurance. <i>See National Service Life Insurance.</i>			
Mail clerks, claims for losses by burglary, etc., investigation and adjustment.....	603		

Army—Continued.			
Retirement—Continued.			
Regular Army enlisted men; pay; service credits, etc.....	539	Audited Claims , appropriation for payment.....	90, 94, 421, 433, 657
Selective Service personnel, travel of; payment of expenses.....	485	Audits, Government Corporations. See Government Corporation Control Act.	
Selective Training and Service Act of 1940. See separate title.		Aviation. See Aircraft; Civil Aeronautics, Office of Administrator of; Civil Aeronautics Board; Navy Department; War Department.	
Spanish-American War veterans. See under Veterans.		Avon, N. C., channel improvement authorized.....	15
Terminal leave, civilian employment on, pay and allowances from armed forces.....	584	Awards. See also Rewards.	
Compensation for services.....	585	Navy Department—	
Transportation Corps, compensation of employees.....	304	Suggestions resulting in improvements, etc., funds for.....	222
Veterans. See separate title.		Restriction on payment.....	219
Veterinary Corps—		Post Office Department and Postal Service, compensation for useful inventions, etc., by personnel.....	591
Officer appointees, determination of grade; restriction.....	665	War Department—	
Promotion, temporary discontinuance of professional examinations for, time extension.....	168	Suggestions resulting in improvements, etc., funds for.....	407
Army and Navy Hospital, Hot Springs, Ark., appropriation for.....	394	Restriction on use of funds.....	403
Army Medical Library and Museum, appropriation for.....	394	B	
Army War College, appropriation for.....	385	Back Creek, Hooper Island, Md., examination and survey authorized.....	26
Art, National Gallery of. See National Gallery of Art.		Back Sound—Lookout Bight, N. C., channel improvement authorized.....	15
Arthur Kill, N. Y. and N. J., examination and survey authorized.....	26	Bailiffs, U. S. Courts, appropriation for pay and expenses.....	184, 425
Ashland Harbor, Wis., improvement authorized.....	19	Baker Bay, Columbia River, Wash., improvement authorized.....	22
Ashtabula Harbor, Ohio, improvement authorized.....	20	Bakers Haulover Inlet, Fla., examination and survey authorized.....	29
Assay Offices, appropriation for salaries and expenses.....	65, 91	Bald Eagle, appropriation for protection of.....	356
Assumption Parish, Bayou La Fourche, La., examination and survey authorized.....	31	Ballast Island, Ohio, examination and survey of harbor at.....	32
Astoria, Oreg., mooring basin for fishing boats, examination and survey authorized.....	33	Baltimore Harbor and Channels, Md., improvement authorized.....	14
Astronomical Union, International, appropriation for contribution.....	176	Bang's Disease, appropriation for eradication.....	143
Astrophysical Observatory, appropriation for maintenance.....	125	Bankhead-Jones Act:	
Atoka Agreement, Choctaw-Chickasaw Indians, fulfillment of, appropriation for expenses.....	335	Amendment—	
Attorney General. See under Justice, Department of.		Agricultural extension work, cooperative, development of.....	231
Au Train Lake, Mich., waterway, examination and survey authorized.....	32	Appropriation authorized.....	232
Au Train River, Mich., harbor, examination and survey authorized.....	32	Appropriation for.....	422
Aucilla River, Fla., examination and survey authorized.....	30	Appropriation for effecting provisions relating to—	
		Agricultural experiment stations.....	142
		Agricultural extension work, cooperative.....	141
		Bankhead-Jones Farm Tenant Act. See Farm Tenant Act.	
		Banks:	
		Audit of financial transactions of certain.....	597, 600

	Page		Page
Banks—Continued.		Bayous—Continued.	
Federal Home Loan Bank Administration—		Improvement authorized—	
Appropriation for.....	122	Bastrop, Tex.....	18
Funds made available.....	640	Carlin, La.....	18
Federal land banks. <i>See separate title.</i>		Chocolate, Tex.....	18
Federal Reserve Act, Amendments.		Codon, Ala.....	17
<i>See separate title.</i>		Galere, Miss.....	18
International Bank for Reconstruction		La Batre, Ala.....	17
and Development and International		LaLoutre, La.....	18
Monetary Fund. <i>See under</i>		Petit Anse, La.....	18
Bretton Woods Agreements Act.		Saint Malo, La.....	18
Barataria Bay and Connecting Channels,		Tigre, La.....	18
La., waterway, examination and		Watson, Fla.....	17
survey authorized.....	30	Yslosky, La.....	18
Bass, Small Striped, regulation of sale in		Beach Haven, Borough of, Ocean County,	
District of Columbia.....	588	N. J., payment to.....	530
Bastrop Bayou, Tex., improvement au-		Beaches, shore-line investigations through	
thorized; limitation.....	18	Beach Erosion Board authorized,	
Baton Rouge, La.:		report, etc.....	508
Barge channel, examination and sur-		Beals Harbor, Maine, examination and	
vey authorized.....	30	survey authorized.....	25
River improvement authorized.....	18	Bear Creek, Md., examination and survey	
Battle Monuments Commission, American,		authorized.....	26
appropriation for.....	107, 635	Beaufort, N. C.—Norfolk, Va., inland water-	
Battleground National Cemetery, appro-		way, side channel to Elizabeth City,	
priation for.....	353	examination and survey authorized	28
Baudette Harbor, Minn., improvement		Beaufort, S. C., channel, examination and	
authorized.....	19	survey authorized.....	28
Bauxite:		Beaufort—Cape Fear River, N. C., inland	
Alumina, production of, from low-grade		waterway, improvement authorized..	15
bauxite, appropriation for investi-		Beaufort Harbor, N. C., improvements	
gations, etc.....		authorized.....	15
Reduction in appropriation available		Beaufort Inlet, N. C., inland waterway,	
in fiscal year 1945.....	408	improvement authorized.....	15
Deposits, appropriation for investigation		Beer. <i>See</i> Fermented Malt Liquors.	
of.....	349	Bell City Drainage Canal, La., examination	
Reduction in appropriation available		and survey authorized.....	30
in fiscal year 1945.....	409	Belle Glade, Fla., waterway, examination	
Purchase by Metals Reserve Company..	261	and survey authorized.....	29
Bay City, Wash., channel construction		Beltsville Research Center, Md. <i>See</i>	
from Grays Harbor, examination and		Agricultural Research Center.	
survey authorized.....	33	Ben Hill County, Ga., transfer to Americus	
Bayocean Peninsula, Oreg., repair of storm		division of middle judicial district....	550
damage, etc., appropriation author-		Benton, Ill., clerk of United States District	
ized.....	21	Court, restriction on use of funds for	
Bayous:		maintaining office of.....	198
Examinations and surveys authorized—		Beresford Creek, S. C., improvement	
Boeuf, La.....	30, 31	authorized.....	16
Chevreuil, La.....	30	Biddeford, Maine, pool, examination and	
Dickinson, Tex.....	31	survey authorized.....	25
Double, Tex.....	31	Big Bend Drainage District, Wyo., appro-	
Grand, La.....	30	priation for Indians' pro rata share of	
La Fourche, La.....	30, 31	cost of operation, etc.....	331
La Grange, Fla.....	30	Big Kingston Creek, Md., examination and	
Pine Island, Tex.....	31	survey authorized.....	27
Sale Ridge, La.....	31	Big Pass, Fla., channel, examination and	
Schofield, La.....	30	survey authorized.....	29
Texar, Fla.....	30	Big Sandy Creek, Tex., examination and	
		survey authorized.....	31

	Page		Page
Big Sandy River , bridge authorized across Tug Fork at Williamson, W. Va.....	223	Bonds, Securities, Etc.:	
Big Thoroughfare River , Md., examination and survey for construction of boat basin at Ewell authorized.....	26	Government obligations, purchase by Federal Reserve banks, extension of temporary provisions.....	658
Biloxi, Miss. , channel and harbor, examination, improvement, etc., authorized.....	17, 30	Liberty Bond Act, Second. <i>See separate title.</i>	
Biological Investigations , appropriation for.....	355	Bonneville Power Administration:	
Birds:		Appropriation for.....	320
Appropriation for—		Old-age and survivors' insurance benefits, application to certain employees.....	548
Bald eagle, protection of.....	356	Transmission lines, restriction on use of funds.....	320
Migratory Bird Conservation Act, effecting provisions of.....	356	Bonneville Project Act, Amendments:	
Migratory Bird Conservation Fund.....	356	Accounts, maintenance of; audit, etc....	547
Migratory Bird Treaty Act, enforcement.....	355	Claims and other legal proceedings, authority of Administrator.....	547, 548
Migratory birds—		Contracts, etc., authority of Administrator.....	546
Conservation refuges.....	356	Disposition of electricity to Federal agencies; rates applicable.....	546
Protection of.....	355	Personnel, appointment of certain; applicability of civil-service laws.....	547
Reservations, maintenance of.....	356	Voluntary services, acceptance of.....	547
Black Bass Act , appropriation for enforcement.....	355	Bonum Creek, Va. , examination and survey authorized.....	27
Black Creek, Fla. , waterway, examination and survey authorized.....	29	Boothbay Harbor, Maine , examination and survey authorized.....	25
Black River, Ark. and La. , improvement authorized.....	19	Boston, Mass.:	
Black Rock Channel, N. Y. , improvement authorized.....	20	Harbor improvement authorized.....	12
Black Walnut Harbor, Md. , improvement authorized.....	14	Pneumatic-tube service, appropriation for.....	73
Blackfeet Indian Reservation, Mont.:		Waterway to Portland, Maine, examination and survey authorized.....	25
Irrigation systems, appropriation for....	329	Botanic Garden:	
Land, acquisition of, appropriation for....	325	Appropriation for.....	253
Blackwater River, Va. , improvement authorized.....	15	Nursery stock, distribution by congressional allotment, restriction.....	253
Blind:		Overtime compensation, basis.....	296
American Printing House for the, appropriation for.....	365	Pay increases; basic work week. <i>See Federal Employees Pay Act of 1945.</i>	
Books, etc., for adult, appropriation for....	255	Boulder Canyon Project:	
Columbia Polytechnic Institute for, appropriation for.....	284	All-American Canal, appropriation for....	342, 648
Federal buildings, operation of stands, appropriation for.....	367	Boulder City School District, reimbursement for instruction.....	342
Grants to States for aid to, appropriation for.....	80, 236, 372	Operation and maintenance, appropriation for.....	341
National Library for, appropriation for....	284	Boulder Dam National Recreational Area, Ariz.-Nev. , appropriation for.....	352, 649
Blue Hill Harbor, Maine , examination and survey authorized.....	25	Boundary Commissions, International:	
Boeuf Bayou Farms Project , transfer of lands to Louisiana State University and Agricultural and Mechanical College.....	468	Appropriation for—	
Boise Project, Idaho:		U. S. and Canada and Alaska and Canada.....	178
Construction, appropriation for.....	342, 647	U. S. and Mexico.....	176, 653
Operation and maintenance, appropriation for.....	339	Boundary Line, District of Columbia and Commonwealth of Virginia , establishment of.....	552
		Bowlers Wharf, Va. , examination and survey authorized.....	27

	Page	Page	
Bozeman Trail Ditch Company , appropriation for assessments.....	329		
Bradenton, Fla. , channel, examination and survey authorized.....	29		
Brainerd, Minn. , time extended for bridging Mississippi River at.....	581		
Bransons Cove, Lower Machodoc River, Va. , examination and survey authorized.....	27		
Brazos Island Harbor, Tex. , improvement authorized.....	18		
Bretton Woods Agreements Act:			
Depositories, Federal Reserve banks..	514		
Foreign governments in default, financial transactions with.....	516		
Immunities and privileges, status.....	516		
Information, obtaining and furnishing of.....	515		
International Bank for Reconstruction and Development, acceptance of membership in.....	512		
Governor, executive directors, and alternates, appointment, duties, etc.....	512		
International Monetary Fund, acceptance of membership in.....	512		
Governor, executive directors, and alternates, appointment, duties, etc.....	512		
Jurisdiction and venue of actions brought against Fund or Bank.....	516		
National Advisory Council on International Monetary and Financial Problems—			
Duties.....	513		
Establishment and composition.....	512		
Reports to the President and Congress	513		
Policy of U. S., declaration of.....	517		
Restriction on undertaking certain actions without authorization.....	514		
Stabilization loans by Bank.....	516		
Stabilization operations by the Fund..	517		
Subscriptions, payment of.....	514		
Issuance of special notes.....	515		
Bridgeport Harbor, Conn. , improvement authorized.....	13		
Bridges:			
California, San Francisco-Oakland Bay Bridge, payment for damages.....	550		
Construction of, authorized across—			
Mahoning River, at Youngstown, Ohio.....	545		
Mississippi River, at—			
Friar Point, Miss.—Helena, Ark....	467		
Hastings, Minn.....	223		
New Orleans, La.....	224		
Missouri River, at—			
McLean County to Mercer or Oliver County, N. Dak.....	471		
Poplar, Mont.....	579		
		Bridges—Continued.	
		Construction of—Continued.	
		Pigeon River, below High Falls.....	224
		Saint Lawrence River at Ogdensburg, N. Y.....	544
		Saint Louis River at Duluth, Minn....	545
		Tug Fork of Big Sandy River, at or near Williamson, W. Va.....	223
		Wabash River, at Saint Francisville, Ill.....	580
		Yellowstone River, near Fairview, Mont.....	471
		Lake Champlain Bridge Commission, amendatory agreement by States of New York and Vermont.....	227
		Rock Island Bridge, Rock Island, Ill., appropriation for maintenance.....	397
		Time extended for bridging—	
		Columbia River in Clatsop County, Oreg.....	472
		Mississippi River, at Brainerd, Minn..	581
		Saint Croix River, at Hudson, Wis....	468
		Toll bridges, payments to States making bridges free.....	507
		Broad Creek, Va. , improvement authorized	15
		Broadwater Creek, Md. , improvement authorized.....	14
		Bronx River, N. Y. , examination and survey authorized.....	26
		Browning, Mont. , appropriation for support of Indian museums.....	331
		Browns Bay, Va. , and channel to Mobjack Bay, examination and survey authorized.....	28
		Bruceton, Pa. , appropriation for Bureau of Mines, buildings and grounds.....	348
		Bryson City, N. C. , clerk of United States District Court, restriction on use of funds for maintaining office of.....	198
		Buckeye Irrigation Company , appropriation for payment to.....	330
		Budget, Bureau of the:	
		Appropriation for.....	106, 634
		Budget programs, wholly owned Government corporations, type, content, etc.....	598
		Recommendations to Congress by Director.....	599
		Field offices, etc., outside D. C., restriction.....	107
		National-defense activities, appropriation for.....	107
		Printing and binding, appropriation for.....	106, 634
		Reports to Congress—	
		Personnel requirements, etc., of Government departments and agencies.....	305
		Special projects, limitations on amounts for.....	486

Budget Programs, Government Corporations. <i>See</i> Government Corporation Control Act.	
Buffalo Harbor, N. Y., improvement authorized.....	20
Bullion Depositories, Fort Knox, Ky., and West Point, N. Y., appropriation for.....	65
Bunganuc Creek, Maquoite Bay, Maine, examination and survey authorized.....	25
Buras, La., Bayou Schofield and Grand Bayou Pass, examination and survey authorized.....	30
Burley Tobacco, measurement of acreages, appropriation for.....	422
Butte Falls, Oreg., conveyance of U. S. Fish Hatchery to State, condition....	578
Butter:	
Subsidy allocation for.....	261
Payment by Commodity Credit Corporation.....	507
Butter Substitutes, restriction on purchase of, by War Department.....	390
Buzzards Bay-Buttermilk Bay, Mass., examination and survey authorized.....	25
C	
Cable Facilities:	
International organizations, exemption from tax on.....	671
Tax rates, applicability.....	576
Cadle Creek, Md., improvement authorized.....	14
Calcasieu River and Pass, La., examination, improvement, etc., authorized....	18, 31
California:	
Central Valley project, appropriation for.....	339, 342, 647
Harry L. Englebright Dam, designation of.....	556
Imperial and Coachella Valleys, canal, appropriation for.....	342
Indians—	
Irrigation projects, appropriation for.....	328, 329, 331
Support, etc., appropriation for.....	332
Yuma Reservation, reclamation, etc., charges, appropriation for.....	329
Kings Canyon National Park, appropriation for Generals Highway, etc.....	352
Klamath project, appropriation for.....	340
Lassen Volcanic National Park, appropriation for maintenance of approach roads.....	352
Los Angeles, transfer by Veterans' Administration of certain property to city for fire-station purposes.....	55
Marine school, appropriation for maintenance.....	481

California—Continued.	Page
Menlo Park, inclusion of certain land within corporate limits of city, authorized.....	661
Navigation and flood-control projects authorized.....	21
Parker Dam power project, appropriation for.....	339
Preliminary examinations and surveys of rivers, etc., authorized.....	32
Sacramento River, appropriation for flood control.....	42
San Francisco-Oakland Bay Bridge, payment for damages.....	550
Sequoia National Park, appropriation for Generals Highway, etc.....	352
Southern California Telephone Company, lease of certain land by Navy Department authorized.....	8
Yosemite National Park, appropriation for.....	352
Yuma project, appropriation for.....	339
California Débris Commission, appropriation for.....	40
Caloosahatchee River Drainage Area, Fla., improvement authorized.....	16
Calumet Harbor and River, Ill. and Ind., improvement authorized.....	19
Cambridge Harbor, Md., examination and survey authorized.....	27
Camden, N. J., improvement of Delaware River authorized.....	14
Camp Blanding, Kingsley Lake, Fla., waterways, examination and survey authorized.....	29
Camp Croft, S. C., easement over, etc., grant to Duke Power Company authorized.....	36
Camp Joseph H. Pendleton, San Diego County, Calif., lease of certain land....	8
Camp Matthews, San Diego County, Calif., lease of certain land.....	8
Canada:	
Insect pests and plant diseases, appropriation for control of emergency outbreaks.....	148
International Boundary Commission, United States and Canada and Alaska and Canada, appropriation for.....	178
Pigeon River, construction of bridge across, below High Falls, approval, cooperation.....	224
Canal Zone. <i>See also</i> Panama Canal.	
Citizenship requirement, employees.....	44, 220, 404
Civil government, appropriation for.....	43
Maintenance, etc., appropriation for.....	42
Retirement and disability fund, appropriation for.....	109

	Page		Page
Canal Zone—Continued.		Carderock, Md., Experimental Model Basin, appropriation for	206
Retirement annuity, voluntary, for certain employees.....	312	Cargoes, Incorporated, audit and annual budget program	598, 599
Sanitation, appropriation for.....	43	Carpenter Point, Md., channel, examination and survey authorized	26
War Department—		Carquinez Strait, Calif., examination and survey authorized	32
Hours of employment and rates of pay of skilled, etc., personnel.....	44, 405	Carrabelle, Fla., waterway, examination and survey authorized	29
Panamanian citizens, employment of, restrictions, etc.....	44, 404	Carriers:	
Canal Zone Code, Amendment, voluntary retirement annuity	312	Accounts, appropriation for regulation.....	118
Canaveral Harbor, Fla., improvement authorized	16	Emergency expenses, expediting of traffic, etc., appropriation for....	120
Cancer Institute, National, appropriation for	370	Freight forwarders, designation as carriers of bonded merchandise, authorized.....	667
Canton, Ohio, authorization for grant to city of strip of land within Naval Ordnance Plant	7	Freight rates, extension of adjustment period.....	169
Cape Charles City Harbor, Va., improvement authorized	15	Locomotive inspection, appropriation for.....	119
Cape Cod Canal (Onset Bay), Mass., improvement authorized	13	Motor carriers, emergency powers of Interstate Commerce Commission over, extension.....	658
Cape Fear River, N. C., waterway, etc., improvement authorized	15	Motor transport regulation, appropriation for.....	120, 639
Cape Hatteras National Seashore Recreational Area Project, maintenance of structures	352	Railroad, etc., companies operated in D. C., taxation of rolling stock....	610
Cape May, N. J., improvement and protection of beaches, examination and survey authorized	26	Safety of employees and travelers, investigations, reports, etc., appropriation for.....	119
Cape Vincent Harbor, N. Y., improvement authorized	20	Signal safety systems, investigations, etc., appropriation for.....	119
Capital Stock Tax, repeal	574	Valuation of property, appropriation for.....	119, 639
Capitol Buildings and Grounds:		Water carriers, emergency powers of Interstate Commerce Commission over, extension.....	658
Maintenance, etc., appropriation for.....	251, 633	Carry-Backs. See Excess-profits tax under Taxes.	
Police duty, details for.....	250, 259	Carson City, Nev., appropriation for education of Indians	332
Roofs, etc., Capitol building, reconstruction and improvements.....	472	Carson Indian Reservation, Nev., appropriation for irrigation system	331
Appropriations authorized and made available.....	472	Carter Seminary, Okla., appropriation for education of Indians	333
Capitol Police:		Caseys Pass (Venice Inlet), Fla., channel, examination and survey authorized ...	29
Appropriation for.....	77, 78, 242, 246, 250	Casper, Wyo., clerk of United States District Court, restriction on use of funds for maintaining office of	198
Compensation rates, increase.....	413	Cassville, Wis., Mississippi River, examination and survey authorized	31
Details to Capitol Grounds, etc.....	250, 259	Cathance River, Maine, examination and survey authorized	25
Standards required.....	259	Caustic Poison Act, Federal, appropriation for enforcement	366
Capitol Power Plant, appropriation for operation, etc	79, 252	Cavalry School, Ft. Riley, Kans., appropriation for	397
Capitol Telephone Operators, increase in compensation	4		
Capper-Ketcham Act, appropriation to effect provisions of	141		
Captain William Edmiston Chapter, D. A. R., conveyance by Secretary of War	462		
Captured Persons:			
Employees' Compensation Act, disability or death of persons subject to..	505		
Military, naval, or civilian, pay, etc., appropriations available.....	84, 222		

<p>Cedar Bay, N. C., channel improvement authorized.....</p> <p>Cedar Bayou Pass, Tex., examination and survey authorized.....</p> <p>Cemeteries, National, appropriation for maintenance, etc.....</p> <p>Censorship, Office of: Appropriation for..... Reduction in appropriation available in fiscal year 1945.....</p> <p>Census, Bureau of the. <i>See under</i> Commerce, Department of.</p> <p>Centennial Commission, United States Naval Academy. <i>See</i> United States Naval Academy Centennial Commission.</p> <p>Centerport Harbor, Long Island, N. Y., examination and survey authorized..</p> <p>Central America. <i>See also</i> American Republics. Agricultural workers, importation of, duration of authority.....</p> <p>Central Bank for Cooperatives, audit of financial transactions, report, etc....</p> <p>Central Valley Project, Calif.: Construction, appropriation for..... Operation and maintenance, appropriation for.....</p> <p>Cereal Rust Control, appropriation for...</p> <p>Champlain Canal, N. Y., examination and survey authorized.....</p> <p>Chaplains, Army: Chief of, appropriation for office of.... Officer appointees, determination of grade; restriction.....</p> <p>Charleston, South Slough, Oreg., channel, examination and survey authorized..</p> <p>Charleston Harbor, S. C., examination, improvement, etc., authorized.....</p> <p>Charlestown, Northeast River, Md., channel to Havre de Grace, examination and survey authorized.....</p> <p>Chassahowitska River, Fla., examination and survey authorized.....</p> <p>Chatham (Stage) Harbor, Mass., improvement authorized.....</p> <p>Chattahoochee River, Ga. and Fla., waterway, etc., examination, improvement, etc., authorized.....</p> <p>Chaumont River, N. Y., examination and survey authorized.....</p> <p>Checks, U. S., Lost, Etc.: Depositaries in foreign countries, checks drawn against..... Issuance of checks in replacement..... Undertakings of indemnity; exceptions to requirement..... "Original check," definition.....</p> <p>Cheesequake Creek, N. J., examination and survey authorized.....</p>	<p>Page</p> <p>15</p> <p>31</p> <p>39</p> <p>482</p> <p>408</p> <p></p> <p></p> <p>25</p> <p></p> <p>645</p> <p>600</p> <p>342, 647</p> <p>339</p> <p>147</p> <p>26</p> <p>402</p> <p>665</p> <p>33</p> <p>16, 28</p> <p>26</p> <p>29</p> <p>12</p> <p>17, 30</p> <p>32</p> <p>593</p> <p>592</p> <p>592</p> <p>594</p> <p>26</p>	<p>Chehalis River, Aberdeen, Wash., maintenance work authorized.....</p> <p>Chemawa, Oreg., Indians, support and education of, appropriation for....</p> <p>Chemical Warfare Service. <i>See under</i> War Department.</p> <p>Cherokee Indians, Okla., appropriation for tuition of pupils.....</p> <p>Chesapeake and Ohio Canal, appropriation for.....</p> <p>Chesapeake Bay, channel to Ramsey Bay, examination and survey authorized..</p> <p>Chester River Channel, Md., examination and survey authorized.....</p> <p>Chetco River, Oreg., improvement authorized.....</p> <p>Cheyenne, Wyo., conveyance of land to city in connection with water supply system.....</p> <p>Chicago Park District, Ill., jurisdiction over certain waters of Lake Michigan, authority rescinded.....</p> <p>Chickasaw Indians, Okla.: Atoka Agreement, fulfillment of, appropriation for expenses..... Tuition of pupils, appropriation for....</p> <p>Child-Care Centers, funds available for food program.....</p> <p>Child Health Services, appropriation for grants to States for.....</p> <p>Child Welfare, appropriation for.....</p> <p>Child Welfare Services, appropriation for grants to States for.....</p> <p>Childhood, American International Institute for the Protection of, appropriation for contribution.....</p> <p>Children, Dependent, grants to States for aid to, appropriation for.....</p> <p>Children's Bureau. <i>See under</i> Labor, Department of.</p> <p>Chillicothe, Mo., clerk of United States District Court, restriction on use of funds for maintaining office of.....</p> <p>Chilocco, Okla., appropriation for education of Indians.....</p> <p>China: Cultural relations program, appropriation for..... Monuments, etc., to American soldiers, appropriation for maintenance....</p> <p>Chipola River, Ala. and Fla., examination and survey authorized.....</p> <p>Chiu Chui Irrigation Project, Ariz., appropriation for.....</p> <p>Chocolate Bayou, Tex., improvement authorized; limitation.....</p> <p>Choctaw Indians, Okla.: Atoka Agreement, fulfillment of, appropriation for expenses.....</p>	<p>Page</p> <p>22</p> <p>85, 333</p> <p></p> <p></p> <p></p> <p>333</p> <p>353</p> <p>27</p> <p>27</p> <p>21</p> <p>469</p> <p>24</p> <p></p> <p>335</p> <p>333</p> <p>157</p> <p>364</p> <p>363</p> <p>364</p> <p>175</p> <p>80, 236, 372</p> <p></p> <p>198</p> <p>333</p> <p></p> <p>179</p> <p>39</p> <p>30</p> <p>328</p> <p>18</p> <p></p> <p>335</p>
---	---	---	---

	Page		Page
Choctaw Indians, Okla.—Continued.		Civil Aeronautics, Office of Administrator of—Continued.	
Treaties with, appropriation for fulfilling-----	338	Cafeteria, Washington National Airport, appropriation for construction-----	424
Tuition of pupils, appropriation for-----	333	Entertainment of foreign officials, appropriation for-----	189
Choctawhatchee Bay, Fla., examination and survey authorized-----	30	Landing areas, appropriation for development-----	190
Chopawamsic Recreational Area, appropriation for-----	353	Limitation on number of sites-----	190
Chowan River, N. C., improvement authorized-----	15	Safety regulations, enforcement, appropriation for-----	84, 189, 424
Christiansted Harbor, Saint Croix, V. I., examination and survey authorized---	33	Technical development, appropriation for-----	84, 189
Chuckatuck Creek, Va., examination and survey authorized-----	28	Washington National Airport, appropriation for-----	190, 646
Cincinnati, Ohio, water and sanitary investigations station, appropriation for	371	Civil Aeronautics Board, appropriation for	190
Citizens' Military Training, appropriation for-----	399	Civil Relief, Soldiers' and Sailors', appropriation for payment of claims-----	129
Citizenship and Naturalization. See also Aliens.		Civil Service. See Government Employees.	
Armed forces of U. S., members of—		Civil Service Commission:	
Petition for naturalization, time limit for filing-----	658	Alaska Railroad retirement and disability fund, appropriation for-----	110
Restriction on extension of certain benefits-----	658	Appropriation available in fiscal year 1945, reduction-----	408
Government employees, citizenship requirements. See Citizenship requirements, employees, under Government Departments and Agencies.		Civil-service retirement and disability fund—	
Housing projects, low-rent, citizenship requirement for rental or occupancy-----	125	Appropriation for-----	109
“Ineligible to citizenship,” definition-----	551	District of Columbia, crediting of funds-----	273
Residence abroad, presumption of loss of nationality-----	544	Details to or from other agencies, restriction-----	109
Veterans, alien, waiver of certain fees--	585	Emergency transfers or details-----	109
City Delivery Service:		Federal Employees' Pay Act of 1945—	
Carriers—		Administration—	
Grades and salaries-----	443	Appropriation for-----	419
Payment, appropriation for-----	70	Regulations for, authority for issuance-----	304
Transfer of employees to Inspection Service, authority of Postmaster General-----	451	Legal Examining Unit, funds not available-----	109
Civil Aeronautics, Office of Administrator of:		Minimum rates for classes within grades, establishment-----	298
Administration, general, appropriation for-----	83, 188, 423	Publication; report to Congress-----	298
Air-navigation facilities, appropriation for-----	83, 189, 424, 646	National-defense activities, appropriation for-----	109
Aircraft engines, parts, etc., transfer of surplus from War and Navy Departments authorized-----	646	Termination of availability-----	109
Aircraft maintenance and operation, appropriation for-----	190	Panama Canal construction annuity fund, appropriation for-----	109, 166, 635
Airport Advisory Service, appropriation for-----	189	Penalty mail costs, appropriation for---	108
Alaska—		Political activities, pernicious, appropriation for prevention of-----	108
Medical services for employees-----	195	Report to Congress, establishment of rates for classes of positions within grades-----	299
Subsistence supplies for resale-----	195	Rewards for superior accomplishment, issuance of regulations; report to Congress-----	300
Travel expenses of appointees-----	195	Salaries and expenses, appropriation for-----	108, 418, 635

Civil Service Commission—Continued.	Page	Classification Act of 1923, Amendments—	Page
Veterans, medical examinations by private physicians, appropriations available.....	419	Continued.	
Veterans' Administration, reimbursement of.....	108	Within-grade salary advancements, periodic.....	299
Civil Service Retirement Act:		Armed forces, employees leaving to join, etc.....	299
Amendments—		War service, employees in.....	299
Annuities, compounding of interest..	577	Clatsop County, Oreg., time extended for bridging Columbia River in.....	472
Armed forces, retirement rights of members of.....	577	Clayton Act, applicability to regulation of insurance.....	34
Appropriation authorized.....	578	Clear Creek, Tex., improvement authorized.....	18
Computation of length of service....	621	Clear Lake, Tex., improvement authorized..	18
Veterans' Administration, Medicine and Surgery, Department of, applicability to employees.....	678	Clearwater Bay, Fla., channel, examination and survey authorized.....	29
Civil Service Retirement and Disability Fund:		Clerks of Courts:	
Appropriation for.....	109	Restriction on use of funds for maintaining offices at designated places....	198
District of Columbia, crediting of funds..	273	Salaries, appropriation for.....	198
Civilian Conservation Corps:		Cleveland, Ohio, Aircraft Engine Research Laboratory, appropriation for.....	82, 120
Liquidation expenses, appropriation for.....	374, 375	Cleveland Harbor, Ohio, improvement authorized.....	20
Medical services, etc., furnishing of, by Employees' Compensation Commission.....	377	Clinton Harbor, Conn., improvement authorized.....	13
Civilian Defense, Office of, liquidation of activities, appropriation for.....	429	Clinton River, Mich., examination and survey authorized.....	32
Claims. See also Damage Claims.		Coal:	
American Mexican Claims Commission, appropriation for.....	428	Anthracite investigations, appropriation for.....	346
Audited claims, appropriation for payment of.....	90, 94, 421, 433, 657	Mines, appropriation for inspections and investigations.....	345
Bonneville Project, authority of Administrator.....	547	Coast and Geodetic Survey:	
Netherlands and United States, arbitration of claim, appropriation for....	428	Air travel under orders, per diem rates of allowance.....	134
Postal Service, losses by burglary, etc., investigation and adjustment.....	603	Appropriation for.....	84, 191
Time limitation.....	604	Architects, etc., employment on intermittent basis.....	192
United States, claims against, prosecution by Government employees, etc.—		Boundary line, District of Columbia and Virginia, surveying and marking of..	553
War Mobilization and Reconversion Act, Advisory Board.....	235	Appropriation authorized.....	553
Claims, Court of. See under United States Courts.		Commissioned corps, civilian employment while on terminal leave.....	584
Clarke, William H. Crichton, payment to estate of.....	77	Death gratuity, appropriations available.....	84
Classification Act of 1923, Amendments:		Dependents, person standing in loco parentis, definition.....	587
Basic rates of compensation, increase in..	300	Government housing facilities, occupancy on rental basis without loss of rental allowances.....	316
Charwomen.....	300	Housing facilities, emergency, rental of, money allowances for quarters.....	222
Clerical-mechanical service.....	300	Missing or captured personnel, pay, etc., appropriations available.....	84, 192
Classes of positions within grades, establishment of rates for.....	288	Money allowances in lieu of transportation, payment in advance; rate....	134
Report to Congress.....	299	Per diem rates of allowance.....	134
Rewards for superior accomplishment, authorization, limitations, etc.....	300		
Report to Civil Service Commission....	300		

	Page		Page
Coast and Geodetic Survey—Continued.		Coast Guard—Continued.	
Rental allowances, occupancy of Government facilities under Military Establishment.....	407	Personal property losses—	
Vessel employees, compensation.....	304	Appropriation for.....	216
Coast Artillery Schools, appropriation for.	397	Reimbursement for, provisions relating to.....	578
Coast Guard:		Postage, free—	
Admiral, establishment of grade and rank.....	37	Repeal of provision respecting.....	658
Aerial flights, increased pay for, restrictions.....	216	Time extension.....	542
Air travel under orders, per diem rates of allowance.....	134	Public Health Service officers on detail, per diem rates of allowance authorized.....	216
Aliens, naturalization, time limit for filing petition; restriction on extension of certain benefits.....	658	Rental allowances, occupancy of Government facilities under Military Establishment.....	407
Appropriation for.....	215	Reserve Officers' Training Corps, Army, senior division, credit for active duty.....	235
Armed Forces Voluntary Recruitment Act of 1945.....	538	Terminal leave, civilian employment on, pay and allowances from armed forces.....	584
Clothing allowance on discharge for bad conduct, etc., appropriation for.....	216	Compensation for services.....	585
Damage claims—		Under-age personnel, discharge pay, allowances, etc.....	536
Personal property losses, etc.....	578	Appropriations available for.....	537
Philippine Islands, applicability of Act to.....	511	Repeal of prior legislation.....	537
Dependents—		Vessels. <i>See separate title.</i>	
Person standing in loco parentis, definition.....	587	Veterans. <i>See separate title.</i>	
Quarters for, hiring, restriction.....	216	Water and refrigeration, funds available for.....	222
Dependents of enlisted men—		Coast Pilot, appropriation for compilation.	191
Family allowance.....	541	Code, United States:	
Quarters, monetary allowance in lieu of; restriction.....	541	Amendment, Ozark National Forest, Ark., removal of restriction on designation of certain lands.....	531
Detail of personnel to officers' quarters, etc.....	216	Preparation and editing of new edition—	
Furlough of officers.....	9	Appropriation continued available.....	249
Government employees, protection of civil-service retirement rights.....	577	Appropriation for.....	78, 249
Government housing facilities, occupancy on rental basis without loss of rental allowances.....	316	Code Annotated, United States, price limitation on purchase by Government departments and agencies.....	134
Guam, settlement of damage claims in.....	583	Code of Federal Regulations, appropriation for printing and binding of supplement.....	257
Housing facilities, emergency, rental of, money allowances for quarters.....	222	Coffee Board, Inter-American, appropriation for contribution.....	176
Inductees, funds available for expenses of.....	220	Cohasset Harbor, Mass., improvement authorized.....	12
Insurance. <i>See National Service Life Insurance.</i>		Coins and Coinage:	
Judgments, appropriation for.....	656	Five-cent pieces, metallic content, etc., termination of temporary provisions.....	658
Mail clerks, claims for losses by burglary, etc., investigation and adjustment.....	603	Recoinage of silver coins, appropriation for.....	59
Money allowances in lieu of transportation, payment in advance; rate.....	134	Transportation of bullion and coin, appropriation for.....	65, 91
Navigation aids, establishment and improvement, appropriation for.....	217	Cold Spring Inlet, N. J., improvement authorized.....	14
Officers, messes ashore, furnishing of equipment for.....	217	Colleges and Schools:	
Per diem rates of allowance.....	134	Agriculture and mechanic arts, colleges of, appropriation for endowment.....	367

	Page		Page
Colleges and Schools—Continued.		Columbus, Ga., waterway, examination and survey authorized.....	30
Conscientious objectors, limitation on use of War Department funds for instruction, etc.....	386	Columbus, Miss., appropriation for ground rent, Federal building.....	113
Defense workers, education and training—		Columbus, Ohio, attendance of Marine Band at national encampment of Grand Army of the Republic.....	465
Liquidation of program; disposition of equipment and property.....	367	Colville Indians, Wash.:	
Reduction in appropriation available in fiscal year 1945.....	408	Attorneys' expenses, appropriation for.....	337
Colon, Republic of Panama, appropriation for waterworks, sewers, etc.....	44	Irrigation project, appropriation for.....	328
Colorado:		Land, acquisition of, appropriation for.....	325
Arkansas River, interstate compact for division of waters.....	53	Comité International du Bois, appropriation for contribution.....	150
Colorado-Big Thompson project, appropriation for.....	339, 341, 648	Command and General Staff School, Fort Leavenworth, Kans., appropriation for.....	385
Indians—		Commerce, Department of:	
Irrigation projects, appropriation for.....	328	Appropriation Act, 1946.....	187
Southern Utes, appropriation for acquisition of land.....	325	Census, Bureau of the—	
Support, etc., appropriation for.....	325	Agriculture, Census of, increase in appropriation.....	6
Rocky Mountain National Park, exchange of lands authorized.....	466	Appropriation for.....	188, 423, 646
San Luis Valley project, appropriation for.....	342, 647	Evidence of age, procedure for furnishing.....	188
Colorado-Big Thompson Project, Colo.:		Census or statistical matters, special investigations for war purposes, extension of temporary provisions.....	658
Construction, etc., appropriation for.....	341, 648	Civil Aeronautics, Office of Administrator of. <i>See separate title.</i>	
Operation and maintenance, appropriation for.....	339	Civil Aeronautics Board, appropriation for.....	190
Colorado River, Tex., examination and survey authorized.....	31	Coast and Geodetic Survey. <i>See separate title.</i>	
Colorado River Dam Fund, appropriation for.....	342, 648	Damage claims, appropriation for.....	93, 431, 655
Colorado River Development Fund, appropriation for.....	342, 648	Declassification and technical services, appropriation for.....	645
Colorado River Front Work and Levee System, appropriation for.....	343	Export-Import Bank of Washington, Secretary to serve on Advisory Board of.....	528
Colorado River Indians, Ariz.:		Federal Loan Agency, transfer of functions, funds, etc., to.....	5
Irrigation and power systems, appropriation for.....	328, 331	Federal property utilization, reduction in appropriation available in fiscal year 1945.....	408
Support, etc., appropriation for.....	85, 326, 337	Foreign and Domestic Commerce, Bureau of, appropriation for.....	192, 424
Colorado River Project, Tex., appropriation for construction.....	86	Foreign Service Personnel, Board of, Department of State, membership on.....	105
Columbia Basin Project, Wash.:		National Advisory Council on International Monetary and Financial Problems, membership of Secretary.....	512
Construction, appropriation for.....	342, 648	National Inventors Council Service Staff, appropriation for.....	188
Operation and maintenance, appropriation for.....	340	Overthrow of United States Government, restriction on employment of persons advocating.....	201
Columbia Institution for the Deaf, appropriation for.....	365, 636	Patent Office—	
Columbia River:		Appropriation for.....	192
Bonneville, Oreg., replacement of fishing grounds authorized.....	22		
Bridging, Clatsop County, Oreg., time extended.....	472		
Improvement authorized.....	22		
Umatilla Dam, construction.....	22		
Columbia Slough, examination and survey authorized.....	33		

Commerce, Department of—Continued.	Page	Commodity Credit Corporation—Con.	Page
Patent Office—Continued.		Transfer of funds to certain Treasury	
Printing and binding, appropriation		Department appropriations.....	58, 60
for.....	193	Wheat, sale for feed, price restriction....	154
Penalty mail costs, appropriation for....	188	Commodity Exchange Act, appropriation	
Printing and binding, appropriation		to effect provisions of.....	159
for.....	188, 423	Common Carriers. See Carriers.	
Reconstruction Finance Corporation.		Communicable Diseases, appropriation	
<i>See separate title.</i>		for prevention and suppression of....	369
Salaries, appropriation for.....	187, 423, 645	Communications Commission, Federal.	
Secretary, Office of, appropriation for..	187,	<i>See Federal Communications Com-</i>	
	423, 645	mission.	
Standards, National Bureau of—		Community Facilities, War Public Works,	
Appropriation for.....	193	appropriation for, restrictions on use	
Public Health Service officers de-		of funds.....	419
tailed to, funds available for ex-		Community War Services, appropriation	
penses.....	193	for.....	375
Scientific investigations for depart-		Compacts. See Interstate Compacts.	
ments, etc., transfer of funds. 63, 74,	194	Compton Creek, N. J., improvement au-	
Scientists, etc., employment on inter-		thorized.....	13
mittent basis, funds available		Comptroller General. See General Ac-	
for.....	194	counting Office.	
Travel expenses.....	195	Comptroller of the Currency, Office of.	
Weather Bureau—		<i>See under Treasury Department.</i>	
Alaska—		Conciliation Commissioners:	
Medical services for employees in..	195	Labor, Department of, appropriation	
Meteorological observations, com-		for.....	362
pensation to Government em-		U. S. Courts, appropriation for fees, etc.	198
ployees for taking and trans-		Conecuh River, Fla., waterway, examina-	
mitting.....	195	tion and survey authorized.....	30
Subsistence supplies for resale....	195	Conferences, Commissions, Etc. See In-	
Travel expenses of appointees.....	195	ternational Obligations.	
Appropriation for.....	84, 194, 424	Congress. See also House of Representa-	
Printing by, restriction on.....	195	tives; Legislative Branch of the Gov-	
Commerce, Secretary of. See Commerce,		ernment; Senate.	
Department of.		Counsel, employment of, nonapplicabil-	
Commissioners, U. S. Courts:		ity of designated sections of Crimi-	
Appointment of referee in bankruptcy		nal Code and of Revised Statutes..	607
or national park commissioner as..	659	General Accounting Office, investiga-	
Appropriation for fees, etc.....	198, 634	tions and reports, detail of assist-	
Commodity Credit Corporation:		ants, appropriation for.....	118
Appraisal of assets and liabilities, an-		Inquiries and investigations, injury to	
nual; report to President.....	51	party or witness, penalty.....	234
Appropriation for.....	153, 423, 644	Insurance, regulation of, expression of	
Audit.....	597, 599	intent.....	33
Budget program, annual.....	597, 598	Interstate compacts, consent granted	
Capital impairment, restoration of, ap-		to—	
propriation for.....	90	Arkansas River, division of waters....	53
Corn, sale for feed, price restriction....	154	Lake Champlain Bridge Commission,	
Cotton, parity price determination..	51, 153	amendatory agreement by States	
Extension to June 30, 1947.....	51	of New York and Vermont.....	227
Farm commodities, parity price restric-		Pymatuning Lake, amendment of ex-	
tion.....	50	isting compact.....	502
Loans on tobacco crops.....	506	Parking spaces for Members, reserva-	
Obligations, increase authorized.....	50	tion of, in District of Columbia....	289
Parity price, restriction on sales at less		Pearl Harbor Investigating Committee,	
than.....	153, 154	nonapplicability of designated pro-	
Penalty mail costs, appropriation for...	137	visions of law to employment of	
Subsidy operations, limitations.....	51	counsel by.....	670
Increase in limitations.....	506		

Congress—Continued.	Page	Congress—Continued.	Page
Philippine Islands, provision for national elections in.....	608	Reports to be submitted to, by/on— Continued.	
Reorganization Act of 1945, Congressional procedure under.....	617	Navy Department—	
Reports to be submitted to, by/on—		Public-works projects, acquisition of land.....	10
Agriculture, Department of, administration of grants and coordination of research with States.....	143	Settlement of certain claims.....	596
Alaska Communication System, improvements, etc.....	40	Panama Canal, Governor of, means of increasing capacity and security of Canal.....	663
Alien Property Custodian, expenses..	474	President of U. S., United Nations activities and United States participation.....	620
Budget, Bureau of—		Price Administration, Office of, appropriations and contract authorizations.....	416
Limitations on certain expenditures.....	486	Rivers and harbors and flood-control, employment of personnel by War Department.....	40
Personnel requirements of agencies, etc.....	305	State, Department of—	
Civil Service Commission, establishment of rates for classes of positions within grades.....	299	Commissary service in foreign countries, receipts and expenditures	174
District of Columbia, municipal buildings, use of school funds for repairs to.....	275	Foreign Service, post allowances..	102, 104
Export-Import Bank of Washington, operations.....	529	Sale of property in foreign countries..	53
Forest-fire prevention, transfer of funds for.....	353	Treasury Department—	
General Accounting Office, audits of financial transactions of Government corporations.....	6, 599, 600	Internal-revenue collections, refunds in excess of \$500.....	62
Geological Survey, interchange of appropriations.....	345	Replacement of losses in connection with redemption of savings bonds.....	48
Indian Affairs, Bureau of—		United States Naval Academy Centennial Commission, plans and recommendations.....	135
Alaska, expenditures for relief of destitute in.....	334	War Department—	
Boarding schools, nonreservation, interchange of funds.....	333	Appropriations and contract authorizations.....	407
Fire prevention, diversion of funds for.....	326	Engineers, Corps of, navigation and flood-control projects.....	10
Replacement of property destroyed by fire, etc., diversion of funds..	325	Regular Army, certain enlistments and reenlistments.....	539
Interior, Department of the, reclamation projects, special amendatory contracts.....	76	War Food Administration, liquidation of Federal rural rehabilitation projects.....	160
Justice, Department of, employment of special attorneys.....	183	Seventy-ninth, second session, date of beginning.....	668
National Advisory Council on International Monetary and Financial Problems, participation of U. S. in and operations of International Monetary Fund and International Bank for Reconstruction and Development.....	513	United Nations, designation of Senators and Representatives to General Assembly, compensation restriction	619
National Archives, disposal of Government records.....	434	United Nations Relief and Rehabilitation Administration, recommendations with respect to.....	609, 612
National Housing Agency, transfer of funds.....	122	Congressional Cemetery, D. C., appropriation for maintenance of portion owned by U. S.....	39
National Park Service, transfer of funds.....	353	Congressional Directory, appropriation for compiling, etc.....	250
		Congressional Library. <i>See</i> Library of Congress.	

Congressional Medal of Honor, persons awarded, appointment of sons to Military or Naval Academy	586	Cooper River, S. C., examination and survey authorized	28
Congressional Record, appropriation for preparation of indexes	257	Cooperative Farm Forestry Act, appropriation to effect provisions of	151
Connecticut:		Cooperatives, Central Bank for, and Regional Banks for, audit of financial transactions, report, etc	600
District court, terms.....	663	Coordinator of Inter-American Affairs. See Inter-American Affairs, Office of.	
Navigation and flood-control projects authorized.....	13	Coos Bay, Oreg., examination and survey authorized	33
Preliminary examinations and surveys of rivers, etc., authorized.....	25	Coos Bay Wagon Road Grant Lands, appropriation for	323
Connecticut River, Hartford, Conn., improvement authorized	13	Copper, subsidy allocation for	261
Conscientious Objectors:		Copyright Office:	
War Department funds, limitation on use of.....	386	Catalogue of Title Entries, appropriation for publication of.....	255
Work program, funds available for....	485	Salaries, appropriation for.....	253
Conscription. See Selective Training and Service Act of 1940.		Coquille River, Oreg., improvement authorized	21
Contingent Expenses:		Cordials, excise tax refunds on floor stocks ..	575
Appropriation for—		Cordova Harbor, Alaska, examination and survey authorized	33
Army.....	384	Corn, sale by Commodity Credit Corporation; parity price	50, 154
House of Representatives... 78, 248, 413,	633	Corporation Control Act, Government. See Government Corporation Control Act.	
Interior, Department of the.....	319	Corporations, Government:	
Justice, Department of.....	181	Employees, pay increases; basic work week. <i>See</i> Federal Employees Pay Act of 1945.	
Labor, Department of.....	361, 650	Inter-American Affairs, Coordinator of, creation by, powers; limitation.....	477
Library of Congress.....	255	Overtime compensation, basis.....	296
Navy Department.....	202, 218	Reports, personnel, to Bureau of Budget..	304
Post Office Department.....	68, 651	Subsidy payments—	
Senate.....	77, 242, 605	Commodity Credit Corporation, increase in limitations.....	506
State, Department of.....	88, 169	Limitations on.....	260
Foreign Service.....	89, 173, 652	Corpus Christi Pass, Tex., examination and survey authorized	31
Treasury Department.....	57	Cotton:	
War Department.....	403	Acreage allotment status of certain producers, protection of.....	9
Limitation increased.....	92	Parity price; restrictions.....	51, 153
Contract Settlement, Office of, appropriation for	484	Cotton Act, appropriation for refund of taxes collected under	62
Contracts, Government, Foreign Service, contracts exempt from prohibition on interest of Members of Congress	175	Cotton Fiber Analyses, appropriation for ..	158
Contracts, War:		Cotton Futures Act, appropriation to effect provisions of	159
Navy Department, funds available for financing.....	221	Cotton Ginning, appropriation for investigations	146
Renegotiation, termination date.....	294	Cotton Standards Act, appropriation to effect provisions of	159
Renegotiation Act, refunds under, appropriation for.....	90	Cotton Statistics and Classing Acts, appropriation to effect provisions of	159
Repricing of, termination.....	295	Counterfeiting, suppression of, appropriation for	91
War Department—			
Financing of.....	404		
Renegotiation of, certification to Treasury of amounts withheld or credited.....	407		
Convict Labor, Federal-Aid Highway System, restriction on employment by States	116		
Convicts, appropriation for support of Federal prisoners	187		
Cook Inlet, Alaska, navigation, harbor facilities, and hydroelectric power, examination and survey authorized ..	33		

Courts. <i>See</i> District of Columbia; Justice, Department of; U. S. Courts.			
Courts Martial:			
Army, appropriation for expenses.....	388	Crimes and Misdemeanors—Continued.	
Navy, crime of murder, jurisdiction....	595	Prostitution, prohibition of, near military and naval establishments, time extension.....	168
Pearl Harbor catastrophe, extension of statutes of limitations.....	233	Spanish-American War, payment to certain soldiers of, violation of limitation on fees to attorneys, etc..	597
Coxes Creek, Md., examination and survey authorized.....	27	United Nations, violation or evasion of economic sanctions.....	620
Craig Harbor, Alaska, improvement authorized.....	23	Criminal Code:	
Cranes Creek, Va., improvement authorized.....	14	Amendment, witnesses, jurors, etc., United States Courts, injury on account of action as such, penalty..	234
Credit Union Act, Federal, administration by Federal Deposit Insurance Corporation, appropriation for.....	111	Nonapplicability of designated sections—	
Creek Indians, Okla., appropriation for tuition of pupils.....	333	Congress, employment of counsel by committee of.....	607
Crescent City Harbor, Calif., improvement authorized.....	21	War Mobilization and Reconversion Act of 1944, Advisory Board....	235
Criers, United States Courts, salaries, appropriation for.....	198, 634	Criminal Police Commission, International, appropriation for membership....	184
Crimes, War, United Nations Commission for Investigation of, appropriation for..	180	Criminal Proceedings, Rules for, preparation of, appropriation made available..	196
Crimes and Misdemeanors:		Criminal Prosecutions, Pearl Harbor Catastrophe, extension of statutes of limitation.....	233
Aircraft, stolen, transportation in interstate or foreign commerce.....	536	Crippled Children, appropriation for grants to States for services for.....	364
Aliens, enemy, procurement of or assistance in escape.....	101	Crisfield Harbor, Md., examination, improvement, etc., authorized.....	14, 26
Antitrust laws, violations, continuance of suspension of statutes of limitations.....	306	Critical Materials. <i>See</i> Strategic and Critical Materials.	
California, payment for damages to San Francisco-Oakland Bay Bridge, violation of restrictions.....	551	Crop Insurance Act, Federal, appropriation for expenses under.....	155
Citizenship requirement, Government employees, false affidavit.....	133	Crop Insurance Corporation, Federal, subscriptions to capital stock, appropriation for.....	90
Counterfeiting, etc., appropriation for suppression of.....	64, 91	Crop Production and Harvesting Loans, appropriation for.....	163
Courts, United States, injury on account of action as witness, juror, etc., penalty.....	234	Crow Indian Reservation, Mont., appropriation for irrigation systems.....	329
District of Columbia Traffic Act violations, certain.....	313	Crugers-on-Hudson, N. Y., designation of proposed hospital as Franklin Delano Roosevelt Hospital.....	538
International Monetary Fund, unlawful disclosure of information by Government officer or employee.....	515	Crystal River, Fla., examination and survey authorized.....	29
Merchant seamen's service insignia; restrictions on sale, possession, etc., penalty for violations.....	511	Cuba, monuments, etc., to American soldiers, appropriation for maintenance.....	39
Overthrow of U. S. Government, employees advocating.....	45,	Cultural Relations, appropriation to carry out program with China and neighboring countries, Near East, and Africa.....	179
75, 95, 130, 165, 201, 221, 259, 293,		Cultural Relations, Inter-American Convention for Promotion of, appropriation for expenses under.....	180
360, 382, 405, 433, 487, 657		Cundys Harbor, Maine, examination and survey authorized.....	25
Philippine Insurrection, payment to certain soldiers of, violation of limitation on fees to attorneys, etc..	597	Currency Regulation. <i>See</i> Federal Reserve Act, Amendments.	
Prisoners of war, escape, procurement of or assistance in.....	101		

Curtis Creek, Md., improvement authorized	Page 14	Damage Claims—Continued.	Page
Custer Battlefield National Cemetery, appropriation for road maintenance.	352	National Housing Agency, appropriation for.....	93, 431, 655
Customs, Bureau of. See under Treasury Department.		Naval service, reimbursement for personal property losses.....	578
Customs and Patent Appeals, Court of. See under United States Courts.		Navy, settlement, authority of Secretary—	662
Customs Court. See under United States Courts.		Navy Department—	
Customs Division. See under Justice, Department of.		Appropriation for.....	86, 93, 431, 651, 655
Customs Duties, international organizations, immunities	669	Civilian personnel, personal property losses, appropriation for reimbursement.....	202
Customs Officers and Employees:		Naval aircraft damage, appropriation for.....	212
Inspectors, overtime services, Sunday or holiday work, payment for.....	302	Property under jurisdiction of, settlement; execution of release, etc....	596
Pay, increase in basic rates.....	302	Reports to Congress.....	596
Cuyahoga River, Ohio, extension of channel authorized	20	Settlement of claims, authority of Secretary.....	662
Cypress Creek, Tex., examination and survey authorized	31	Philippine Islands, applicability of designated Act to.....	511
D			
Dairy Industry, Bureau of. See under Agriculture, Department of.		Post Office Department, appropriation for.....	69, 93, 431, 651, 655
Dallas, Tex., easement in certain Veterans' Administration lands for highway purposes	54	Price Administration, Office of, appropriation for.....	431, 655
Damage Claims:		Public Roads Administration, appropriation for.....	81, 419, 638
Agriculture, Department of, appropriation for.....	93, 431, 655	San Francisco-Oakland Bay Bridge, Calif., payment for damages.....	550
Army—		Selective Service System, appropriation for.....	93, 431, 655
Appropriation authorized.....	225	Strategic Services, Office of, appropriation for.....	655
Appropriations available.....	45, 225	Treasury Department, appropriation for.....	431, 655
Appropriations for.....	91, 389, 654	Veterans' Administration, appropriation for.....	431
Coast Guard, personal property losses, etc.....	578	War Department—	
Commerce, Department of, appropriation for.....	93, 431, 655	Appropriation for.....	91, 389, 429, 654
District of Columbia, appropriation for.....	644	Appropriations available.....	45, 225
Emergency Management, Office for, appropriation for.....	93, 431, 655	War Food Administration, appropriation for.....	93, 431
Federal Bureau of Investigation, appropriation for.....	86, 425, 650	War Information, Office of, appropriation for.....	431
Federal Security Agency, appropriation for.....	93, 431, 655	War Production Board, appropriation for.....	431, 655
Federal Works Agency, appropriation for.....	93, 431, 655	War Shipping Administration, appropriation for.....	93, 431, 655
Guam, settlement of certain.....	582	Dams. See Rivers and Harbors.	
Independent offices, appropriation for.....	93, 431, 655	Daughters of the American Revolution, Captain William E. Edmiston Chapter, conveyance of certain building and tract to	462
Interior, Department of the, appropriation for.....	93, 431, 655	Dauphin Island Bay Channel, Ala., improvement authorized	17
Justice, Department of, appropriation for.....	93, 431, 655	Davenport, Iowa, Mississippi River, examination and survey authorized	31
National Advisory Committee for Aeronautics, appropriation for.....	93, 431, 655	Davis-Bacon Act, appropriation for administration of	361
		Davis Creek, Va., examination and survey authorized	27

Davis Dam Project, Ariz.-Nev.:		Page	Defense Transportation, Office of—Con.	Page
Construction, appropriation for.....	647		Subsistence to witnesses, certification requirement.....	475
Davis-Parker substation and transmission line, funds available for.....	342		Synthetic liquid fuel demonstration plants, transportation of workers and school children.....	347
Daylight Saving Time, termination of....	537		Defense Workers:	
Deadwood, S. Dak., clerk of United States District Court, restriction on use of funds for maintaining office of.....	198		Education and training—	
Deaf, Columbia Institution for the, appropriation for.....	365, 636		Appropriation available in fiscal year 1945, reduction.....	408
Debt Act of 1945, Public.....	47		Liquidation of program, appropriation for.....	367
Debt Default Act, Amendment, inapplicability in certain cases under Bretton Woods Agreements Act.....	516		Time limit on use of funds for training..	383
Decorations. See Medals, Decorations, Etc.			Training within industry, appropriation for.....	381
Deep Bay—Swan Quarter Bay, N. C., waterway, improvement authorized.....	15		Deficiency Appropriation Acts. See also Supplemental Appropriations.	
Deep Creek, Md., examination and survey authorized.....	26		Deficiency Appropriation Act, 1944, Second, Amendment:	
Deep Creek, Va., examination and survey authorized.....	27		Public Works Administration, liquidation, time extension; limitation on use of funds.....	80
Deer Point Light, Fla., waterway, examination and survey authorized.....	30		Increase in limitation.....	638
Defense. See War and National Defense.			Deficiency Appropriation Act, 1945, First..	77
Defense Aid Appropriation Act, 1946.....	429		Agriculture, Department of, appropriation for.....	83
Retroactive provisions.....	433		Architect of the Capitol, appropriation for.....	79
Defense Highway Act of 1941:			Audited claims, appropriation for.....	94
Appropriations to carry out provisions of.....	117		Commerce, Department of, appropriation for.....	83
Damage claims under, appropriation for payment of.....	81, 419, 638		District of Columbia, appropriation for.....	83
Defense Homes Corporation:			Emergency Management, Office for, appropriation for.....	79
Audit and annual budget program... 598, 599			Federal Security Agency, appropriation for.....	79
Federal Public Housing Authority, merger of funds.....	124		Federal Trade Commission, travel expenses, increase in amount available.....	80
Defense Housing. See Housing.			Federal Works Agency, appropriation for.....	80
Defense Plant Corporation:			General Accounting Office, appropriation for.....	81
Appropriation for.....	200		General provisions.....	95
Audit and annual budget program... 598, 599			House of Representatives, appropriation for.....	78
Dissolution, transfer of functions, etc., to Reconstruction Finance Corporation.....	310		Independent offices, appropriation for..	79
Defense Supplies Corporation:			Interior, Department of the, appropriation for.....	84
Appropriation for.....	200		Interstate Commerce Commission, appropriation for.....	82
Audit and annual budget program... 598, 599			Judgments and authorized claims, appropriation for.....	92
Dissolution, transfer of functions, etc., to Reconstruction Finance Corporation.....	310		Judiciary, appropriation for.....	92
Slaughterers, extra compensation payments to, relief from repayment in certain cases.....	261		Justice, Department of, appropriation for.....	86
Defense Transportation, Office of:			Legislative Branch of the Government, appropriation for.....	77, 78
Appropriation for.....	474, 635		National Advisory Committee for Aeronautics, appropriation for.....	82
Reduction in appropriation available in fiscal year 1945.....	408			
Commercial lines under operation of, payment of fees and taxes.....	475			
Helium plants, transportation of workers and school children.....	351			

Deficiency Appropriation Act, 1945, First— Continued.	Page	Deficiency Appropriation Act, 1945, Sec- ond—Continued.	Page
National Housing Agency, appropriation for.....	82	Federal Security Agency, appropriation for.....	419
National Mediation Board, appropriation for.....	82	Federal Works Agency, appropriation for.....	419
Navy Department and Naval Establishment, appropriation for.....	86	Filipino Rehabilitation Commission, appropriation for.....	420
Overthrow of United States Government, restriction on employment of persons advocating.....	95	Foreign Economic Administration, appropriation for.....	416
Overtime and other pay increases, Legislative Branch of the Government, appropriation for.....	77, 78	Foreign war relief, appropriation continued available for termination of program.....	414
Post Office Department, appropriation for.....	88	General provisions.....	433
President, Executive Office of, appropriation for.....	79	Government Printing Office, increase in amount available for Federal Register.....	413
Price Administration, Office of, appropriation for.....	79	House of Representatives, appropriation for.....	413
Public Health Service, appropriation for.....	79	Independent offices, appropriation for..	418
Railroad Retirement Board, appropriation for.....	82	Inter-American Affairs, Office of Coordinator of, increase in limitation on penalty mail.....	418
Senate, appropriation for.....	77	Interior, Department of the, appropriation for.....	424
Social Security Board, appropriation for.....	80	Judgments and authorized claims, appropriation for.....	421, 431, 432
State, Department of, appropriation for..	88	Justice, Department of, appropriation for.....	425
Substitutions. <i>See</i> Supplemental Appropriations, 1945.		Legislative Branch of the Government, appropriation for.....	412
Treasury Department, appropriation for.....	90	Maritime Commission, increase of limitation on penalty mail costs.....	420
Veterans' Administration, appropriation for.....	83	National Housing Agency, appropriation for.....	420
War Department, appropriation for.....	91	National Labor Relations Board, transfer of funds authorized.....	420
War Manpower Commission, appropriation for.....	79	Navy Department, appropriation for..	425
Deficiency Appropriation Act, 1945, Second.	412	Overthrow of U. S. Government, restriction on employment of persons advocating.....	433
Agriculture, Department of, appropriation for.....	422	Post Office Department, appropriation for.....	426
Audited claims, appropriation for... 421,	433	President, Executive Office of, appropriation for.....	413
Civil Service Commission, appropriation for.....	418	Price Administration, Office of, appropriation for.....	414
Commerce, Department of, appropriation for.....	423	Public Health Service, appropriation for.....	419
District of Columbia, appropriation for.....	420	Retroactive provisions.....	433
Emergency fund for the President, appropriation continued available.....	414	Roosevelt, Franklin Delano, appropriation for expenses incident to death and burial.....	413
Emergency Management, Office for, appropriation for.....	416	Rubber Development Corporation, funds available for.....	418
Executive Mansion and grounds, appropriation for.....	414	Senate, appropriation for.....	412
Export-Import Bank of Washington, appropriation for.....	417	State, Department of, appropriation for.....	427
Federal Expenditures, Nonessential, Joint Committee on, appropriation for.....	413	Treasury Department, appropriation for.....	428
Federal Power Commission, appropriation for.....	419		

Deficiency Appropriation Act, 1945, Second—Continued.	Page	Deficiency Appropriation Act, 1946, First—Continued.	Page
U. S. Commercial Company, funds available for.....	418	Independent offices, appropriation for..	635
War Department, appropriation for....	429	Interior, Department of the, appropriation for.....	646
War Refugee Board, appropriation continued available for completing liquidation of activities.....	414	Interstate Commerce Commission, appropriation for.....	639
White House Office, appropriation for..	413	Judgments and authorized claims, appropriation for.....	655, 656
Deficiency Appropriation Act, 1946, First..	632	Judiciary, appropriation for.....	634
Agriculture, Department of, appropriation for.....	644	Justice, Department of, appropriation for.....	650
Alien Property Custodian, Office of, appropriation for.....	634	Labor, Department of, appropriation for.....	650
American Battle Monuments Commission, appropriation for.....	635	Legislative Branch of the Government, appropriation for.....	632
Architect of the Capitol, appropriation for.....	633	Library of Congress, transfer of funds..	634
Audited claims, appropriation for.....	657	National Housing Agency, appropriation for.....	639
Budget, Bureau of, appropriation for....	634	National Labor Relations Board, appropriation for.....	640
Civil Service Commission, appropriation for.....	635	National Mediation Board, appropriation for.....	641
Columbia Institution for the Deaf, appropriation for.....	636	Navy Department, appropriation for....	651
Commerce, Department of, appropriation for.....	645	Overthrow of U. S. Government, restriction on employment of persons advocating.....	657
Defense Transportation, Office of, appropriation for.....	635	Post Office Department, appropriation for.....	651
District of Columbia, appropriation for..	642	President, Executive Office of, appropriation for.....	634
Emergency Management, Office for, appropriation for.....	634	Public Health Service, appropriation for.....	636
Employees' Compensation Commission, appropriation for.....	635	Reconstruction Finance Corporation, appropriation for.....	635
Executive Mansion and grounds, appropriation for.....	634	Securities and Exchange Commission, appropriation for.....	641
Export-Import Bank of Washington, appropriation for.....	635	Senate, appropriation for.....	632
Federal Communications Commission, appropriation for.....	635	Smithsonian Institution, appropriation for.....	641
Federal Home Loan Bank Administration, appropriation for.....	640	Social Security Board, appropriation for State, Department of, appropriation for.....	637
Federal Housing Administration, appropriation for.....	640	Treasury Department, appropriation for.....	652
Federal Loan Agency, appropriation for..	635	United Nations Relief and Rehabilitation Administration, appropriation for.....	653
Federal Power Commission, appropriation for.....	636	Veterans' Administration, appropriation for.....	634
Federal Security Agency, appropriation for.....	636	War Department, appropriation for....	642
Federal Works Agency, appropriation for.....	638	War Mobilization and Reconversion, Office of, appropriation for.....	654
Food and Drug Administration, appropriation for.....	636	Definitive Writings of George Washington, furnishing of sets to members of Congress.....	641
Foreign-service pay adjustment, appropriation for.....	639	Delaware:	
General Accounting Office, appropriation for.....	639	Navigation and flood-control projects authorized.....	258
General provisions.....	657		
House of Representatives, appropriation for.....	633		
Howard University, appropriation for..	636		14

	Page		Page
Delaware—Continued.		District Attorneys, appropriation for salaries and expenses	183, 425
Preliminary examinations and surveys of rivers, etc., authorized.....	26	District Courts. See under United States Courts.	
Delaware Bay—Rehoboth Bay, Del., inland waterway, improvement authorized	14	District of Columbia:	
Delaware River, examination, improvement, etc., authorized	14, 25	Administration, general, appropriation for.....	83, 272, 420
Denison Dam Project, appropriation for expenses in disposing of power	321	Advertising, fraudulent, purchases of food in connection with investigation of, appropriation authorized.....	99
Denver, Colo., appropriation for mint	65	Advertising in newspapers and legal periodicals, appropriation for.....	272
Department of Agriculture Organic Act of 1944, appropriation to effect provisions of	146, 147	Aged and Infirm, Home for, appropriation for.....	284, 643
Departments. See Government Departments and Agencies.		Alcoholic Beverage Control Board, appropriation for.....	273
Dependent Children, grants to States for aid to, appropriation for	80, 236, 372	Alley Dwelling Act, time extension.....	410
Dependents Allowance Act of 1942, Servicemen's, Amendments, family allowance, and allowance in lieu of quarters for dependents	541	Alley Dwelling Authority Act, appropriation for maintenance of properties under.....	121
Depoe Bay, Oreg., improvement authorized	21	Appropriation Act, 1944, repeal of provision relating to salaries of teachers—college professors, etc.....	500
Deportation of Aliens. See Aliens.		Appropriation Act, 1946.....	271
Deposit Insurance Corporation, Federal, audit of financial transactions, report, etc	600	Appropriations, specified amounts to be considered maximum.....	293
Deschutes County, Oreg., mineral resources, exclusion of certain lands from provisions of designated statutes	622	Aqueducts and accessories, appropriation for.....	291
Deschutes Project, Oreg., appropriation for construction, etc	341, 647	Asphalt plant, appropriation for purchase of.....	288
Detroit River:		Assessor's office, appropriation for.....	272
Improvement authorized.....	20	Audited claims, appropriation for payment of.....	421
Marine Service, carriers, salaries.....	444	Auditor's office, appropriation for.....	273
Postal Service, appropriation for.....	70, 427	Black-outs, reduction in appropriation available in fiscal year 1945.....	409
Dexter Lake, Fla., channel system, examination and survey authorized	28	Boundary line, District of Columbia and Virginia, establishment.....	552
Dibble General Hospital, land occupied by, inclusion within corporate limits of Menlo Park, authorized	661	Acceptance of provisions by Virginia, requirement.....	553
Dickinson Bayou, Tex., examination and survey authorized	31	Airport, Washington National, jurisdiction over.....	553
Digest of Public General Bills, limitation on expenditures for preparation, etc	253	Jurisdiction over designated areas.....	553, 554
Diplomatic Officers. See Foreign Service under State, Department of.		Rights, etc., reserved to U. S.....	552
Disabled Persons. See Employees' Compensation Act, Amendments; Veterans; Vocational Rehabilitation.		Bridges, appropriation for operation, etc.....	287
Disaster Loan Corporation:		Buildings, maximum height regulations, exception for Georgetown University Hospital.....	38
Appropriation for.....	200	Central Dispensary and Emergency Hospital, appropriation for.....	283
Audit and annual budget program.....	598, 599	Chief Clerk, Office of, appropriation for.....	286
Dissolution, transfer of functions, etc., to Reconstruction Finance Corporation.....	310	Children, legally adopted, treatment of in public schools.....	274
Distilled Spirits, excise tax refunds on floor stocks	575	Children's Hospital, appropriation for.....	283
Distribution, Office of. See under Agriculture, Department of.		Citizenship requirements, employees.....	293
		Claims and suits, appropriation for settlement.....	272, 644
		Increase in limitation.....	83
		Collector's office, appropriation for.....	272

District of Columbia—Continued.	Page
Columbia Hospital and Lying-In Asylum, appropriation for.....	283
Columbia Polytechnic Institute for the Blind, appropriation for.....	284
Communication systems, appropriation for operation and maintenance....	286
Compensation and retirement fund expenses, appropriation for.....	273
Congressional tags, limitation on validity.....	313
Coroner's office, appropriation for.....	274
Corporation Counsel, Office of, appropriation for.....	83, 272
Courts—	
District Court of United States—	
Appropriation for.....	196
Kermit Roosevelt fund, jurisdiction..	317
Jury commissioners, compensation....	198
Juvenile court—	
Absconding probationers, advances to secure return of.....	280
Appropriation for.....	280
Psychiatric service.....	280
Mental Health, Commission on, appropriation for.....	281
Municipal court—	
Appropriation for.....	280
Jury trials, deposits for.....	280
Municipal court of appeals, appropriation for.....	281
Probation system, appropriation for..	281
United States Court of Appeals—	
Appropriation for.....	92, 196
Reports, sale price limitation.....	200
United States courts—	
Division of expenditures.....	196
Reimbursement to United States, appropriation for.....	281
Wills, Register of, appropriation for Office of.....	281
Debt Service, District, appropriation for.....	273
Delinquent tax list, advertising of....	272
District Attorney, United States, division of expenditures for office of....	187
District Buildings, Office of Superintendent of, appropriation for.....	286
District Debt Service, appropriation for..	273
District Training School—	
Appropriation for.....	285, 643
Public patients, maintenance, payment from estate or by designated relatives.....	100
Roadway, use of property for.....	589
Division of expenses.....	83, 422, 644
Dogs—	
Rabies, prevention of spread of, vaccination, etc.....	410
Tax.....	409

District of Columbia—Continued.	Page
Eastern Dispensary and Casualty Hospital, appropriation for.....	283
Education, Board of—	
Appointment, classification, and assignment of teachers, etc., authority regarding.....	492, 502
Designation of number of rooms in elementary school buildings.....	498
Employees serving in armed forces, experience credit for, longevity increases, etc.....	497
Examiners, boards of, designations....	498
Electrical Division, appropriation for...	286
Emergency expenses, appropriation for..	272
Emergency Rent Act, extension.....	592
Employees—	
Armed forces, members of, civilian employment while on terminal leave.....	584
Pay increases; basic work week. <i>See</i> Federal Employees Pay Act of 1945.	
Policemen and firemen, pay increases..	470
Employees' compensation fund, appropriation for.....	273
Employees' retirement fund, appropriation for.....	273
Engineer Commissioner, appropriation for compensation.....	272
Equipment, sale or exchange of.....	293
Erroneous collections, appropriation for..	272
Examiners, boards of, membership, etc..	498
Executive office, appropriation for.....	272
Females, employment of, temporary permit to extend hours, extension of time.....	95
Fire Department—	
Appropriation for.....	280
Pay increases.....	470
Applicability to pilots and marine engineers.....	662
Salaries.....	318
Fiscal Service, appropriation for.....	272, 421
Florence Crittenton Home, appropriation for.....	284
Food-conservation program, appropriation for.....	284
Freedmen's Hospital, appropriation for..	283
Gallinger Municipal Hospital—	
Appropriation for.....	83, 282, 643
Nonresident insane, appropriation for deportation of.....	285
Superintendent—	
Detail of commissioned officer from Public Health Service to act as.....	412
Removal of restrictions respecting appointment of certain retired personnel as.....	411
Salary, etc.....	411

District of Columbia—Continued.	Page
“Penny milk” program for school children.....	284
Policemen’s and firemen’s relief, appropriation for.....	280
Potomac and Anacostia Rivers, examination and survey authorized.....	27
Poundmaster’s office, appropriation for.....	274
Providence Hospital—	
Corporate name.....	551
Real estate, holding of, repeal of limitation.....	552
School for nurses and interns.....	551
Public library, appropriation for.....	278, 421
Public schools—	
Administration, appropriation for.....	274
Administrative and supervisory officers—	
Classification and assignment.....	492, 502
Promotion, methods of.....	497
Salary schedules.....	490
Effective date.....	499, 502
Longevity increases.....	492, 493, 497, 502
Armed forces, service of teachers and other employees, experience credit for.....	497
Attendance officers, sick leave.....	499
Auxiliary educational services, appropriation for.....	275
Buildings—	
Construction, appropriation for.....	276, 277
Contracts, Commissioners authorized to enter into.....	276, 643
Furnishing and equipping, fund continued available.....	275
Plans and specifications, appropriation for preparation, etc.....	276, 277
Sites, purchase of, appropriation for.....	278, 643
Buildings and equipment, appropriation for maintenance, etc.....	275
Capital outlay, appropriation for.....	275, 642
Children, legally adopted, treatment of.....	274
First Assistant Superintendents of Schools, provision for.....	498
Grounds, improvement of, funds continued available.....	275
Leave for educational improvement.....	500
Longevity increases, teachers and other employees returning from service in armed forces.....	497
Night schools and other activities, authorization for.....	499
Operating expenses, appropriation for.....	274
Playground sites, appropriation for.....	278
Principals, elementary schools, determination of classification.....	498

District of Columbia—Continued.	Page
Public schools—Continued.	
Repeal of designated Acts or parts of Acts.....	500
School Attendance and Work Permits, Department of—	
Classification and assignment.....	492, 502
Promotion, methods of.....	497
Salary schedules.....	491
Effective date.....	499, 502
Longevity increases.....	492, 493, 497, 502
Substitute teachers, annual, appointment, etc.....	499
Superintendent of Schools, salary class.....	502
Supervision and instruction, general, appropriation for; restriction on use of funds.....	274
Teachers, nonapplication of double-salary restriction for designated period.....	278
Teachers, school librarians, and research assistants—	
Classification and assignment.....	492, 502
Examinations, nonrequirement in certain cases.....	492
Probationary period.....	492
Promotion, methods of.....	497
Salary schedules.....	488
Effective date.....	499, 502
Longevity increases.....	492, 493, 497, 502
Teachers, temporary—	
Appointment.....	499
Period of appointment, salary.....	99
Teachers’ retirement appropriated fund, appropriation for.....	275
Trade teachers in vocational schools, credit for training and experience in the trades.....	497
Vocational education, George-Deen program.....	275
Public Utilities Commission—	
Appropriation for.....	274
General counsel, compensation of.....	272
Restriction on use of funds.....	274
Public welfare—	
Adult correctional service—	
Appropriation for.....	285
Products and services, sale of.....	285
Advances to Director of.....	286
Dependent children, aid to.....	284
Director, Office of, appropriation for.....	283
Family Welfare Service, appropriation for.....	83, 283, 643
Juvenile correctional service, appropriation for.....	284, 421, 643
Mental rehabilitation service, appropriation for.....	285, 643
Receiving home for children, appropriation for.....	283

District of Columbia—Continued.	Page	District of Columbia—Continued.	Page
Public welfare—Continued.		Street improvements—Continued.	
Vocational rehabilitation of disabled residents, appropriation for.....	284	Sidewalks and roadways, alteration of widths.....	289
Public works, appropriation for.....	286, 643	Street-railway pavements, appropriation for.....	288
Public Works Investment Fund, appropriation for.....	273	Street lighting, rates for.....	287
Purchasing Division, appropriation for.....	273	Streetcar loading platforms, restriction on use of funds for.....	289
Rabies, vaccination of dogs against.....	410	Surveyor's office, appropriation for.....	286
Railroad, etc., companies, taxation of rolling stock.....	610	Tax Appeals, Board of, appropriation for.....	272, 420
Appeals from assessment.....	612	Taxation, exemption of certain real property.....	589
Applicability of provisions.....	612	Taxicabs, regulations respecting meters, zones, and rates, restriction on use of funds.....	274
Report to Assessor of operations of designated companies.....	610, 611	Teachers. <i>See under</i> Public schools, <i>this title.</i>	
Valuation, determination of.....	611	Temporary Home for Former Soldiers and Sailors, appropriation for.....	284
Real property, certain, exemption from taxation.....	589	Titles and Tags, Registrar of, continuance of classification.....	289
Reallocation increases, retroactive provision.....	294	Traffic Act, amendment, congressional tags, limitation on validity.....	313
Recorder of Deeds, Office of, appropriation for.....	274, 642	Traffic safety education, appropriation for.....	289
Recreation Department, appropriation for.....	279	Trees and Parking, Division of, appropriation for.....	289
Reformatory, appropriation for.....	285	Trust companies, annual report, exception to requirement.....	588
Refuse Division—		Tuberculosis Hospital, appropriation for.....	282
Appropriation for.....	290	United States, appropriation for reimbursement of.....	273
Restrictions.....	290	Vehicles—	
Regulatory agencies, appropriation for.....	273, 642	Purchase of used Federal surplus; exception.....	294
Rent Act, Emergency, extension.....	592	Transfer from police or fire departments, restriction.....	287
Rent Control, Office of Administrator of, appropriation for.....	274	Use for official purposes, restrictions.....	287
Retirement fund, appropriation for.....	273	Vehicles and Traffic, Department of—	
Rockfish, regulation of sale.....	588	Appropriation for.....	289
Rosslyn Connecting Railroad Company, conveyance of certain lands to, authorized.....	543	Titles and Tags, Registrar of, continuance of classification.....	289
St. Ann's Infant Asylum and Maternity Hospital, appropriation for.....	284	Veterans—	
St. Elizabeths Hospital—		Public records for determining eligibility for benefits, free copies.....	591
Appropriation for.....	166, 285, 371, 421	Service and discharge certificates, recording of.....	100
Student nurses, transfer of funds for items furnished under training program.....	370	“Victory” gardens, supervision, etc.....	284
Schools. <i>See</i> Public schools, <i>this title.</i>		Vocational education, George-Deen program, appropriation for.....	275
Secret Service forces, reimbursement for benefit payments to, appropriation for.....	64, 428	Washington aqueduct, appropriation for.....	291
Sewer Division, appropriation for.....	290, 643	Washington Home for Incurables, appropriation for.....	283
Snow removal, appropriation for.....	287, 288	Washington National Airport, appropriation for.....	190
Stadium, National Memorial, appropriation for expenses of Commission.....	633	Water Division, appropriation for.....	290
Stenographic reporting services, contracting for.....	293		
Street and Bridge Divisions, appropriation for.....	287		
Street improvements—			
Contracts, open competition.....	289		
Repairs, liability for.....	289		

District of Columbia—Continued.	Page	Domestic Air-Mail Service, appropriation for	Page
Water fund, appropriations payable from.....	272, 273, 421	Dona Bay, Fla., channel, examination and survey authorized.....	29
Water mains, Federal, outside D. C., appropriation for maintenance and operation.....	42	Donaldsonville, La., Bayou La Fourche, examination and survey authorized.....	31
Water rents, appropriation for refund of erroneous collections.....	421	Dorchester Bay, Mass., improvement authorized.....	12
Weights, Measures, and Markets—		Double Bayou, Tex., examination and survey authorized.....	31
Appropriation for.....	274	Douglas-Agua Prieta Sanitation Project, appropriation for.....	653
Coal, charcoal, and coke, sale by weight.....	97	Douglas County, Oreg., transfer of Roseburg Rifle Range to Reconstruction Finance Corporation.....	505
Food products, misrepresentation, etc., purchases in connection with investigation of, appropriation authorized.....	99	Draft Act. <i>See</i> Selective Training and Service Act of 1940.	
Markets owned by District of Columbia, regulation and supervision..	99	Drugs. <i>See</i> Federal Food, Drug, and Cosmetic Act.	
Meat, butter, etc., sale by avoirdupois weight.....	99	Duck Point Cove, Md., improvement authorized.....	14
Milk or cream containers, capacity and markings.....	98	Duke Power Company, easement over, etc., Camp Croft, S. C., grant authorized.....	36
Price restrictions, markings, etc.....	97	Duluth, Minn., bridge authorized across Saint Louis River at.....	545
Superintendent, powers, duties.....	96	Durango, Colo., clerk of United States District Court, restriction on use of funds for maintaining office of.....	198
Weights and measures, definition of "ton".....	45	Dutch Elm Disease Control, appropriation for.....	147
White House Police, reimbursement for benefit payments to, appropriation for.....	64, 428	Duties, Customs, immunities of international organizations.....	669
Wills, Office of Register of, appropriation for.....	281	Duxbury Harbor, Mass., improvement authorized.....	12
Women, employment of, temporary permit to extend hours, extension of time.....	95	Dyer Creek, Va., examination and survey authorized.....	27
Workhouse, appropriation for.....	285		
Workmen's compensation, appropriation for administrative expenses.....	273	E	
Zoning Commission, appropriation for.....	274	Eagle, Bald, appropriation for protection of.....	356
Zoological Park, National, appropriation for.....	293	East Atchafalaya Basin, La., examination and survey authorized.....	30
District of Columbia Code:		East Pass, Fla., examination and survey authorized.....	30
Amendments—		Eastport, Maine, exchange of lands and transfer of roadway easement to city of.....	34
Incorporated societies, trustees, quorum.....	588	Eau Gallie, Fla., examination and survey with view to provision of side channel from Intracoastal Waterway.....	28
Insane criminals, commitment to Gallinger Municipal Hospital for observation, etc.....	311	Economic Advisory Committee, Inter-American, appropriation for contribution.....	176
Rockfish, regulation of sale.....	588	Economic Stabilization, Office of, appropriation for.....	475
Trust companies, annual report, exception to requirement.....	588	Education, Allied Ministers of, London Conference, appropriation for.....	179
Veterans, recording of service and discharge certificates.....	100	Education, Office of. <i>See under</i> Federal Security Agency.	
District of Columbia Teachers' Salary Act of 1945.....	488		
Amendments.....	502		
Doctors Inlet, Fla., waterway, examination and survey authorized.....	29		
Dollar-A-Year Men, travel expenses, appropriations available.....	131		

	Page		Page
Egypt , appropriation for consular prisons, etc.....	174	Emergency Management, Office for—Con.	
Eightmile River, Conn. , examination and survey authorized.....	25	Fair Employment Practice, Committee on—	
El Paso-Juarez Valley , supplemental construction of Rio Grande, appropriation for.....	177	Amount available for continued operation; limitation.....	473
Electric Light Bulbs , excise tax refunds on floor stocks.....	575	Appropriation for liquidation.....	473
Electricity, Bonneville Project , disposition to Federal agencies, rates applicable.....	546	Foreign Economic Administration.	
Electrification Administration, Rural:		<i>See separate title.</i>	
Appropriation for.....	162, 422	General provisions.....	482
Engineer trainees, employment of citizens of other American republics..	165	War Manpower Commission, applicability to.....	382
Elfin Cove, Alaska , improvement authorized.....	23	Inter-American Affairs, Office of. <i>See separate title.</i>	
Elizabeth City, N. C. , side channel to inland waterway, examination and survey authorized.....	28	National War Labor Board—	
Emergency Advisory Committee for Political Defense , appropriation for contribution.....	176	Appropriation for.....	473
Emergency Boards, National Mediation Board , appropriation for.....	82, 378, 641	Reduction in appropriation available in fiscal year 1945.....	408
Emergency Court of Appeals. <i>See under United States Courts.</i>		Investigations, etc., concerning certain bargaining units, restriction on use of funds.....	474
Emergency Farm Mortgage Act of 1933, Amendments , Land Bank Commissioner loans, interest, refinancing, etc.....	269	Leave restrictions.....	474
Emergency Fund for the President , appropriation continued available.....	414	Regional boards, committees, etc., members of, inclusion under term "consultants," travel and subsistence provisions applicable to....	474
Emergency Health and Sanitation Activities , reduction in appropriation available in fiscal year 1945.....	408	Oaths, administration of.....	482
Emergency Infant Care. <i>See Infant Care, Emergency.</i>		Price Administration, Office of. <i>See separate title.</i>	
Emergency Management, Office for:		Scientific Research and Development, Office of. <i>See separate title.</i>	
Alien Property Custodian, Office of—		Smaller War Plants Corporation. <i>See separate title.</i>	
Appropriation for.....	634	Vehicles, appropriations available for hire of.....	482
Funds available for expenses.....	474	War Information, Office of. <i>See separate title.</i>	
Appropriation for.. 79, 380, 416, 429, 473, 634		War Manpower Commission. <i>See separate title.</i>	
Central Administrative Services, Division of—		War Mobilization and Reconversion, Office of. <i>See separate title.</i>	
Appropriation available in fiscal year 1945, reduction.....	407	War Production Board. <i>See separate title.</i>	
Liquidation of activities, appropriation for.....	429	War Shipping Administration. <i>See separate title.</i>	
Civilian Defense, Office of, liquidation of activities, appropriation for....	429	Emergency Price Control Act of 1942.	
Claims against U. S., consideration, etc., of.....	482	<i>See Price Control Act of 1942, Emergency.</i>	
Defense Transportation, Office of. <i>See separate title.</i>		Emergency Rubber Project:	
Delegation of authority.....	482	Aliens, employment of.....	165
Economic Stabilization, Office of, appropriation for.....	475	Appropriation for.....	152
		Amendment.....	422
		Emergency Sanitation Activities , reduction in appropriation available in fiscal year 1945.....	408
		Empire, La. , Bayou Schofield and Grand Bayou Pass, examination and survey authorized.....	30
		Empire, Oreg. , harbor, examination and survey authorized.....	32

Employ the Physically Handicapped Week, National, designation of	Page 530	Ethiopia, appropriation for consular prisons, etc.	Page 174
Employees. See Government Employees.		Euchee, Okla., appropriation for education of Indians.	333
Employees' Compensation Act:		Eufaula, Okla., appropriation for education of Indians.	333
Amendments—		European Fowl Pest, funds available for eradication.	145
Alien enemies, authority of Commission to waive application of Act.	504	Evanston, Wyo., clerk of United States District Court, restriction on use of funds for maintaining office of.	198
Applicability of amendments.....	504	Everglades, Fla., channel and harbor, examination and survey authorized.	29
Captured employees, disability or death after capture.....	505	Everglades Region, Fla., appropriation for erosion control; State contribution. ...	156
Death benefits, etc., removal of restrictions.....	503	Ewell, Md., examination and survey for construction of boat basin, authorized.	26
Lump sum awards to noncitizens and nonresidents, authorization.....	504	Excess Profits Tax. See under Taxes.	
Noncitizen and nonresident employees, adjudication of payments.....	503	Excise Taxes. See under Taxes.	
Notice of injury, etc., authority of Commission to waive time limitation.....	503	Executive Agreements, availability of trade agreements, etc., of recipient countries to United Nations Relief and Rehabilitation Administration. ...	609, 612
Employees' Compensation Commission:		Executive Departments. See Government Departments and Agencies.	
Appropriation Act, 1946.....	377	Executive Mansion and Grounds, appropriation for.	106, 414, 634
District of Columbia, reimbursement by Employees' compensation fund, appropriation for.....	273	Executive Office of the President. See under President of the United States.	
Overthrow of United States Government, restriction on employment of persons advocating.....	382	Explosives Act, Federal:	
Penalty mail costs, appropriation for...	377	Enforcement—	
Salaries and expenses, appropriation for.	377	Appropriation for.....	346
Senate disapproval of nomination, restriction on payment to person after	382	Reduction in appropriation for fiscal year 1945.....	408
Wage accruals, appropriation for payment of.....	377, 635	Printing and binding, limitation increase.	424
Employment Office Facilities and Services, appropriation for.	79, 380	Export-Import Bank of Washington:	
Employment Security, Bureau of. See under Social Security Board.		Advisory Board, composition, etc.....	528
Employment Taxes. See under Taxes.		Appropriation for.....	417, 635
Enemy Aliens. See Aliens; Interned Persons; Prisoners of War.		Nonapplication of certain general provisions to.....	417
Engineer School, Army, appropriation for maintenance.	395	Audit.....	598, 599
Engineers, Corps of. See under War Department.		Board of Directors, composition, terms of office, etc.....	527
England. See Great Britain.		Budget program, annual.....	598
Englebright Dam, redesignation as "Harry L. Englebright Dam"	556	Capital stock.....	528
Engraving and Printing, Bureau of. See under Treasury Department.		Continuance; additional powers.....	526
Entomology and Plant Quarantine, Bureau of. See under Agriculture, Department of.		Exemption from compliance with certain provisions of law, etc.....	529
Erie Canal, damages resulting from improvement, ascertainment by Secretary of War.	33	Export-Import Bank Act of 1945.....	526
Erie Harbor, Pa., improvement authorized	20	Amendment, Philippine Islands, extension of operations to include, authorized.....	666
Escambia River, Ala. and Fla., waterway, examination and survey authorized. ...	30	Independent agency, constitution as...	528
		Issuance of notes, etc.; limitation.....	528
		Loans and guarantees outstanding, limitation.....	529
		National Advisory Council on International Monetary and Financial Problems, membership of Chairman of Board of Trustees.....	513

Export-Import Bank of Washington—Con.	Page	Farm Mortgage Corporation. See Federal	Page
Penalty mail costs, allocation of funds for.....	417	Farm Mortgage Corporation.	
Philippine Islands, extension of operations to include, authorized.....	666	Farm Mortgage Corporation Act, Amendments. See Federal Farm Mortgage Corporation Act, Amendments.	
Reports to Congress.....	529	Farm Products. See Agricultural Commodities.	
Exports:		Farm Security Administration:	
Control of exportation of certain commodities, administration, time extension.....	270	Judgments, appropriation for.....	656
Statistics, appropriation for collection and publication.....	188	Louisiana State University and Agricultural and Mechanical College, transfer of certain lands in Rapides Parish to.....	468
		Mexia Colony project, conveyance of real and personal property to State of Texas.....	667
F		Transfer of funds to certain Treasury Department appropriations.....	58, 60
Fact Finders' Act, Amendment, expenses chargeable to reclamation fund.....	54	Farm Tenant Act:	
Fair Employment Practice, Committee on:		Appropriation for effecting provisions relating to—	
Amount available for continued operation; limitation.....	473	Land utilization and retirement of submarginal land.....	157
Appropriation for liquidation.....	473	Loans for acquisition of farms.....	161
Fair Labor Standards Act:		Veterans, loans to.....	161
Child-labor provisions, appropriation for expenses under.....	363	Veterans, eligibility for benefits.....	629
Wage and Hour Division, appropriation for expenses under Act.....	365	Farmers. See also Agriculture, Department of.	
Fairhaven Harbor, Mass., examination and survey authorized.....	25	Crop production and harvesting loans, appropriation for.....	163
Fairview, Mont., bridge authorized across Yellowstone River near.....	471	Flood, etc., damage, allocations and priorities for replacement of farm machinery authorized.....	231
Fajardo Harbor, P. R., improvement authorized.....	23	Appropriation made available; limitation.....	236
Fall River Harbor, Mass., examination and survey authorized.....	25	Land Bank Commissioner loans, interest, refinancing, etc.....	269
Falmouth Harbor, Mass., examination and survey authorized.....	25	Loans, grants, etc., appropriation for..	160
Farm Commodities. See Agricultural Commodities.		Restrictions on use.....	161
Farm Credit Administration:		Farmers Home Corporation:	
Banks, etc., examination of, appropriation for.....	163	Audit.....	597, 599
Crop production and harvesting loans, appropriation for.....	163	Budget program, annual.....	597, 598
Salaries and expenses, appropriation for..	163	Farnham Creek, Richmond County, Va., examination and survey authorized..	27
Transfer of funds to certain Treasury Department appropriations.....	60	Federal Agencies. See Government Departments and Agencies.	
Farm Forestry Cooperation, appropriation for.....	151	Federal-Aid Highway Act of 1938, railroad grade crossings, elimination of, appropriation for.....	117
Farm Labor Supply Appropriation Act, 1944, continuation of funds and authority.....	645	Federal Aid Highway Act of 1944, postwar highways, appropriation for.....	638
Farm Loan Act, Amendments. See Federal Farm Loan Act, Amendments.		Federal-Aid Highway System:	
Farm Loan Associations. See National Farm Loan Associations under Federal Farm Loan Act, Amendments.		Appropriation for.....	116
Farm Mortgage Act of 1933, Emergency, Amendments, Land Bank Commissioner loans, interest, refinancing, etc.....	269	Convict labor, restriction on employment.....	116
		District of Columbia, appropriation for highway projects.....	288
		Toll bridges, payments to States making bridges free.....	507

	Page		Page
Federal Bureau of Investigation. <i>See</i>		Federal Employees Pay Act of 1945—Con.	
<i>under</i> Justice, Department of.		Judicial branch employees—	
Federal Caustic Poison Act, appropriation		Basic rates of compensation, increase	
for enforcement.....	366	in.....	301
Federal Communications Commission:		Overtime, temporary additional com-	
Appropriation for.....	110, 635	pensation in lieu of.....	302
Inspectors, overtime services, Sunday or		Legislative branch employees—	
holiday work, payment for.....	302	Architect of the Capitol, Office of,	
National-defense activities, appropria-		overtime compensation.....	301
tion for.....	110	Basic rates of compensation, increase	
Termination of availability.....	110	in.....	301
Penalty mail costs, appropriation for..	110	Overtime, temporary additional com-	
Printing and binding, appropriation		pensation in lieu of.....	301
for.....	110	Night pay differential.....	298
Reorganization, restriction on type of		Overtime compensation.....	296
plan.....	616	Overtime work, irregular or occasional,	
Federal Credit Union Act, administration		compensatory time off for.....	297
by Federal Deposit Insurance Corpo-		Pay computation methods.....	303
ration, appropriation for.....	111	Personnel ceilings.....	304
Federal Crop Insurance Act, appropriation		Reports to—	
for expenses under.....	155	Budget, Bureau of.....	304
Federal Crop Insurance Corporation:		Congress.....	305
Audit and annual budget program... 598, 599		Regulations, authority of Civil Service	
Subscriptions to capital stock, appro-		Commission to issue.....	304
priation for.....	90	Rewards for superior accomplishment,	
Transfer of funds to certain Treasury		authorization, limitations, etc....	300
Department appropriations.....	58, 60	Report to Civil Service Commission..	300
Federal Deposit Insurance Corporation:		Saturday half-holiday law, repeal.....	303
Appropriation for.....	110	Vessel employees.....	304
Audit of financial transactions, report,		Veterans laws and regulations, exemp-	
etc.....	600	tion for purposes of.....	305
Penalty mail costs, appropriation for..	111	Wage-board employees, overtime pay..	297
Reorganization, restriction on type of		Within-grade salary advancements,	
plan.....	616	periodic.....	299
Federal Employees Pay Act of 1945	295	Armed forces, employees leaving to	
Administration of, appropriation for..	419	join, etc.....	299
Aggregate compensation, limitations on		War service, employees in.....	299
reductions and increases in.....	302	Workweek, basic, establishment of....	303
Appropriation authorized.....	306	Federal Expenditures, Nonessential, Joint	
Basic rates of compensation, increase in..	300	Committee on, appropriation for.....	413
Rates not under Classification Act		Federal Explosives Act:	
of 1923, increase in.....	302	Enforcement, appropriation for.....	346
Classes of positions within grades, estab-		Appropriation for fiscal year 1945,	
lishment of rates for.....	298	reduction.....	408
Report to Congress.....	299	Printing and binding, limitation increase..	424
Classification Act of 1923, Amendments.		Federal Farm Loan Act, Amendments.	
<i>See separate title.</i>		<i>See also</i> Emergency Farm Mortgage	
Compensatory time off for irregular or		Act of 1933, Amendments; Federal	
occasional overtime work.....	297	Farm Mortgage Corporation Act,	
Coverage.....	295	Amendments; Servicemen's Readjust-	
Effective date.....	306	ment Act of 1944; Servicemen's Read-	
Exemptions.....	296	justment Act of 1944, Amendments.	
Holiday work, compensation, effective		Federal land banks—	
date.....	298	Borrowing of money.....	267
Hours of labor in executive departments,		Deferred payments on loan principal..	268
repeal of designated provisions....	303	Farm loan bonds—	
Inspectional groups, existing laws affect-		Amounts, denominations, etc....	268
ing certain, effect on.....	302	Collateral security, deposit with	
		farm-loan registrar.....	268

	Page		Page
Federal Farm Loan Act, Amendments—		Federal Housing Administration—Con.	
Continued.		Transfer of funds to certain Treasury	
Federal land banks—Continued.		Department appropriations.....	58, 60
Loans—		Federal Insurance Contributions Act,	
Branch banks, loans by.....	267	Amendments:	
Security, appraisal of; report.....	266	International organizations, exemption..	670
Terms and conditions.....	267	Refunds of taxes collected on services	
United States Government obliga-		rendered prior to Jan. 1, 1946....	671
tions, mortgages, etc., purchase		Social Security taxes, nonapplication of	
and sale of.....	267	automatic increase in 1946 rate....	576
Land Bank Commissioner loans, interest,		Federal Intermediate Credit Banks:	
refinancing, etc.....	269	Audit.....	597, 599
Authority of Commissioner, extension..	269	Budget program, annual.....	597, 598
National Farm Loan Associations—		Federal Land Banks. See also Federal	
Directors, board of—		Farm Loan Act, Amendments.	
Applicants for membership, election		Audit of financial transactions, report,	
by loan committee, etc.....	266	etc.....	600
Loan applications, investigation of		Borrowing of money.....	267
applicant, security, etc.....	266	Deferred payments on loan principal....	268
Report; submission to Federal land		Farm loan bonds—	
bank.....	266	Amounts, denominations, etc.....	268
Loan Committees, membership, pow-		Collateral security, deposit with farm-	
ers, etc.....	265	loan registrar.....	268
Federal Farm Mortgage Corporation:		Loans—	
Appropriation for.....	164	Branch banks, loans by.....	267
Audit and annual budget program....	598, 599	Security, appraisal of; report.....	266
Transfer of funds to certain Treasury		Terms and conditions.....	267
Department appropriations.....	60	Transfer of funds to certain Treasury	
Federal Farm Mortgage Corporation Act,		Department appropriations.....	60
Amendments:		United States Government obligations,	
Capital stock, repayment.....	269	mortgages, etc., purchase and sale of..	267
Financial transactions authorized.....	269	Federal Loan Agency:	
Federal Food, Drug, and Cosmetic Act:		Appropriation Act, 1946.....	200
Appropriation for enforcement.....	366	Appropriation for.....	635
Penicillin or derivatives, regulations		Administrator, Office of, funds avail-	
relating to certification, etc.....	463	able.....	200
Appropriation for enforcement opera-		Continuance as independent establish-	
tions, etc., respecting.....	636, 638	ment; transfer of functions, etc....	5
Petitions proposing issuance, etc., of		Overthrow of United States Govern-	
regulations.....	464	ment, restriction on employment	
Federal Highway Act:		of persons advocating.....	201
Appropriation for carrying out provi-		Reconstruction Finance Corporation.	
sions of.....	116, 152	<i>See separate title.</i>	
Secondary or feeder roads, appropriation		Federal National Mortgage Association:	
for.....	117	Appropriation for.....	200
Federal Home Loan Bank Administration:		Audit and annual budget program....	598, 599
Appropriation for.....	122	Federal Power Commission:	
Funds made available.....	640	Appropriation for.....	111, 419, 636
Transfer of funds to certain Treasury		Bonneville Project, appointment of per-	
Department appropriations.....	60	sonnel.....	547
Federal Home Loan Banks, audit of finan-		Flood-control surveys, appropriation	
cial transactions, report, etc.....	600	for.....	111
Federal Housing Administration. See		Investigations, cooperation with Bu-	
also National Housing Act, Amend-		reau of Reclamation in.....	341
ments.		National-defense activities, appropria-	
Appropriation for.....	123	tion for.....	111
Funds made available.....	640	Termination of availability.....	112
Losses under insurance, funds available		Penalty mail costs, appropriation for..	112, 419
for payment.....	124	Penstocks, etc., recommendation for...	12

	Page		Page
Federal Power Commission—Continued.		Federal Security Agency:	
Printing and binding, appropriation for.....	112	Administrator—	
Federal Prison Industries:		Office of, appropriation for.....	374, 638
Audit and annual budget program.....	598	Miscellaneous expenses.....	375
Transfer of funds to certain Treasury		Penicillin, provision for certification	
Department appropriations.....	58	of drugs containing.....	463
Federal Prison System, appropriation		Petitions proposing issuance, etc.,	
for.....	186, 425	of regulations.....	464
Federal Prisoners, appropriation for sup-		Salary rate while chairman of War	
port of.....	187	Manpower Commission.....	374
Federal Public Housing Authority:		American Printing House for the Blind,	
Appropriation for.....	124	appropriation for.....	365
Audit and annual budget program.....	598, 599	Appropriation Act, 1946.....	365
Defense Homes Corporation, merger of		Appropriation for.....	636
funds.....	124	Civilian Conservation Corps—	
Judgments, appropriation for.....	94, 432, 656	Liquidation expenses, appropriation	
Low-rent projects, citizenship require-		for.....	374, 375
ment for tenants.....	125	Medical services, etc., furnishing of,	
Non-Federal projects, payment, reim-		by Employees' Compensation	
bursement, etc., of representatives;		Commission.....	377
consideration as nonadministrative		Columbia Institution for the Deaf,	
expenses.....	124	appropriation for.....	365, 636
Transfer of funds to certain Treasury		Community War Services, appropriation	
Department appropriations.....	58, 60	for.....	375
Federal Register:		Constituent organizations, transfer of	
Printing, etc., of—		funds for purchase of duplicating	
Appropriation for.....	257	materials.....	376
Increase in amount available for		Damage claims, appropriation for.....	93, 431, 655
1945.....	413	Education, Office of—	
Reorganization plans taking effect to be		Agriculture and mechanic arts, col-	
printed in.....	617	leges of, appropriation for endow-	
Federal Regulations, Code of, appropria-		ment.....	367
tion for printing and binding of sup-		Blind, services for, appropriation for.....	367
plement.....	257	Defense workers, education and train-	
Federal Reserve Act, Amendments:		ing—	
Federal Reserve bank notes, issuance,		Appropriation for liquidation of	
termination of authority for.....	238	program.....	367
Federal Reserve banks, purchase of Gov-		Disposition of equipment and	
ernment obligations, extension of		property.....	367
temporary provisions.....	658	Reduction in appropriation avail-	
Federal Reserve notes, application for,		able in fiscal year 1945.....	408
security, notice of issue, etc.....	237	General expenses, appropriation for.....	367
Reserve requirements.....	237	Library service, appropriation for....	367
Federal Reserve Banks, depositories or		National-defense activities, reduction	
fiscal agents for International Mone-		in appropriation available in	
tary Fund or International Bank for		fiscal year 1945.....	408
Reconstruction and Development....	514	Salaries, appropriation for.....	367
Federal Reserve System:		Vocational education, appropriation	
Export-Import Bank of Washington,		for.....	366
Chairman of Board of Governors		Enemy aliens and restricted persons,	
to serve on Advisory Board of.....	528	appropriation for temporary aid to..	375
National Advisory Council on Interna-		Limitation increased.....	80
tional Monetary and Financial		Food and Drug Administration, approp-	
Problems, membership of chair-		riation for.....	365, 636
man of Board of Governors.....	513	Freedmen's Hospital—	
Federal Savings and Loan Insurance Cor-		Appropriation for.....	366
poration, audit and annual budget		District of Columbia—	
program.....	598, 599	Amounts chargeable to.....	366
		Reimbursement to United States,	
		appropriation for.....	283

	Page	Federal Works Agency:	Page
Federal Security Agency—Continued.		Administrator, Office of, appropriation	
Freedmen's Hospital—Continued.		for.....	80, 112, 419, 638
Government establishments, amounts chargeable to.....	366	Arlington, Va., exchange of lands near Pentagon Building authorized.....	543
General Counsel, Office of, appropriation for.....	375, 638	Damage claims, appropriation for.....	93, 431, 655
Howard University, appropriation for.....	366, 636	Housing. <i>See separate title.</i>	
National Youth Administration—		Inspectors of buildings abroad, assignment of personnel as.....	181
Judgments, appropriation for.....	94	Judgments, appropriation for.....	432
Liquidation expenses, appropriation for.....	374, 375	Penalty mail costs, appropriation for.....	113
Overthrow of United States Government, restriction on employment of persons advocating.....	382	Public Buildings Administration—	
Penalty mail costs, appropriation for.....	376	Administrative expenses, general, appropriation for.....	113
Personnel Management, Division of, appropriation for.....	375	Appropriation for.....	419
Printing and binding, appropriation for.....	376, 638	Blueprinting, duplicating, etc., service, establishment of working capital fund for.....	115
Public Health Service. <i>See separate title.</i>		Communication services, appropriation available.....	114
Reorganization plans, transfer of funds authorized to effectuate.....	376	Construction projects, transfer of funds.....	115
St. Elizabeths Hospital, appropriation for.....	166, 371	Furniture, use of present.....	114
Senate disapproval of nomination, restriction on payment to person after.....	382	Judgments, appropriation for.....	94, 432, 656
Service Operations, Division of, appropriation for.....	375	Kennebunkport, Maine, mural for post office building, acceptance on behalf of United States.....	114
Social Security Board. <i>See separate title.</i>		Nashville, Tenn., Federal office building, appropriation for acquisition.....	638
Traveling expenses, appropriation for.....	376, 638	Per diem employees, pay rates, etc.....	114
Veterans' Administration, transfer of funds from.....	128	Planning programs, transfer of funds.....	115
Vocational Rehabilitation, Office of, appropriation for.....	374	Public Buildings Acts, appropriation for carrying out provisions of.....	113
Federal Seed Act, appropriation to effect provisions of.....	159	Public buildings and grounds, D. C., appropriation for.....	114, 419
Federal Surplus Commodities Corporation:		Public buildings and grounds outside D. C., appropriation for.....	113, 114, 419
Audit and annual budget program.....	598, 599	Repairs, etc., limitation on amount for.....	114
Transfer of funds to certain Treasury Department appropriations.....	58	Safeguarding of public buildings and property, emergency, reduction in appropriation available in fiscal year 1945.....	408
Federal Trade Commission:		Surveys, models, etc., allocation of cost.....	113
Appropriation for.....	80, 112	Transfer of funds.....	115
Investigations provided by concurrent resolution of Congress, restriction on use of funds.....	112	Public Roads Administration—	
Printing and binding, appropriation for.....	112	Access roads, appropriation for.....	81, 117
Reorganization plans affecting, restriction.....	615	Administrative expenses, general, appropriation for.....	115
Federal Trade Commission Act, applicability to regulation of insurance.....	34	Convict labor, restriction on employment by States.....	116
Federal Unemployment Tax Act, Amendment, international organizations, exemption.....	670	Damage claims, appropriation for.....	81, 419, 638
Refunds of taxes collected on services rendered prior to January 1, 1946.....	671	Equipment, charges for depreciation.....	116
		Federal-aid highway system, appropriation for.....	116
		Federal-aid secondary or feeder roads, appropriation for.....	117

	Page		Page
Federal Works Agency—Continued.		Fine Arts, Commission of, appropriation	
Public Roads Administration—Con.		for.....	320
Federal Highway Act of 1921, appro-		Fine Arts, National Collection of, appro-	
priation for carrying out provi-		priation for administration.....	125
sions of.....	638	Finneys Creek, Va., examination and	
Inter-American Highway, appropria-		survey authorized.....	27
tion for.....	116	Fire Island Inlet, N. Y., examination and	
Restriction on use of funds.....	117	survey authorized.....	26
Surveys.....	117	First Deficiency Appropriation Act, 1945.	
Medical supplies, etc., in emergencies..	116	<i>See</i> Deficiency Appropriation Act,	
Railroad grade crossings, elimina-		1945, First.	
tion of, appropriation for.....	117	First Deficiency Appropriation Act, 1946.	
Strategic highway network, appropria-		<i>See</i> Deficiency Appropriation Act,	
tion for.....	81, 117	1946, First.	
Surveys and plans, appropriation for..	117	Fish:	
Technical consultants and experts,		Food fishes, investigations, propaga-	
temporary employment.....	116	etc., appropriation for.....	354
Warehouse maintenance, etc.....	116	Rockfish, regulation of sale in D. C.....	588
Public works, loans or advances to		Fish and Wildlife Service. <i>See under</i>	
States, etc., appropriation for....	112, 638	Interior, Department of the.	
Travel expenses, increase in limita-		Fish Screens, appropriation for operation	
tion.....	638	and maintenance.....	354
Public Works Administration, liquida-		Fisheating Creek, Fla., examination and	
tion, appropriation available for..	80	survey authorized.....	29
Increase.....	638	Fisheries, Commercial, appropriation for	
Toll bridges on Federal-aid highway		statistical studies, etc.....	355
system, payments to States making		Fisheries Commission, International, ap-	
free.....	507	propriation for.....	178
Vehicles, funds available for mainte-		Fishery Board, Office of. <i>See under</i>	
nance.....	118	Interior, Department of the.	
Venereal diseases, transfer of records,		Fishery Coordination, Office of. <i>See under</i>	
equipment, etc., to Federal Secu-		Interior, Department of the.	
rity Agency.....	369	Fishery Market News Service, appro-	
Virgin Islands public works, appropria-		priation for.....	355
tion for.....	113, 638	Fishing Creek, N. J., examination and	
War public works, construction proj-		survey authorized.....	26
ects, priority.....	81	Five-Cent Pieces, metallic content, etc.,	
War public works (community facili-		termination of temporary provisions..	658
ties), appropriation for.....	80, 419	Five Civilized Tribes, Okla.:	
Work Projects Administration, appropria-		Appropriation for expenses of tribal	
tion for payment of judgments..	94	officers.....	336
Felonies. <i>See</i> Crimes and Misdemeanors.		Validation of certain conveyances.....	313
Fermented Malt Liquors, excise tax re-		Flag of the United States of America,	
 funds on floor stocks.....	575	pledge of allegiance to, official recog-	
Fernandina Harbor, Fla., improvement		nition.....	668
 authorized.....	16	Flagler Beach, Fla., waterway improve-	
Fertilizers, improvement, appropriation		 ments at, examination and survey	
 for investigations.....	145	 authorized.....	28
Field Artillery School, Army, appropriation		Flandreau, S. Dak., appropriation for	
 for.....	397	 education of Indians.....	333
Field Crops and Diseases, appropriation		Flathead Indians, Mont.:	
 for investigations, etc.....	145	Irrigation systems, appropriation for..	329, 331
Filipino Rehabilitation Commission, ap-		Land, acquisition of, appropriation for..	325
 propriation for.....	420	Flint River, Ga. and Fla., improvement	
Filipinos. <i>See</i> Philippine Islands.		 authorized.....	17
Filled Milk Act, appropriation for enforce-		Flood Control. <i>See under</i> Rivers and	
 ment.....	366	 Harbors.	
Financial and Economic Advisory Commit-		Florence, Ala., clerk of United States	
 tee, Inter-American, appropriation		 District Court, restriction on use of	
 for contribution.....	176	 funds for maintaining office of.....	198

	Page		Page
Florida:		Foreign Economic Administration:	
Everglades Region, appropriation for erosion control; State contribution.....	156	Administrator, chairmanship of Board of Directors of Export-Import Bank of Washington.....	527
Navigation and flood-control projects authorized.....	16, 17	Appropriation for.....	416
Preliminary examinations and surveys of rivers, etc., authorized.....	28, 29, 30	Reduction in appropriation available in fiscal year 1945.....	408
Flour:		Export control of certain commodities, administration of, time extension...	270
Subsidy allocation for.....	261	Export-Import Bank of Washington. <i>See separate title.</i>	
Payment by Commodity Credit Corporation.....	507	General provisions relating to war agencies, etc., applicability of.....	418
Fly Creek, Fairhope, Ala., examination and survey authorized.....	30	Export-Import Bank of Washington, nonapplication to.....	417
Folk Festivals, Indians participating in, appropriation for expenses.....	335	Rubber Development Corporation, nonapplication to.....	418
Food, Drug, and Cosmetic Act, Federal:		United States Commercial Company, nonapplication to.....	418
Enforcement, appropriation for.....	366	Inter-American Affairs, Office of Coordinator of, penalty mail, limitation increased.....	418
Penicillin or derivatives, regulations relating to certification, etc.....	463	Penalty mail costs, appropriation for... Fiscal year 1945, limitation increased...	417 417
Appropriation for enforcement operations, etc., respecting.....	636, 638	Requisitioned articles and materials, funds continued available for payment.....	417
Petitions proposing issuance, etc., of regulations.....	464	Rubber Development Corporation, funds available for.....	418
Food Administration, War. See War Food Administration.		Salaries and expenses, appropriation for...	416
Food and Agriculture Organization of the United Nations:		U. S. Commercial Company, funds available for.....	418
Appropriations authorized.....	529	Foreign Funds Control:	
Appropriation for contribution.....	653	Appropriation for.....	56
Membership of U. S.....	529	Reduction in appropriation available in fiscal year 1945.....	409
New obligations for U. S., restrictions...	530	Foreign Mail Transportation:	
Food and Drug Administration, appropriation for.....	365, 636	Appropriation for.....	71
Food Fishes:		Expenses of certain delegates, appropriation available for.....	427
Investigations respecting, propagation, etc., appropriation for.....	354	Foreign Plant Quarantines, appropriation for enforcement.....	147
Rockfish, regulation of sale in D. C.....	588	Foreign Service. See under State, Department of.	
Food Production, vocational courses in, reduction in appropriation available in fiscal year 1945.....	408	Foreign Service Buildings Act, 1926, Amendment, sale of property in foreign countries, use of proceeds; report to Congress.....	53
Foot-and-Mouth Disease, appropriation for eradication.....	144	Foreign-Service Pay Adjustment, appropriation for.....	118, 639
Foreign Agents, Registration, immunities accorded to international organizations.....	669	Foreign Trade Agreements:	
Foreign Agricultural Relations, Office of. See under Agriculture, Department of.		Authority of President to enter into, time extension.....	410
Foreign Air-Mail Transportation, appropriation for.....	71	Duties, modifications of rates; basis of computation, etc.....	410
Foreign and Domestic Commerce, Bureau of. See under Commerce, Department of.		Funds for effecting provisions of law relating to.....	170
Foreign Broadcast Analysis, appropriation for.....	110	Proclamations respecting, restriction on issuance of certain.....	411
Foreign Currency Appreciation:			
Appropriation for payment of losses due to.....	118, 639		
Navy Department, funds for payments due to.....	222		

Foreign War Relief , appropriation continued available for termination of program.....	Page 414	Fort Wayne, Ind. , waterway, examination and survey authorized.....	Page 32
Forest Diseases , appropriation for investigations, etc.....	145	Fox Creek, Mass. , examination and survey authorized.....	25
Forest Fires:		Franklin Delano Roosevelt Hospital , designation of proposed hospital as...	538
Alaska, appropriation for prevention and suppression.....	323	Freedmen's Hospital:	
Fighting of, appropriation for....	83, 150, 353	Appropriation for.....	366
Investigations, appropriation for.....	149	District of Columbia—	
Prevention of, appropriation for.....	150, 353	Amounts chargeable to.....	366
Indian lands.....	325, 326	Reimbursement to United States, appropriation for.....	283
Forest Management , Indian lands, cooperative sustained-yield units, appropriation for.....	325	Government establishments, amounts chargeable to.....	366
Forest Research Stations, International Union of , appropriation for contribution.....	150	Student nurses, transfer of funds for items furnished under training program.....	370
Forest Reservation Commission, National , appropriation for.....	150	Freight Forwarders:	
Forest Service. <i>See under</i> Agriculture, Department of.		Designation as carriers of bonded merchandise, authorized.....	667
Forests, National. <i>See also</i> Forest Service <i>under</i> Agriculture, Department of.		Joint rates, extension of adjustment period.....	169
Ozark National Forest, Ark., game refuge, removal of restriction on designation of certain lands.....	531	Fresh Water Pond, Md. , examination and survey authorized.....	26
Fort Apache Indian Reservation, Ariz. , museum, appropriation for support of.....	331	Friar Point, Miss. , bridge authorized across Mississippi River at.....	467
Fort Apache Irrigation Project, Ariz. , appropriation for.....	328	Friday Harbor, Wash. , examination and survey authorized.....	33
Fort Belknap Indian Reservation, Mont. , appropriation for irrigation system.....	329, 331	Fruit Crops and Diseases , appropriation for investigations, etc.....	145
Fort Hall Indian Reservation, Idaho , appropriation for irrigation systems.....	85, 329	Fruitlands Irrigation Project , appropriation for.....	328
Fort Knox, Ky. , bullion depository, appropriation for.....	65	Fuel:	
Fort Leavenworth, Kans. , Command and General Staff School, appropriation for.....	385	Synthetic liquid fuel demonstration plants, appropriation for construction and operation.....	346
Fort Monroe Military Reservation, Va. , assessments and collections from nonmilitary interests.....	396	Testing of, appropriation for.....	346
Fort Ontario, N. Y. , Emergency Refugee Shelter:		Fuels Administration for War. <i>See</i> Solid Fuels Administration for War.	
Appropriation available for expenses....	85	Fur-Resources Investigations , appropriation for.....	355
Appropriation for.....	485		
Fort Peck Indians, Mont.:		G	
Irrigation system, appropriation for....	331	G. I. Bill of Rights, Amendments. <i>See</i> Servicemen's Readjustment Act of 1944, Amendments.	
Land, acquisition of, appropriation for.....	325	Gadsden, Ala. , clerk of United States District Court, restriction on use of funds for maintaining office of.....	198
Fort Peck Project, Mont.:		Gaging Streams , appropriation for.....	344, 648
Appropriation for.....	329, 648	Gallen River, Mich. , examination and survey authorized.....	32
Transmission lines, etc., appropriation for.....	343	Gallinger Municipal Hospital, D. C.:	
Fort Pierce, Fla. , waterway improvements at, examination and survey authorized.....	28	Appropriation continued available.....	282
Fort Riley, Kans. , Cavalry School, appropriation for.....	397	Appropriation for.....	83, 282, 643
		Clinical services, drugs, etc., furnishing to persons not indigent, restriction on use of funds.....	282
		Construction, appropriation for.....	282, 643

Gallinger Municipal Hospital, D. C.—Con.	Page	Geodesy and Geophysics, International Union of, appropriation for contribution	Page
Criminals, insane, commitment for observation, etc.....	311	176
Nonresident insane, appropriation for deportation of.....	285	Geography, Division of. See under Interior, Department of the.	
Residence requirement for admission—	282	Geography and History, Pan American Institute of, appropriation for contribution	176
Superintendent—		
Detail of commissioned officer from Public Health Service to act as...	412	Geologic Surveys, appropriation for	344, 648
Removal of restrictions respecting appointment of certain retired personnel as.....	411	Geological Survey. See under Interior, Department of the.	
Salary, etc.....	411	George-Deen Program, appropriation for development of vocational education in District of Columbia	275
Gallup, N. Mex.—Window Rock, Ariz., appropriation for maintenance of portion of highway	337	George Washington Carver Day, designation of; proclamation authorized	668
Gallup-Shiprock Highway, N. Mex., appropriation for maintenance of portion within Navajo Reservation	337	George Washington Memorial Parkway, appropriation for	353
Galveston Bay, Tex., examination and survey authorized	31	Georgetown University Hospital, D. C., exception to maximum building height regulations	38
Galveston County, Tex., military reservation, right-of-way for public road or highway and tunnel	52	Georgia:	
Ganado Irrigation Project, appropriation for	328	Ben Hill County, transfer to Americus division of middle judicial district	550
Garrison River Dam, N. Dak., restriction on use of funds for construction	654	Navigation and flood-control projects authorized.....	16, 17
Gas and Oil. See Oil and Gas.		Preliminary examinations and surveys of rivers, etc., authorized.....	28, 29, 30
Gastineau Channel, Alaska, improvement authorized	23	Savannah Harbor, navigation improvement authorized.....	556
General Accounting Office:		Gift Tax, discretionary trusts, years to which applicable	264
Appropriation for.....	118, 639	Gifts, Conditional, limitation on acceptance by Government	658
Reduction in appropriation available in fiscal year 1945.....	408	Gila Project, Ariz.:	
Comptroller General, certification to Congress of certain claims.....	597	Appropriation for construction, etc...	341, 647
Congress, investigations and reports for and detail of assistants to committees of, appropriation for.....	118	Conveyance of certain lands to University of Arizona.....	262
Corporations, Government, audit of financial transactions—		Gila River Indian Reservation, Ariz., appropriation for San Carlos irrigation project	85, 328
Expenses, payment of; appropriation authorized.....	6, 81, 601	Gila River Pima-Maricopa Indian Community Council, settlement of certain water rights claims; resolution requirement	330
Personnel, employment of.....	81, 601	Gilbertsville, Ky., appropriation for construction of Kentucky Dam	126
Report to Congress.....	6, 599, 600	Glacier National Park, Mont., appropriation for roads	352
Disbursing officers, credit in accounts for certain payments to physicians..	24	Glenn Dale Tuberculosis Sanatorium, appropriation for	282
Pay increases. See Federal Employees Pay Act of 1945.		Gloucester Harbor, Mass., improvement authorized	12
Penalty mail costs, appropriation for...	118	Gold Reserve Act of 1934:	
Printing and binding, appropriation for.....	118, 639	Amendment, payment of subscription to International Monetary Fund and International Bank for Reconstruction and Development.....	514
Reorganization plans, exclusion from...	616	Appropriation for carrying out provisions of.....	65
General Land Office. See under Interior, Department of the.			
Generals Highway, Calif., appropriation for maintenance and repair	352		
Geneva Convention, appropriation for wages of enemy detainees for work under conditions prescribed by	186		

	Page		Page
Golden Meadow, La., Bayou La Fourche, examination and survey authorized.....	30	Government Departments and Agencies— Continued.	
Gorgas Memorial Laboratory, appropriation for contribution.....	175	Audit of financial transactions of Gov- ernment corporations, by General Accounting Office.....	6
Government Checks, Lost, Etc.: Depositories in foreign countries, checks drawn against.....	593	Employment of personnel, etc.....	81
Issuance of checks in replacement.....	592	Bonneville Project, utilization of per- sonnel.....	547
"Original check," definition.....	594	Checks, U. S., lost, etc., issuance of checks in replacement.....	592
Undertakings of indemnity; exceptions to requirement.....	592	Citizenship requirements, employees... Canal Zone.....	132 44, 220, 404
Government Contracts. <i>See</i> Contracts, Government; Contracts, War.		Exemptions—	
Government Corporation Control Act	597	Agriculture, Department of.....	165
Audit of financial transactions.....	599, 600	Interior, Department of the.....	359
Expenses, payment of, appropriation authorized.....	601	Justice, Department of.....	186
Private audit, restriction on payment for.....	601	Library of Congress.....	256
Report to Congress.....	599, 600	War Department.....	386
Banking or checking accounts, deposi- taries; exceptions.....	601	Navy Department.....	220
Bonds, etc., terms of; approval of Secretary of Treasury.....	601	State, Department of, Foreign Serv- ice personnel.....	173
Budget programs, annual, preparation, content, transmittal to Congress, etc.....	598	War Department.....	44, 404
Creation, etc., of corporations, restric- tion.....	602	District of Columbia, tax-exempt status of certain real property.....	589
General provisions.....	601	Electricity, Bonneville Project, dispo- sition to Federal agencies.....	546
Policy of Congress.....	597	Exchange allowances on equipment....	132
Termination of wholly owned Govern- ment corporations; provision for reincorporation.....	602	Farm machinery, replacement, etc., in flood-damaged areas, allocations and priorities authorized.....	231
U. S. obligations, limitations on sale or purchase.....	602	Federal Loan Agency, continuance as independent establishment, transfer of functions, funds, etc., to.....	5
Government Corporations:		Foreign Service, Department of State, assignments for special duty, etc... Freedmen's Hospital, amounts charge- able to Government establishments for treatment of patients at.....	103, 104 366
Employees, pay increases; basic work week. <i>See</i> Federal Employees Pay Act of 1945.		Hours of work; repeal of prior provisions.	303
Inter-American Affairs, Coordinator of, creation by, powers; limitation....	477	Housing, transfer of structures or facilities suitable for, authority of National Housing Administrator.	674
Overtime compensation, basis.....	296	Inter-agency groups, appropriations available for expenses.....	134
Reports, personnel, to Bureau of Budget.....	304	Lifetime Federal Digest, price limita- tion.....	134
Subsidy payments—		Minor purchases without advertising..	132
Commodity Credit Corporation, in- crease in limitations.....	506	Overthrow of U. S. Government, restric- tion on employment of persons advocating.....	45, 75, 95, 130, 165, 201, 221, 259, 360, 382, 405, 433, 487, 657
Limitations on.....	260	Exception, certain emergency work, Department of Agriculture.....	166
Government Departments and Agencies. <i>See also</i> Government Employees.		Petroleum pipe lines, interstate, time extension for exercise of powers respecting.....	233
Adult correctional enterprises, D. C., purchase of products and services from.....	285	Pilot plants, sale of metal or mineral products of.....	351
Aircraft purchase, limitation.....	132	President of the United States, Office of, detail of personnel to.....	106
American republics, cooperation with, transfer of funds from Depart- ment of State appropriation.....	181		

Government Departments and Agencies—	Page	Government Employees—Continued.	Page
Continued.		Army, civilian employees, settlement of claims for damage to or loss of personal property; restriction-----	225
Printing and binding, payment to Government Printing Office for-----	257	Appropriation authorized and made available-----	225
Real and personal property, designated seizure powers, termination-----	658	Appropriation for-----	389
Records, disposal of certain-----	434	Bonneville Project, appointment of personnel-----	547
Reorganization. <i>See</i> Reorganization of Government Departments and Agencies.		Citizenship requirements. <i>See under</i> Government Departments and Agencies.	
Reports, annual or special, discontinuance of printing of-----	258	Civil-service status, acquisition of, certain employees, elimination of time limit for recommendation-----	666
Reports to—		Employees' Compensation Act. <i>See separate title.</i>	
Bureau of Budget-----	304	Federal Bureau of Investigation, prohibition on use of funds for payment of civil-service employees-----	185
Congress. <i>See</i> Reports to be submitted, etc., <i>under</i> Congress.		Federal Employees Pay Act of 1945. <i>See separate title.</i>	
Scientific investigations authorized, by—		Folding speeches and pamphlets, employment by House of Representatives-----	38
Geological Survey-----	345	International Monetary Fund, unlawful disclosure of information by Government officer or employee, penalty-----	515
Mines, Bureau of-----	351	National War Labor Board, leave restrictions on certain per diem employees-----	474
Standards, National Bureau of-----	194	Naval Academy—	
Scientific Research and Development, Office of, transfer of funds to-----	476	Cobbler and barber shops, midshipmen's, status of funds and employees of-----	660
Senate Committee on Appropriations, status of employees drawn from executive departments and agencies-----	243	Tailor shop, midshipmen's, status of funds and employees of-----	660
Subsidy payments, continuance of certain-----	260	Navy, civilian employees, settlement of claims for damage to or loss or destruction of personal property---	662
Surplus property. <i>See</i> Surplus Property Act of 1944.		Appropriations authorized and made available-----	662
Travel provisions. <i>See under</i> Government Employees.		Overtime compensation, etc., appropriation for-----	77, 78
Treasury Department, Procurement Division, transfer or detail of employees to, transfer of funds for----	65	Part-time, nonapplication of restrictions on political activities to certain, extension of temporary provisions-----	658
United States Code Annotated, price limitation-----	134	Postal Service. <i>See separate title.</i>	
Vehicles—		Retired personnel, removal of restrictions respecting appointment as Superintendent of Gallinger Municipal Hospital-----	411
Exchange allowances-----	132	Retirement—	
Limitations on purchase-----	131	Computation of length of service----	621
Limitations on use-----	132	Members of armed forces, rights of---	577
Veterans, building material priorities---	134	Senate Committee on Appropriations, status of employees drawn from executive departments and agencies-----	243
Witnesses, etc., in proceedings, injury on account of action, penalty-----	234		
Government Employees. <i>See also</i> Government Departments and Agencies.			
Alaska—			
Meteorological observations, compensation for taking and transmitting-----	195		
Postmasters of fourth-class post offices, eligibility for appointment as---	544		
Public lands, sale or lease to certain employees of Interior Department-----	467		
Armed forces, members of, civilian employment while on terminal leave---	584		
Compensation for services-----	585		

Government Employees—Continued.	Page	Government Property, Surplus. See Surplus Property Act of 1944.	Page
Senate disapproval of nomination, restriction on payment to person after.....	133, 382	Government Records , disposal of certain.....	434
Travel provisions—		Government Traffic , rates on, effective date.....	606, 607
Automobiles, privately owned, reimbursement for use of.....	133	Governor's Run, Md. , examination and survey authorized.....	27
Consultants, part-time, appropriations available.....	131, 474	Grain Standards Act , appropriation to effect provisions of.....	159
National War Labor Board, inclusion of certain employees....	474	Grand Army of the Republic , attendance of the Marine Band at national encampment.....	465
Dollar-a-year men, etc., appropriations available.....	131	Grand Bayou and Grand Bayou Pass, La. , examination and survey authorized..	30
Expenses on change of official station..	131	Grand Chenier, La., Mermentau River , examination and survey authorized....	30
Household goods and effects, transfer of.....	131	Grand Coulee Dam Project. See Columbia Basin Project, Wash.	
Living and quarters allowances for personnel stationed abroad.....	133	Grand Haven Harbor, Mich. , improvement authorized.....	19
Meetings, funds available for expenses of attendance at, limitation.....	131	Grand Junction, Colo. , clerk of United States District Court, restriction on use of funds for maintaining office of..	198
Per diem allowances in lieu of subsistence expenses.....	133	Grand Portage Harbor, Minn. , examination and survey authorized.....	32
United States ships, travel on, suspension of requirement.....	133	Grand River, Mich. , improvement authorized.....	19
Veterans' Administration , certain former employees, computation of service for civil-service purposes..	676	Grand River Dam , appropriation for acquisition of land and flowage rights, etc.....	321
War Department , civilian employees, settlement of claims for damage to or loss of personal property; restriction.....	225	Grand Teton National Park, Wyo. , appropriation for approach road to north entrance.....	352
Appropriation authorized and made available.....	225	Grays Harbor, Wash. , examination and survey authorized.....	33
Appropriation for.....	389	Grays Harbor and Chehalis River, Aberdeen, Wash. , maintenance work authorized.....	22
Witnesses on behalf of United States, travel expenses.....	183	Grazing Service , appropriation for.....	84, 322
Government Losses in Shipment Act, Amendment , lost postwar credit bonds, inclusion under.....	574	Great Britain:	
Government Printing Office:		International Joint Commission, United States and Great Britain, appropriation for.....	178
Agriculture, Yearbook of, restriction on use of funds for.....	257	Migratory birds, appropriation for effecting treaty provisions respecting.....	356
Appropriation for.....	256	Great Lakes , harbors of refuge for light-draft vessels, improvement authorized.....	19
Congressional work, estimate of cost to be included in recommendation..	257	Great Lakes, Ill., Naval Training Station , appropriation for.....	203
Departmental work, payment for.....	257	Great Lakes to Hudson River Waterway , improvement authorized.....	13
Depository libraries, restriction on supplying matter not requested.....	258	Great Salt Pond, Block Island, R. I. , improvement authorized.....	13
Detail of employees, restriction.....	258	Green Bay Harbor, Wis. , improvement authorized.....	19
Expenditures without reference to public contract requirements.....	258	Greene Ville, Treaty of , provision for observance of anniversary of signing....	501
Federal Register. <i>See separate title.</i>			
Heat furnished by Capitol Power Plant, reimbursement.....	252		
Penalty mail costs, appropriation for....	258		
Superintendent of Documents, Office of, appropriation for.....	258		
Working capital, return of portion as unexpended balance.....	257		

Highways:	Page	Honga River, Md., examination and survey authorized.....	Page
Access roads, appropriation for.....	81, 117	Hoopersville, Md., examination and survey of channel in Honga River authorized.....	26, 27
Dallas, Tex., easement in certain Veterans' Administration lands for highway purposes.....	54	Hopi Indian Reservation, Ariz.:	
Damage claims, appropriation for.....	81, 419, 638	Irrigation projects, appropriation for.....	328
District of Columbia. <i>See separate title.</i>		Water supply, appropriation for development of.....	327
Eastport, Maine, transfer of easement to city for roadway purposes.....	34	Hops, orders applicable to, repeal of provision relating to.....	263
Federal-aid highway system, appropriation for.....	116	Hoquiam, Wash., examination and survey for deep-sea fishing base at, authorized.....	33
Federal-aid secondary or feeder roads, appropriation for.....	117	Horseshoe, Fla., channel, examination and survey authorized.....	29
Forest roads and trails, appropriation for.....	152, 644	Hoskins Creek, Va., improvement authorized.....	15
Galveston County, Tex., military reservation, right-of-way for public road or highway and tunnel.....	52	Hospitals:	
Inter-American Highway, appropriation for.....	116	Army and Navy, utilization by Veterans' Administration.....	642
North Kingstown, R. I., conveyance of land to State for highway purposes.....	226	Army and Navy Hospital, Hot Springs, Ark., appropriation for.....	394
Postwar, appropriation for.....	638	Neponsit Beach Hospital, availability of appropriation for repair, etc.....	636
Railroad grade crossings, elimination of, appropriation for.....	117	Public Health Service, appropriation for maintenance, etc.....	369, 419
Springfield Township, Montgomery County, Pa., conveyance for highway and park purposes.....	508	Veterans', appropriation for.....	83
Strategic highway network, appropriation for.....	81, 117	Hot Springs, Ark., appropriation for Army and Navy Hospital.....	394
Surveys and plans, appropriation for.....	117	House of Representatives. <i>See also</i> Congress; Legislative Branch of the Government.	
Toll bridges, payments to States making bridges free.....	507	Chaplain, appropriation for.....	244
Hillsboro Canal and Inlet, Fla., examination and survey authorized.....	29	Clerk, Office of, appropriation for.....	245
Hog Cholera Control, appropriation for.....	144	Clerk hire—	
Hog Cholera Virus and Serum, appropriation for marketing agreements with respect to.....	144	Appropriation for.....	46, 248
Hog Island, Hingham Bay, Mass., channel, examination and survey authorized.....	25	Rate increase, appropriation for; limitation.....	78
Hogback Irrigation Project, appropriation for.....	328	Committee employees—	
Holiday Work, Government employees, compensation.....	298	Appropriation for.....	245
Home Economics, Bureau of. <i>See</i> Human Nutrition and Home Economics, Bureau of, <i>under</i> Agriculture, Department of.		Claims, Committee on, additional appropriation.....	413
Home Loan Bank Administration. <i>See</i> Federal Home Loan Bank Administration.		Committee reporters, appropriation for.....	248
Home Loan Banks, Federal, audit of financial transactions, report, etc.....	600	Committees, standing, clerks of, limitation on increase in compensation.....	78
Home Owners' Loan Corporation:		Contingent expenses, appropriation for.....	78, 248, 413, 633
Audit and annual budget program.....	598, 599	Debates, official reporters of, appropriation for.....	248
Transfer of funds to certain Treasury Department appropriations.....	60	Doorkeeper, Office of, appropriation for.....	246, 413
Honey Bee Act, appropriation to effect provisions of.....	146	Expense allowance, appropriation for.....	244
		Folding room, employment of Government employees.....	38
		Heidinger, James V., appropriation for payment to widow of.....	78
		Mott, James W., appropriation for payment to widow of.....	633

House of Representatives—Continued.	Page	Housing—Continued.	Page
O'Connor, James Francis, appropriation for payment to widow of.....	78	War housing—Continued.	
Pages, appropriation for.....	247, 413	Servicemen, etc.—Continued.	
Post Office, appropriation for.....	248	Appropriations authorized and made available.....	674
Postage stamps, air-mail and special-delivery, furnishing to Representatives, etc., appropriation for.....	249	Temporary—	
Reorganization Act of 1945, Congressional procedure under.....	617	Construction, restriction on use of funds for.....	674
Salaries, payment when usual pay day falls on Saturday.....	633	Transfer, authority of Administrator.....	640, 674
Salaries and mileage, appropriation for.....	244	Veterans attending educational institutions, appropriations authorized and made available.....	674
Sergeant at Arms, Office of, appropriation for.....	246	Veterans with families, certain.....	260
Speaker, appointment of Committee on certain improvements to House wing of Capitol building.....	472	Appropriation for effecting housing provisions.....	639
Speaker, Office of, appropriation for.....	244	Appropriations authorized and made available.....	674
Speaker's Table, appropriation for.....	244	Housing Act, National, Amendments, mortgage insurance.....	47
Special and minority employees, appropriation for.....	247	Housing Administration. <i>See</i> Federal Housing Administration.	
Special and select committees, appropriation for.....	78, 248	Housing Agency, National. <i>See</i> National Housing Agency.	
Stationery, appropriation for.....	79, 249, 633	Housing Authority. <i>See</i> Federal Public Housing Authority.	
Telegraph and telephone service, appropriation for.....	249, 413, 633	Housing Authority, National Capital, appropriation for.....	121
House Office Buildings:		Housing Authority, United States, audit and annual budget program.....	598, 599
Maintenance, etc., appropriation for.....	252	Housing Corporation, United States, audit and annual budget program... 598, 599	
Police details for duty on Capitol grounds.....	259	Houston Ship Channel, Tex., improvement authorized.....	18
Housing:		Howard University, appropriation for... 366, 636	
Defense, rental by military or naval personnel, money allowances not denied..	222	Hudson, Wis., time extended for bridging Saint Croix River at.....	468
Government facilities, occupancy by service personnel and dependents on rental basis without loss of rental allowances.....	316	Hudson River, Fla., examination and survey authorized.....	29
Insurance, mortgage, amendments respecting.....	47	Hudson River, N. Y., examination and survey authorized.....	26
War housing—		Humacao Playa, Punta Santiago, P. R., examination and survey authorized... 33	
Appropriation for.....	82	Human Nutrition and Home Economics, Bureau of. <i>See under</i> Agriculture, Department of.	
Appropriations authorized and made available.....	674	Humboldt Bay, Calif., examination and survey authorized.....	32
Availability of appropriation, time extension; restriction on incurring obligations.....	420	Hungry Horse Project, Mont., appropriation for.....	341, 648
Federal agency structures or facilities, certain, transfer to National Housing Administrator, authorized.....	674	Hussey Sound, Casco Bay, Maine, improvement authorized.....	12
Funds available for.....	260, 674	Hutchinson River, N. Y., examination and survey authorized.....	26
Insurance of mortgages under National Housing Act, limitations amended.....	47	Hyannis Harbor, Mass., improvement authorized.....	12
Navy Department, appropriation for operation and maintenance.....	211	Hydrographic Bureau, International, appropriation for contribution.....	175
Servicemen, distressed families of.....	260	Hydrographic Office, appropriation for... 218, 219	
Appropriation for effecting housing provisions.....	639		

I	Page	Independent Offices—Continued.	Page
Idaho:		Citizenship requirements, employees..	132
Boise project, appropriation for..	339, 342, 647	Civil Service Commission. <i>See separate title.</i>	
Indians, irrigation projects, appropriation for.....	85, 329	Damage claims, appropriation for..	93, 431, 655
Minidoka project, appropriation for..	339, 647	Employees' Compensation Commission.	
Navigation and flood-control projects authorized.....	21	<i>See separate title.</i>	
Palisades project, appropriation for..	341, 647	Exchange allowances on equipment.....	132
Yellowstone National Park, appropriation for roads leading out of.....	352	Executive Office of the President—	
		Appropriation for.....	106
Illinois:		Offices, etc., under. <i>See individual titles.</i>	
Hennepin Canal, appropriation for maintenance.....	40	Export-Import Bank of Washington.	
Navigation and flood-control projects authorized.....	19	<i>See separate title.</i>	
Preliminary examinations and surveys of rivers, etc., authorized.....	31	Federal Communications Commission.	
Saint Francisville, toll bridge authorized across Wabash River at.....	580	<i>See separate title.</i>	
Illinois and Mississippi Canal, Ill., examination and survey authorized.....	31	Federal Deposit Insurance Corporation—	
Illinois Waterway, Ill., improvement authorized.....	19	Appropriation for.....	110
Immigration Act of 1917, Amendment, salary of Commissioner of Immigration and Naturalization.....	551	Penalty mail costs, appropriation for..	111
Immigration Act of 1924, Amendments:		Federal Home Loan Bank Administration. <i>See separate title.</i>	
“Ineligible to citizenship,” definition..	551	Federal Housing Administration. <i>See separate title.</i>	
International organizations, personnel, etc., privileges, exemptions, and immunities.....	672	Federal Loan Agency. <i>See separate title.</i>	
Immigration and Naturalization. <i>See also</i> Nationality Act of 1940, Amendments. Commissioner of, salary.....	551	Federal Power Commission. <i>See separate title.</i>	
Spouses and minor children of citizen members of armed forces, admission to U. S.....	659	Federal Public Housing Authority. <i>See separate title.</i>	
Immigration and Naturalization Service. <i>See under</i> Justice, Department of.		Federal Security Agency. <i>See separate title.</i>	
Imperial and Coachella Valleys, Calif., canal connecting with diversion dam, appropriation for.....	342	Federal Trade Commission, appropriation for.....	80, 112
Import Milk Act, appropriation for enforcement.....	366	Federal Works Agency. <i>See separate title.</i>	
Imports:		Foreign-service pay adjustment, appropriation for.....	118, 639
International organizations, immunities from customs duties.....	669	General Accounting Office. <i>See separate title.</i>	
Statistics, appropriation for collection and publication.....	188	Inter-agency groups, appropriations available for expenses.....	134
Income Taxes. <i>See under</i> Taxes.		Interstate Commerce Commission—	
Independent Offices:		Appropriation for.....	118, 639
Aircraft purchase, limitation.....	132	Reduction in appropriation available in fiscal year 1945.....	408
American Battle Monuments Commission, appropriation for.....	107, 635	Transfer of funds.....	82
American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, appropriation for.....	108	Lifetime Federal Digest, price limitation	134
Appropriation Act, 1946.....	106	Maritime Commission. <i>See separate title.</i>	
		Minor purchases without advertising..	132
		National Advisory Committee for Aeronautics—	
		Appropriation for.....	82, 120
		Damage claims, appropriation for... ..	93, 431, 655
		Penalty mail costs, appropriation for..	120
		Printing and binding, appropriation for.....	120
		National Archives—	
		Appropriation for.....	121

Independent Offices—Continued.	Page	Independent Offices—Continued.	Page
National Archives—Continued.		Travel provisions—Continued.	
Government records, disposal of certain.....	434	Living and quarters allowances for personnel stationed abroad.....	133
National Capital Housing Authority, appropriation for.....	121	Meetings, funds available for expenses of attendance at; limitation.....	131
National Capital Park and Planning Commission, appropriation for..	121, 292	Per diem allowances in lieu of subsistence expenses.....	133
National Housing Agency. <i>See separate title.</i>		United States ships, travel on, suspension of requirement.....	133
National Labor Relations Board. <i>See separate title.</i>		United States Code Annotated, price limitation.....	134
National Mediation Board. <i>See separate title.</i>		Vehicles, exchange allowances; limitations on purchase and use.....	131, 132
National Railroad Adjustment Board—		Veterans' Administration. <i>See separate title.</i>	
Appropriation for.....	379	War Mobilization and Reconversion, Office of. <i>See separate title.</i>	
Reorganization plans affecting, restriction.....	615	Work Projects Administration, appropriation for payment of judgments..	432
Newspapers, etc., limitation on expenditures for.....	130	Indian Affairs, Bureau of. <i>See under Interior, Department of the.</i>	
Overthrow of United States Government, restriction on employment of persons advocating.....	130	Indian Institute, Inter-American, appropriation for contribution.....	176
Railroad Retirement Board. <i>See separate title.</i>		Indian River, Del., improvement authorized.....	14
Salaries and expenses, prohibition on payment to certain persons.....	130	Indian River, Fla., channel system, examination and survey authorized.....	28
Securities and Exchange Commission—		Indian River Inlet, Del., waterway to Rehoboth Bay, examination and survey authorized.....	26
Appropriation for.....	125, 641	Indian Service. <i>See Indian Affairs, Bureau of, under Interior, Department of the.</i>	
Reorganization plans affecting, restriction.....	615	Indians:	
Selective Service System. <i>See separate title.</i>		Navigation and flood-control projects authorized.....	19
Senate disapproval of nomination, restriction on payment to person after.....	133	Preliminary examinations and surveys of rivers, etc., authorized.....	32
Smithsonian Institution, appropriation for.....	125, 641	Indiana Harbor and Canal, Ind., improvement authorized.....	19
Surplus property, deposit of proceeds from disposition.....	641	Indians. <i>See also Indian Affairs, Bureau of, under Interior, Department of the.</i>	
Tariff Commission—		Atoka Agreement, Choctaw-Chickasaw Nations, fulfillment of, appropriation for expenses.....	335
Appropriation for.....	126	Five Civilized Tribes, Okla., validation of certain conveyances.....	313
Commissioners, salary rates.....	130	Havasupai Indian Reservation, purchase of improvements, appropriation continued available.....	325
Reorganization, restriction on type of plan.....	616	Judgments, appropriation for.....	656
Tax Court of the United States. <i>See separate title.</i>		Klamath Tribe, salaries and expenses of tribal officials, delegates, etc., payment of.....	167
Tennessee Valley Authority. <i>See separate title.</i>		Sioux, claims for personal property losses—	
Travel expenses, limitation.....	130	Appropriation authorized.....	265
Travel provisions—		Appropriation for.....	647
Air travel under orders, per diem rates of allowance.....	134		
Automobiles, privately owned, reimbursement for use of.....	133		
Consultants, part-time.....	131		
Dollar-a-year men, etc.....	131		
Expenses on change of official station.....	131		
Household goods and effects, transfer of.....	131		

Indians—Continued.		Inter-American Affairs, Office of:	
Sioux, claims—Continued.		Appropriation for.....	476
Attorneys' services, payment for, authority of Secretary.....	265	Reduction in appropriation available in fiscal year 1945.....	408
Time limitation.....	265	Corporations for operation outside con- tinental U. S., incurring of obliga- tions, etc.....	477
Tlingit and Haida, Alaska, extension of time for filing suit.....	231	Audit by Government Accounting Office.....	477
Treaty of Greene Ville, provision for observance of anniversary of sign- ing.....	501	International short-wave radio facilities, indemnification for damages.....	477
Industrial Commodities, appropriation for lend-lease of.....	430	Penalty mail, appropriation for.....	476
Industrial Hygiene, appropriation for investigations.....	369	Increase in limitation.....	418
Industrial Property, International Bureau for Protection of, appropriation for contribution.....	175	Report to President.....	477
Industry, Training Within, appropriation for; liquidation.....	381	Inter-American Coffee Board, appropria- tion for contribution.....	176
Industry Advisory Committee, National, appointment.....	307	Inter-American Cultural Relations, Con- vention for Promotion of, appropria- tion for expenses under.....	180
Infant Care, Emergency:		Inter-American Educational Foundation, Incorporated, audit and annual budget program.....	598, 599
Grants to States, appropriation for..	236, 364	Inter-American Financial and Economic Advisory Committee, appropriation for contribution.....	176
Salaries and expenses, appropriation for.....	363	Inter-American Highway, appropriation for.....	116
Infantry School, appropriation for.....	397	Inter-American Indian Institute, appropria- tion for contribution.....	176
Inflation Control. See Price Control Act of 1942, Emergency; Stabilization Act of 1942, Amendments.		Inter-American Institute of Agricultural Sciences, appropriation for contribu- tion.....	176
Inland Waterways Corporation, audit and annual budget program.....	598, 599	Inter-American Navigation Corporation, audit and budget program.....	598, 599
Insect Control, appropriation for.....	147	Inter-American Radio Office, appropria- tion for contribution.....	175
Insect Investigations, appropriation for..	146	Inter-American Relations, War Depart- ment, appropriation for.....	401
Insect Pest Act, appropriation to effect provisions of.....	146, 147	Inter-American Statistical Institute:	
Insect Pests, appropriation for control of incipient and emergency outbreaks..	46, 148	Appropriation for contribution.....	176, 653
Insecticide Act, appropriation to effect provisions of.....	159, 645	Conditional payment of United States membership dues.....	311
Insurance:		Inter-American Trade-Mark Bureau, ap- propriation for contribution.....	175
Crop Insurance Act, Federal, appropria- tion for expenses under.....	155	Inter-American Transportation, Institute of, audit and annual budget pro- gram.....	598, 599
Crop Insurance Corporation, Federal, subscriptions to capital stock, ap- propriation for.....	90	Intergovernmental Committee on Refu- gees:	
Marine and war risk insurance fund, transfer of funds to War Shipping Administration.....	481	Appropriation for.....	428
National Housing Act, amendments, mortgage insurance.....	47	Appropriation continued available.....	653
National Service Life Insurance—		Interior, Department of the:	
Appropriation for.....	129, 642	Alaska—	
Five-year-level-premium-term poli- cies, extension.....	315	Government in—	
Regulation of, expression of intent of Congress.....	33	Aircraft, appropriations available for hire, etc.....	358
Inter-American Affairs, Institute of, audit and budget program.....	598, 599	Appropriation for.....	86, 357
		Public lands, sale or lease to certain employees.....	467

Interior, Department of the—Continued.	Page	Interior, Department of the—Continued.	Page
Alaska—Continued.		General Land Office—Continued.	
Tongass National Forest, conveyance of certain lands to Catholic bishop of Alaska.....	535	Coos Bay Wagon Road grant lands, appropriation for.....	323
Travel expenses of new appointees....	359	Oklahoma, payment from royalties, south half of Red River... 85, 324, 646	
Aliens, employment of, in emergencies..	359	Oregon and California Railroad grant lands, appropriation for.....	323
Appropriation Act, 1946.....	318	Payments to States from proceeds of land sales, appropriation for....	323
Bonneville Power Administration, appropriation for.....	320	Range improvements outside of grazing districts, appropriation for.....	323
Transmission lines, restriction on use of funds.....	320	Geography, Division of, appropriation for.....	319
Bonneville Project, appointment of personnel.....	547	Geological Survey—	
Bonneville Project Act, Amendments. <i>See separate title.</i>		Appropriation for..... 86, 343, 648	
Books, etc., purchase and exchange of, funds available for.....	360	Atoka Agreement, appraisal expenses, transfer of funds.....	335
Butte Falls, Oreg., conveyance of U. S. Fish Hatchery to State, condition..	578	Bauxite and alunite ores and aluminum clay deposits, decrease in amount available for investigations.....	409
Cheyenne, Wyo., conveyance of land to city in connection with water supply system.....	469	Cooperative work, funds for.....	345
Communication services, funds available for.....	360	Mining operations on Indian lands, transfer of funds for supervision of.....	326
Contingent expenses, appropriation for..	319	Scientific, etc., investigations for Government agencies, transfer of funds; report to Congress.....	345
Damage claims, appropriation for. 93, 431,	655	Gila Project, Ariz., conveyance of certain lands to University of Arizona.....	262
Electric energy, disposition of.....	22	Grazing Service, appropriation for....	84, 322
Field appropriations, availability for hire of boats, work animals, vehicles, etc.....	359	Hawaii, government in, appropriation for.....	358
Fine Arts, Commission of, appropriation for.....	320	Indian Affairs, Bureau of—	
Fire-fighting, appropriation for.....	322	Advances to Indian youth for educational courses.....	326
Fire protection and timber management, appropriation for.....	324, 646	Aircraft, appropriations available for hire, maintenance, etc.....	338
Fish and Wildlife Service—		Annuities and per capita payments, appropriation for.....	338
Aircraft, appropriations available for hire, maintenance, etc.....	356	Appropriation for.....	647
Appropriation for.....	354, 649	Atoka Agreement, fulfillment of, appropriation for expenses.....	335
Bulletins, publication, distribution, etc.....	354	Education, appropriation for..... 85, 331	
Fish protection, studies and surveys..	22	Fish screens on irrigation projects, operation and maintenance.....	354
Judgments, appropriation for.....	432	Fishing grounds, replacement, transfer of lands from Secretary of War.....	22
Migratory Bird Conservation Fund, appropriation for.....	356	Five Civilized Tribes, Okla., validation of certain conveyances.....	313
Wildlife restoration, appropriation for Federal aid in.....	356	Forest fires—	
Fishery Board, Office of, appropriation for.....	321	Rewards for information respecting setting of, etc..... 325, 326	
Fishery Coordination, Office of, reduction in appropriation available in fiscal year 1945.....	408	Suppression, etc., report to Congress.....	326
Flood-control projects, investigations and reports.....	11	General expenses, appropriation for. 85, 324	
General Land Office—			
Alaska real property ownership declaration law, authority of employees with respect to.....	537		
Appropriation for.....	322, 424, 646		

Interior, Department of the—Continued.	Page
Indian Affairs, Bureau of—Continued.	
General support and administration, appropriation for.....	334, 424
Geological Survey, transfer of funds for supervision of mining operations on Indian lands.....	326
Gila River, Ariz., appropriation for settlement of claims to water rights.....	330
Havasupai Indian Reservation, purchase of improvements, appropriation continued available....	325
Health, conservation of, appropriation for.....	334
Hospitalization of pupils, nonreservation boarding-schools, contributions for.....	334
Ice, funds available for purchase of..	338
Indian Service, purchases for, time limit for rendering bills.....	324
Industrial assistance and advancement, appropriation for.....	325
Irrigation and drainage, appropriation for.....	85, 327
Irrigation projects—	
Apportionment of cost where reimbursement required.....	328
Flood damages, etc., interchange of amounts for.....	328
Judgments, appropriation for payment.....	656
Land, acquisition of, appropriation for.....	325
Livestock, funds for suppression of contagious diseases.....	327
Loans for high school and vocational school education, reimbursement..	332
Loans from revolving fund.....	327
Medical, etc., services, collection of fees from Indians.....	334
Printing and binding in authorized Indian-school printing plants, amount available for.....	332
Reports to Congress—	
Alaska, relief of destitute natives in.....	334
Boarding schools, nonreservation, interchange of funds.....	333
Fire prevention, diversion of funds for.....	326
Replacement of property destroyed by fire, etc., diversion of funds..	325
Roads and bridges, appropriation for..	337
Rubber boots, funds available for purchase of.....	338
Salaries, appropriation for.....	324
Services performed for Indians, collection of fees.....	334

Interior, Department of the—Continued.	Page
Indian Affairs, Bureau of—Continued.	
Supplies, purchase and storage of, availability of funds for.....	338
Taxes on restricted lands, funds for payment of.....	325
Travel expenses—	
Availability of funds for.....	338
Educational systems, restriction on use of funds for study of.....	332
Tribal enterprises, funds available for establishment of.....	327
Water supply, development of, appropriation for.....	327
Indians. <i>See separate title.</i>	
Irrigation projects, investigations and reports.....	11
Jackson Hole National Monument, restriction on use of funds in connection with.....	360
Judgments, appropriation for.....	94, 432
Library membership, funds available for payment of dues.....	360
Meetings, funds available for attendance at.....	359
Mines, Bureau of—	
Aircraft, appropriations available for hire, maintenance, etc.....	351
Appropriation for.....	345, 424
Reduction in appropriation available in fiscal year 1945.....	408
Cooperative work authorized.....	346
Helium—	
Plants, appropriation for construction and equipment.....	348
Reduction in appropriation available in fiscal year 1945.....	408
Procurement of, transfer of funds from—	
Navy Department.....	350
War Department.....	350
Pilot plants, sale of products of.....	351
Public Health Service, details from..	351
Scientific investigations for Government agencies; transfer of funds for.....	351
National monuments. <i>See separate title.</i>	
National Park Service—	
Aircraft, funds available for hire, maintenance, etc.....	354
Appropriation for.....	352, 649
Automobiles, funds available for maintenance and operation.....	354
Diversion of funds, report to Congress..	353
Forest-fire prevention, etc., appropriation for.....	353
Lectures, education, funds available for.....	354

Interior, Department of the—Continued.	Page	Interior, Department of the—Continued.	Page
National Park Service—Continued.		Reclamation, Bureau of—Continued.	
National Capital Parks, appropriation for salaries and expenses...	353	Investigations—	
Recreational demonstration areas, appropriation for.....	353	Appropriation for.....	647
Telephones in Government-owned residences, funds available for...	354	Cooperation of other agencies.....	341
Travel expenses for employees attending training courses, funds available for.....	354	Cost and expenses chargeable to reclamation fund.....	54
Water rights, investigation and purchase of, appropriations continued available.....	353	Irrigation districts in arrears of payments, restriction on use of funds in.....	339
Weibert, Henry, appropriation for settlement of claim of.....	425	Missouri River Basin, appropriation for.....	343, 648
Official stations, delegation of power to authorize change in.....	360	Reclamation fund, expenses chargeable to.....	54
Overthrow of United States Government, restriction on employment of persons advocating.....	360	Salaries and expenses, other than project offices, appropriation for.....	341, 647
Penalty mail costs, appropriation for...	320	Appropriations, termination of availability.....	341
Petroleum Conservation Division, appropriation for.....	319, 646	Special fund, appropriations from.....	339, 647
Philippine Islands, United States High Commissioner to, appropriation for Office of.....	84, 320	Vehicles, increase in limitation on purchase.....	648
Printing and binding, appropriation for Public lands. <i>See separate title.</i>	320	Water conservation and utilization projects, appropriation for.....	343
Puerto Rico, Government in, appropriation for.....	359	Reclamation Project Act of 1939, Amendments. <i>See separate title.</i>	
Radio broadcasts, restriction on use of funds for.....	318	Reclamation projects, special amendatory contracts; report to Congress.....	76
Reclamation, Bureau of—		Rocky Mountain National Park, Colo., exchange of lands authorized.....	466
Administrative provisions.....	338	St. Croix, V. I., municipal government, appropriation for.....	650
Aircraft, appropriation available for hire, maintenance, etc.....	339	Salaries, appropriation for.....	318
Appropriation for.....	424	San Carlos irrigation project—	
Appropriations, interchange of.....	340	Power plant, modification of contract for purchase.....	487
Boulder Canyon project, appropriation for.....	341	Repayment provisions; supplemental agreement respecting.....	469
Colorado River Dam Fund, appropriation for.....	342, 648	Secretary, Office of, appropriation for.....	84, 318, 646
Colorado River Development Fund, appropriation for.....	342, 648	Sioux Indians, claims for personal property losses—	
Colorado River front work and levee system, appropriation for.....	343	Time limitation; appropriation authorized.....	265
Colorado River project, Tex., appropriation for.....	86	Appropriation for.....	647
Commissioner, Office of, cost and expense chargeable to reclamation fund.....	54	Soil and moisture conservation operations, appropriations for.....	319
Emergencies, funds available to meet.....	339	Solicitor, Office of, appropriation for...	318
Expenditures, limitation of.....	340	Solid Fuels Administration for War—	
Fish screens on irrigation projects, operation and maintenance.....	354	Appropriation for.....	321
General fund, construction—		Reduction in appropriation available in fiscal year 1945.....	408
Appropriation available.....	342	Southwestern Power Administration, appropriation for.....	321
Appropriation for.....	86, 647	Station wagons, funds available for.....	359
		Telephone and telegraph services, funds available for certain.....	360
		Territories, government in—	
		Appropriations for.....	86, 357, 650
		Alaska.....	86, 357

Interior, Department of the—Continued.	Page
Territories, government in—Continued.	
Appropriations for—Continued.	
Hawaii.....	358
Puerto Rico.....	359
Virgin Islands.....	358
St. Croix, appropriation for municipal government.....	650
Emergency fund, reduction in appropriation available in fiscal year 1945.....	409
Territories and Island Possessions, Division of—	
Appropriation for.....	318
Puerto Rico, funds available for collection and administration of moneys due United States.....	359
Travel expenses, etc., authority of Secretary to delegate power to authorize payment of.....	360
Truckee-Carson Irrigation District, approval of contract with United States; authority of Secretary to execute.....	466
Trucks, pick-up, funds available for.....	359
Vehicles, funds available for.....	359
Veterans' Administration, transfer of funds from.....	128
Virgin Islands, government in, appropriation for.....	358, 650
War Relocation Authority. <i>See separate title.</i>	
Water conservation and utilization projects, appropriation for.....	162, 343
Interior, Secretary of the. <i>See Interior, Department of the.</i>	
Internal Revenue, Bureau of. <i>See under Treasury Department.</i>	
Internal Revenue Code:	
Section 11, amendment.....	557
Section 12 (b), amendment.....	557
Section 12 (g), amendment.....	558
Section 13 (a) (2), amendment.....	570
Section 15 (a), amendment.....	570
Section 15 (b), amendment.....	568
Section 22 (b) (9) and (10), amendment.....	574
Section 22 (b) (13), amendment.....	571
Section 23 (p) (2), amendment.....	673
Section 23 (x), amendment.....	558
Section 25 (a) (3), repeal.....	558
Section 25 (b), amendment.....	558
Section 26 (b), amendment.....	570
Section 26 (e), repeal.....	570
Section 47 (e), amendment.....	559
Section 58 (a) (1), amendment.....	559
Section 102 (d) (1), amendment.....	570
Section 108, amendment.....	570
Section 116 (c), amendment.....	670
Section 116 (h) (1), amendment.....	670
Section 124 (j), addition.....	525

Internal Revenue Code—Continued.	Page
Section 124 (k), addition.....	526
Section 131 (b), amendment.....	570
Section 141 (c), amendment.....	518
Section 143 (a) (2), amendment.....	559
Section 163 (a) (1), amendment.....	559
Section 204 (a) (2), amendment.....	570
Section 207 (a) (1) (B), amendment.....	568
Section 207 (a) (3) (B), amendment.....	568
Section 214, amendment.....	559
Section 215 (b), amendment.....	559
Section 251 (f), amendment.....	559
Section 272 (a) (1), amendment.....	673
Section 276 (d)—	
Addition.....	525
Amendment.....	569
Section 292 (c), addition.....	525
Section 294 (e), addition.....	523
Section 322 (b) (1), period of limitation, extension in certain cases.....	673
Section 322 (b) (5), amendment.....	523
Section 322 (b) (6)—	
Addition.....	524
Amendment.....	569
Section 322 (d), amendment.....	524
Section 322 (g), addition.....	524
Section 362 (b) (4), amendment.....	568
Section 400, amendment.....	560
Section 401, amendment.....	559
Sections 600–605, repeal.....	574
Section 600 (a), amendment.....	574
Section 600 (b), addition.....	574
Sections 710–783, nonapplicability after designated date.....	568
Section 710 (a) (7), addition.....	571
Section 710 (b) (1)—	
Amendment.....	517
Restoration to prior reading.....	571
Section 710 (c) (2), amendment.....	569
Section 729 (b) (2), amendment.....	518
Section 732 (a), amendment.....	673
Section 732 (d), amendment.....	295
Section 780 (a), amendment.....	518
Section 780 (b), amendment.....	518
Section 780 (c), amendment.....	518
Section 781 (a), amendment.....	518
Section 781 (b), amendment.....	518
Section 781 (c), amendment.....	518
Section 783 (e), addition.....	519
Section 784, addition.....	519
Section 871 (a) (1), amendment.....	673
Section 1012 (a) (1), amendment.....	673
Sections 1200–1207, repeal.....	574
Section 1400, amendment.....	576
Section 1410, amendment.....	576
Section 1426 (b), amendment.....	670
Section 1426 (i), amendment.....	38
Section 1426 (j), addition.....	548
Section 1606 (e), addition.....	549
Section 1607 (c), amendment.....	670

	Page		Page
Internal Revenue Code—Continued.		International Council of Scientific Unions,	
Section 1607 (c) (16), addition.....	670	appropriation for contribution.....	175
Section 1607 (m), addition.....	549	International Criminal Police Commission,	
Section 1621 (a) (5), amendment.....	671	appropriation for membership.....	184
Section 1622 (a), amendment.....	561	International Fisheries Commission,	
Section 1622 (b) (1), amendment.....	561	appropriation for.....	178
Section 1622 (c) (1), amendment.....	561	International Hydrographic Bureau,	
Section 1622 (h) (1) (C), amendment....	567	appropriation for contribution.....	175
Section 1625 (a), amendment.....	567	International Joint Commission, United	
Section 1626 (a) and (b), amendment....	568	States and Great Britain, appropri-	
Section 1656, addition.....	575	ation for.....	178
Section 1657, addition.....	575	International Labor Organization,	
Section 1658, addition.....	576	appropriation for contribution.....	175, 653
Section 1659, addition.....	576	International Map of the World on the Mil-	
Section 2400, amendment.....	532	lionth Scale, appropriation for con-	
Section 2720 (a), amendment.....	531	tribution.....	175
Section 3126, addition.....	555	International Meteorological Committee,	
Section 3260 (a), amendment.....	531	appropriation for contribution.....	195
Section 3466 (a), amendment.....	671	International Monetary Fund. See under	
Section 3469 (f) (1), amendment.....	671	Bretton Woods Agreements Act.	
Section 3475 (b) (1), amendment.....	671	International Obligations:	
Section 3540, repeal.....	575	Appropriation for contributions, quotas,	
Section 3771 (e), amendment.....	525	etc.—	
Section 3777 (c)—		Aerial Legal Experts, International	
Addition.....	523	Technical Committee of.....	428
Amendment.....	574	American International Institute for	
Section 3779, addition.....	519	the Protection of Childhood....	175
Section 3780, addition.....	521	American Mexican Claims Commis-	
Section 3781, addition.....	523	sion.....	428
Section 3797 (a) (18), addition.....	671	American Republics, cooperation with.	180
Section 3808, addition.....	572	Nonprofit institutions, availability	
Internal Revenue Taxation, Joint Com-		of appropriation for contracts,	
mittee on, appropriation for 77, 78, 243, 248		etc., with.....	428
Internal Revenue Taxes. See Taxes.		Astronomical Union, International..	176
International Agreements, availability of		Comité International du Bois.....	150
trade agreements, etc., of recipient		Conference of Allied Ministers of Edu-	
countries to United Nations Relief		cation in London.....	179
and Rehabilitation Administration. 609, 612		Cultural relations with China and	
International Astronomical Union, appro-		neighboring countries, Near	
propriation for contribution.....	176	East, and Africa.....	179
International Bank for Reconstruction and		Emergency Advisory Committee for	
Development. See under Bretton		Political Defense.....	176
Woods Agreements Act.		Food and Agriculture Organization,	
International Boundary Commissions:		United Nations—	
United States and Canada and Alaska		Appropriation authorized.....	529
and Canada, appropriation for.....	178	Appropriation for.....	653
United States and Mexico, appropri-		Forest Research Stations, Interna-	
tion for.....	176, 177, 653	tional Union of.....	150
International Bureau for Protection of		Geodesy and Geophysics, Interna-	
Industrial Property, appropriation		tional Union of.....	176
for contribution.....	175	Gorgas Memorial Laboratory.....	175
International Bureau of Weights and Meas-		Hydrographic Bureau, International..	175
ures, appropriation for contribu-		Industrial Property, International	
tion.....	427, 653	Bureau for Protection of.....	175
International Conferences (Emergency),		Inter-American Coffee Board.....	176
appropriation for participation in... 176, 652		Inter-American Cultural Relations,	
International Conventions. See Interna-		Convention for Promotion of... 180	
tional Obligations.		Inter-American Financial and Eco-	
		nomic Advisory Committee.....	176

International Obligations—Continued.	Page	International Obligations—Continued.	Page
Appropriation for contributions, quotas, etc.—Continued.		Appropriation for contributions, quotas, etc.—Continued.	
Inter-American Highway.....	116	United Nations Relief and Rehabilitation Administration Participation Act, 1946.....	609
Inter-American Indian Institute.....	176	War Crimes, United Nations Commission for Investigation of... 89, 180	
Inter-American Institute of Agricultural Sciences.....	176	Weights and Measures, International Bureau of.....	427, 653
Inter-American Radio Office.....	175	Wheat Advisory Committee, International.....	141
Inter-American Statistical Institute.....	176, 653	International Office of Public Health, appropriation for contribution.....	653
Conditional payment of United States membership dues.....	311	International Organizations Immunities Act.....	669
Inter-American Trade-Mark Bureau.....	175	“International organization,” definition of.....	669
International Boundary Commissions—		Personnel, etc., of organizations, privileges, exemptions, and immunities..	671, 672
United States and Canada and Alaska and Canada.....	178	Requirements and restrictions.....	672
United States and Mexico... 176, 177, 653		Powers, immunities, etc., of organizations under.....	669
International Fisheries Commission... 178		Privileges, withholding, withdrawing, etc., of—	
International Joint Commission, United States and Great Britain.. 178		President, authority of.....	669
International Monetary Fund and International Bank for Reconstruction and Development, payment of subscriptions.....	514	State, Secretary of, authority.....	672, 673
International Pacific Salmon Fisheries Commission.....	179	Reciprocity, benefits not conditioned upon.....	673
Interparliamentary Union for Promotion of International Arbitration, Bureau of.....	175	Taxes, exemptions from certain, organizations and employees.....	670, 671
Labor Organization, International. 175, 653		International Pacific Salmon Fisheries Commission, appropriation for.....	179
Map of the World on the Millionth Scale, International.....	175	International Penal and Penitentiary Commission, appropriation for contribution.....	175
Meteorological Committee, International.....	195	International Production Control Committees, appropriation for.....	141
Narcotics Convention of 1931, implementing the.....	175	International Scientific Radio Union, appropriation for contribution.....	176
Netherlands and United States, arbitration of claim.....	428	International Seed Testing Congress, appropriation for share of expenses..	159
Pan American Institute of Geography and History.....	176	International Sugar Council, appropriation for share of expenses.....	141
Pan American Sanitary Bureau.....	175	International Technical Committee of Aerial Legal Experts, appropriation for.....	428
Pan American Union.....	175	International Telecommunication Union, Bureau of, Radio Section, appropriation for contribution.....	175
Panama, Government of.....	175	International Union of Forest Research Stations, appropriation for contribution.....	150
Penal and Penitentiary Commission, International.....	175	International Union of Geodesy and Geophysics, appropriation for contribution.....	176
Production Control Committees, International.....	141	International Wheat Advisory Committee, appropriation for share of expenses..	141
Public Health, International Office of.. 653			
Radio Union, International Scientific.. 176			
Refugees, Intergovernmental Committee on.....	428, 653		
Rio Grande bank protection project.. 89			
Scientific Unions, International Council of.....	175		
Seed Testing Congress, International.. 159			
Sugar Council, International.....	141		
Telecommunication Union, Bureau of International, Radio Section... 175			

Jones Academy, Okla., appropriation for education of Indians	Page 333	Justice, Department of—Continued.	Page
Jones Creek, Tex., examination and survey	31	Bailiffs, appropriation for.....	184, 425
Jones Inlet, N. Y., improvement authorized	13	Per diem restriction.....	184
Josias River, Maine, improvement authorized	12	Claims Division, appropriation for.....	181
Judges, U. S. Courts:		Contingent expenses, appropriation for.....	181
Kansas District, appointment of additional judge.....	545	Criminal Division—	
Limitation.....	546	Appropriation for.....	181
Salaries, appropriation for.....	196, 197, 198	Reduction in appropriation available in fiscal year 1945.....	409
Judgments, Payment of, appropriation for	93, 421, 431, 432, 655	Customs Division, appropriation for.....	182
Judicial Branch of the Government. See United States Courts.		Damage claims, appropriation for.....	93, 431, 655
Judicial Code, Amendments:		District attorneys, appropriation for.....	183, 425
District Courts—		District of Columbia—	
Connecticut, change in terms.....	663	Division of expenditures for certain offices.....	187
Oregon judicial district, term at Klamath Falls.....	555	Reimbursement to United States, appropriation for.....	281
Washington eastern district, term at Yakima.....	661	Federal Bureau of Investigation—	
Nevada judicial district; terms of court.....	582	Appropriation for.....	184
Virginia, eastern and western districts defined; terms of court; etc.....	554	Civil-service employees, prohibition on payment of.....	185
Judicial Districts. See under United States Courts.		Damage claims, appropriation for payment of.....	86, 425, 650
Judicial Offices, appropriation for examination of	182	Details of personnel for duty on Capitol Grounds.....	250
Judiciary Appropriation Act, 1946	196	Detection and prosecution of crimes, emergency, reduction in appropriation available in fiscal year 1945 for salaries and expenses.....	409
Jupiter Inlet, Fla., examination and survey	28	Emergencies, salaries and expenses for certain, appropriation for.....	184
Jurors, U. S. Courts:		Field, miscellaneous salaries and expenses, appropriation for.....	182
Fees, appropriation for.....	198	Immigration and Naturalization, Commissioner of, salary.....	551
Injury on account of action, penalty.....	234	Immigration and Naturalization Service—	
Justice, Department of. See also United States Courts.		Appropriation for.....	185, 650
Administrative Division, appropriation for.....	181	Cooperating agencies, reimbursement.....	185
Alien enemies, use of funds for detention, maintenance, etc.....	186	Inspectors, increase in basic rates of pay.....	302
Antitrust Division—		Interpreters, employment of aliens.....	186
Appropriation for.....	182	Overtime services and Sunday or holiday work, payment for.....	302
Regional offices, permanent, restriction on use of funds for.....	182	Immigration Appeals, Board of, appropriation for.....	181
Salary limitation.....	182	Judicial offices, appropriation for examination of.....	182
Senate approval of appointees at \$7,500 or more.....	182	Lands Division—	
Appropriation Act, 1946.....	181	Appropriation for.....	182, 425
Assistant Attorney General, Office of, appropriation for.....	181	Reduction in appropriation available in fiscal year 1945.....	409
Assistants to Attorney General, special, appropriation for.....	181	Legal activities and general administration—	
Assistant Solicitor General, Office of, appropriation for.....	181, 650	Appropriation for.....	181, 425, 650
Attorney General, Office of, appropriation for.....	181	Reduction in appropriation available in fiscal year 1945.....	409
Attorneys, license requirement.....	187	Marshals, etc., appropriation for	183, 425

Justice, Department of—Continued.

Overthrow of United States Government, restriction on employment of persons advocating..... 201

Pardon Attorney, Office of, appropriation for..... 181

Penal and correctional institutions—
 Appropriation for..... 186, 425
 Minor purchases without advertising..... 186
 Penalty mail costs, appropriation for.... 182
 Per diem restriction..... 187
 Printing and binding, appropriation for.. 182
 Prison System, Federal, appropriation for..... 186, 425
 Prisons, Bureau of, appropriation for.... 186
 Public Health Service, assignment of officers to Federal Prison System; transfer of funds..... 187
 Report to Congress, employment of special attorneys..... 183
 Solicitor General, Office of, appropriation for..... 181
 Special attorneys, etc.—
 Appropriation for..... 183
 Report to Congress..... 183
 Salary limitation..... 183
 Senate approval of appointees at \$7,500 or more..... 183
 State, Department of, matters under joint control, investigations..... 184
 Tax Division, appropriation for..... 181, 650
 Traveling expenses, appropriation for... 182
 War Division—
 Appropriation for..... 182
 Reduction in appropriation available in fiscal year 1945..... 409
 Witnesses, appropriation for fees..... 183

K

Kalaupapa Landing, Island of Molokai, Hawaii, examination and survey authorized..... 33

Kalepolepa Boat Harbor, Island of Maui, Hawaii, examination and survey authorized..... 33

Kansas:
 Arkansas River, interstate compact for division of waters..... 53
 Indians, support, etc., appropriation for.. 332
 Judicial District, appointment of additional judge..... 545
 Limitation..... 546

Keehi Lagoon, Oahu, T. H., improvement authorized..... 23

Kendrick Project, Wyo., appropriation for..... 340, 647

Kennebunkport, Maine, mural for post office building, acceptance on behalf of United States..... 114

Kenosha Harbor, Wis., examination and survey authorized..... 32

Kent Island Narrows, Md., channel, examination and survey authorized... 27

Kentucky:
 Pike County, bridge authorized across Tug Fork of Big Sandy River.... 223
 Unemployment compensation law, amount to be withheld by Social Security Board for administration of..... 550

Kentucky Dam, Gilbertsville, Ky., appropriation for construction..... 126

Kermit Roosevelt Fund, establishment, administration, report, etc..... 316

Kettle River, Wis., dam construction, examination and survey authorized... 31

Key West, Fla., improvement of Intra-coastal Waterway authorized..... 16

Kings Canyon National Park, Calif., appropriation for Generals Highway, etc..... 352

Kings Creek, Va., examination and survey authorized..... 27

Kiskadden, William W., exchange of lands with United States authorized..... 466

Kissimmee River, Fla., examination and survey authorized..... 28, 29

Klamath Falls, Oreg., term of district court at..... 555

Klamath Indians, Oreg.:
 Irrigation projects, appropriation for.. 330
 Salaries and expenses of tribal officials, delegates, etc., payment of..... 167
 Support, etc., appropriation for..... 335

Klamath Project, Oreg.—Calif., appropriation for..... 340, 647

Knife River, Minn., harbor improvement authorized..... 19

Kodiak Harbor, Alaska, examination and survey authorized..... 33

L

La Grange Bayou, Fla., examination and survey authorized..... 30

Labor:
 District of Columbia, female workers, temporary permits to extend hours of employment, extension of time... 95
 Migration of workers from Western Hemisphere countries..... 381
 War workers. *See Workers under War and National Defense.*

Labor, Department of:
 Appropriation Act, 1946..... 361
 Children's Bureau—
 Child-welfare services, appropriation for..... 364
 Crippled children, appropriation for services for..... 364

Labor, Department of—Continued.	Page	Labor, Secretary of. See Labor, Department of.	Page
Children's Bureau—Continued.		Labor Board. See National Labor Relations Board; National War Labor Board.	
Fair Labor Standards Act, child-labor provisions, appropriation for.....	363	Labor Disputes:	
Maternal and child health services, appropriation for.....	364	Agreements between management and labor, notice requirement.....	378
Maternal and child welfare, appropriation for.....	363	Appropriation for National Labor Relations Board in connection with..	378
Grants to States.....	364	Labor-Federal Security Appropriation Act, 1946.....	361
Maternity and infant care, emergency, appropriation for—		Labor Organization, International, appropriation for contribution.....	175, 653
Grants to States.....	236	Labor Relations Board, National. See National Labor Relations Board.	
Salaries and expenses.....	363	Labor Standards, Division of. See under Labor, Department of.	
Salaries and expenses, appropriation for.....	363	Labor Statistics, Bureau of. See under Labor, Department of.	
State plans, payments with respect to.....	364	Lake Apopka, Fla., examination and survey authorized.....	28
Withholding of moneys from State agencies, restriction.....	374	Lake Champlain Bridge Commission, amandatory agreement by States of New York and Vermont.....	227
Conciliation, Commissioners of, appropriation for.....	362	Lake Crockett, Wash., improvement authorized.....	23
Conferences, funds available for attendance at.....	362, 364, 365	Lake Dora, Fla., examination and survey authorized.....	28
Contingent expenses, appropriation for.....	361, 650	Lake Erie, waterway and harbors, examination and survey authorized.....	32
Cost of living study and report, appropriation for.....	363	Lake Eustis, Fla., examination and survey authorized.....	28
Davis-Bacon Act, appropriation for administration of.....	361	Lake Griffin, Fla., examination and survey authorized.....	28
Labor Standards, Division of, appropriation for.....	362	Lake Harney, Fla., examination, improvement, etc., authorized.....	16, 28
Labor Statistics, Bureau of—		Lake Harris, Fla., channel system, examination and survey authorized.....	28
Appropriation for.....	362, 650	Lake Huron, establishment of harbors and harbors of refuge, examination and survey authorized.....	32
Cost of living study and report, appropriation for.....	363	Lake Kabetogama, Minn., examination and survey authorized.....	32
Overthrow of United States Government, restriction on employment of persons advocating.....	382	Lake Michigan, examination and survey of waterway connected with, authorization for.....	32
Penalty mail costs, appropriation for..	362	Lake Michigan Ship Canal, Wis., improvement authorized.....	19
Printing and binding, appropriation for..	361	Lake Montauk Harbor, N. Y., improvement authorized.....	13
Safety and health program, appropriation for.....	362	Lake Ogleton, Md., channel to, examination and survey authorized.....	27
Salaries, appropriation for.....	361	Lake Okeechobee, Fla., channel system and waterway, examination and survey authorized.....	29
Secretary, Office of, appropriation for..	361, 650	Lake Okeechobee Drainage Areas, Fla., improvement authorized.....	16
Senate disapproval of nomination, restriction on payment to person after..	382	Lake Pontchartrain, La., examination and survey authorized.....	30
Solicitor, Office of, appropriation for...	361		
Traveling expenses—			
Appropriation for.....	361, 650		
Availability for attendance at conferences.....	362, 364, 365		
Wage Adjustment Board, appropriation for expenses of.....	361		
Wage and Hour Division—			
Appropriation for.....	365		
Transfer of funds.....	365		
Wage rates, etc., appropriation for administration of regulations.....	361		
Women's Bureau, appropriation for....	364		

	Page	Page
Lake Seneca, N. Y., Naval Training Station, appropriation for.....	203	Leases—Continued.
Lake Superior, Waterway to Lake Michigan, examination and survey authorized.....	32	Oil and gas, extension of.....
Lake Texoma Recreational Area, Tex.-Okla., appropriation for.....	353	Lee Mansion, appropriation for.....
Lake Tohopekaliga, Fla., channel system to Leesburg, examination and survey authorized.....	28	Leesburg, Fla., channel system, examination and survey authorized.....
Lake Worth Inlet, Fla., improvement authorized.....	16	Leeville, La., Bayou La Fourche, examination and survey authorized.....
Lanark, Fla., waterway, examination and survey authorized.....	29	Legislative Branch and Judiciary Appropriation Act, 1945, Amendment, increase in allowance for clerical assistance in office of Vice President.....
Land Bank Commissioner Loans. <i>See under Federal Farm Loan Act, Amendments.</i>		Legislative Branch of the Government. <i>See also Congress.</i>
Land Banks, Federal. <i>See Federal Land Banks.</i>		Appropriation Act, 1946.....
Land Office, General. <i>See General Land Office under Interior, Department of the.</i>		Appropriation for.....
Land Utilization and Retirement of Submarginal Land, appropriation for.....	157	Appropriations, preparation of statements of.....
Lander, Wyo., clerk of United States District Court, restriction on use of funds for maintaining office of.....	198	Architect of the Capitol. <i>See separate title.</i>
Landing Areas for Aircraft, appropriation for construction, improvement, and repair; limitation.....	190	Botanic Garden. <i>See separate title.</i>
Lands. <i>See Public Lands.</i>		Capitol buildings and grounds, appropriation for.....
Langley Field, Va., appropriation for construction and equipment.....	82	Roofs, etc., Capitol building, reconstruction and improvements.....
Langley Memorial Aeronautical Laboratory, appropriation for.....	120	Capitol Police. <i>See separate title.</i>
Lassen National Forest, Calif., appropriation for road maintenance.....	352	Employees, rates of compensation. <i>See Federal Employees Pay Act of 1945; also Telephone operators, this title.</i>
Lassen Volcanic National Park, Calif., appropriation for maintenance of approach roads.....	352	Federal Expenditures, Nonessential, Joint Committee on Reduction of, appropriation for.....
Latin America. <i>See American Republics.</i>		Government Printing Office. <i>See separate title.</i>
Laurel, Md.:		House of Representatives. <i>See separate title.</i>
Industrial Home School, new buildings, appropriation for plans and specifications.....	643	Internal Revenue Taxation, Joint Committee on, appropriation for.....
National Training School for Girls—		Judgments, appropriation for.....
Acquisition of land as site for, appropriation for.....	285	Legislative Counsel, Office of, appropriation for.....
Repairs, improvements, etc., reapropriation for.....	643	Library of Congress. <i>See separate title.</i>
Lavaca-Navidad Rivers, Tex., channel improvement authorized.....	18	Overthrow of United States Government, restriction on employment of persons advocating.....
Lavon Reservoir on East Fork of Trinity River, Tex., improvement authorized.....	18	Overtime and other pay increases, appropriation for.....
Lead, subsidy allocation for.....	261	Pay rates and designation of positions not established under Legislative Pay Act of 1929.....
Lease-Lend. <i>See Lend-Lease; Lend-Lease Act.</i>		Printing, Joint Committee on—
Leases:		Appropriation for.....
Mineral lands, appropriation for enforcement of laws.....	344	Dual compensation restrictions, certain, nonapplicability to designated employees.....
		Salaries, payment of when pay day falls on Saturday.....
		Senate. <i>See separate title.</i>

	Page	Library of Congress—Continued.	Page
Legislative Branch of the Government— Continued.		Buildings and grounds—	
Stadium Commission, National Memorial, appropriation for.....	633	Care, etc., appropriation for.....	252, 255
Telephone operators, Capitol telephone exchange, increase in compensation..	4	Transfer of funds.....	634
Vehicles, private, restriction on use of funds for maintenance of.....	258	Cafeteria, funds available for.....	252
Legislative Counsel, Office of, appropriation for.....	78, 251	Citizenship requirements for employees, exemptions.....	256
Legislative Reference Service, appropriation for.....	253	Contingent expenses, appropriation for..	255
Lend-Lease. <i>See also</i> Lend-Lease Act.		Copyright Office, appropriation for....	253
Agricultural subsidies, restriction on use of funds for.....	430	Increase of, appropriation for.....	254
Defense Aid Appropriation Act, 1946..	429	Legislative Reference Service, appropriation for.....	253
Retroactive provisions.....	433	Motion-picture project, appropriation for.....	254
Defense articles—		Overtime compensation, basis.....	296
Procurement of, appropriation for...	429	Pay increases; basic work week. <i>See</i> Federal Employees Pay Act of 1945.	
Retention by United States.....	430	Penalty mail costs, appropriation for...	255
Food products, restriction on purchase or distribution in Puerto Rico and Virgin Islands.....	430	Printed cards, distribution of, appropriation for.....	254
Lend-Lease Act. <i>See also</i> Lend-Lease.		Printing and binding, appropriation for..	255
Defense articles, disposition of, by War Department.....	406	Salaries, appropriation for.....	253
Postwar relief, etc., restriction on contracts or agreements involving....	52	State legislation, index to, appropriation for.....	254
Time extension.....	52	Sunday opening, appropriation for.....	252
Transfer of defense articles under provisions of.....	222	Trust Fund Board, appropriation for...	256
Leonardo, N. J., examination and survey for channel to, and navigation improvements at.....	26	Union catalogues, appropriation for....	254
Lewis, Elmer A., appropriation for salary..	247	Life Insurance, National Service. <i>See</i> National Service Life Insurance.	
Liberty Bond Act, Second:		Lifetime Federal Digest, price limitation on purchase by Government departments and agencies.....	134
Amendments—		Limestone County, Tex., conveyance of certain land and personal property to State.....	667
Gifts to United States, redemption, payment of tax.....	48	Limitations, Statutes of:	
Increase of limitation on obligations..	47	Extension of, in connection with Pearl Harbor catastrophe of Dec. 7, 1941..	233
Savings bonds, redemption of.....	47, 48	Suspension, continuance of, with respect to violations of antitrust laws....	306
Transfer of obligations of the United States, proof of death in support of credit in accounts.....	48	Lincoln Park, Commissioners of, Chicago, Ill., jurisdiction over certain waters of Lake Michigan, authority rescinded..	24
Public debt, administration.....	59	Little Bay, Tex., examination and survey authorized.....	31
Securities issued under, use of proceeds in connection with Export-Import Bank.....	528, 529	Little Bay de Noc, Mich., waterway, examination and survey authorized....	32
Special notes, issuance of, payments to International Monetary Fund or International Bank for Reconstruction and Development.....	515	Little Creek, Va., examination and survey authorized.....	28
Subscription to International Monetary Fund or International Bank for Reconstruction and Development, use of designated amount of proceeds for.....	514	Little Manatee River, Fla., improvement authorized.....	17
Libraries, appropriation for surveys, etc....	367	Little Pass, Fla., channel, examination and survey authorized.....	29
Library of Congress:		Little Pee Dee River, S. C., examination and survey authorized.....	28
Blind, adult, books, etc., appropriation..	255	Little River, N. Y., examination and survey authorized.....	32
		Little River, Va., maintenance work authorized.....	15

	Page		Page
Livestock:		Maiden Rock, Wis., Mississippi River, examination and survey authorized...	31
Agricultural commodity under Emergency Price Control Act of 1942, inclusion as.....	308	Mail. <i>See also</i> Post Office Department; Postal Service.	
Slaughterers, extra compensation payments to, relief from repayment....	261	Postal rates on first-class matter, continuance of temporary increases...	295
Subsidy allocation, payment by Commodity Credit Corporation.....	507	Maine:	
London Conference of Allied Ministers of Education, appropriation for.....	179	Eastport, exchange of lands and transfer of roadway easement to city of....	34
Long Island, N. Y., protection and improvement of beaches, examination and survey authorized.....	25	Marine school, appropriation for maintenance.....	481
Lookout Bight, N. C., channel improvement authorized.....	15	Navigation and flood-control projects authorized.....	12
Loosahatchie River, Tenn., examination and survey authorized.....	31	Preliminary examinations and surveys of rivers, etc., authorized.....	25
Lorain Harbor, Ohio, improvement authorized.....	20	Makoh Indians (Taholah Agency), Wash., appropriation for support, etc.....	335
Los Angeles, Calif., Veterans' Administration, transfer of certain lands to city for fire-station purposes.....	55	Malaria, appropriation for control of....	369
Louisiana:		Maloney, Francis T., appropriation for payment to widow of.....	77
Louisiana State University and Agricultural and Mechanical College, transfer of certain lands in Rapides Parish to	468	Malt Liquors, Fermented, excise tax refunds on floor stocks.....	575
Navigation and flood-control projects authorized.....	18, 19	Mammal and Bird Reservations, appropriation for maintenance.....	356
New Orleans, bridge authorized across Mississippi River at or near.....	224	Manasquan River, N. J., improvement authorized.....	14
Preliminary examinations and surveys of rivers, etc., authorized.....	30, 31	Manchester Harbor, Mass., improvement authorized.....	12
Louisiana and Texas Intracoastal Waterway, improvement authorized.....	18	Mandeville, La., Lake Pontchartrain, examination and survey authorized....	30
Lower Rio Grande Flood-Control Project, appropriation for.....	177	Manganese Beneficiation Pilot Plants and Research:	
Lower Thoroughfare, Deals Island, Md., improvement authorized.....	14	Appropriation for.....	349
Lugert-Altus Project, Okla., appropriation for construction.....	342, 647	Reduction in appropriation available in fiscal year 1945.....	408
Lummi Diking Project, appropriation for.....	328	Manistee Harbor, Mich., improvement authorized.....	20
Lynch Cove, Md., examination and survey authorized.....	26	Manitowoc, Wis., Otto Oas Post, Numbered 659, Veterans of Foreign Wars, repeal of Act conveying old lighthouse keeper's residence to.....	7
Lynnhaven Inlet and Bay, Va., examination and survey authorized.....	28	Manpower Commission. <i>See</i> War Manpower Commission.	
M		Map of the World on the Millionth Scale, International, appropriation for contribution.....	175
Mackinac Harbor, Mich., examination and survey authorized.....	32	Marblehead Harbor, Mass., improvement authorized.....	12
Macks Point, Searsport, Maine, examination and survey authorized.....	25	Mare Island Strait, Calif., improvement authorized.....	21
Magnesium Pilot Plants and Research:		Marine and War Risk Insurance Fund, transfer of funds to War Shipping Administration.....	481
Appropriation for.....	350	Marine Band, attendance at national encampment of Grand Army of the Republic.....	465
Reduction in appropriation available in fiscal year 1945.....	409	Marine Corps. <i>See also</i> Navy Department.	
Mahoning River, bridge authorized across at Youngstown, Ohio.....	545	Air travel under orders, per diem rates of allowance.....	134

Marine Corps—Continued.	Page	Marine Corps—Continued.	Page
Aliens, naturalization, time limit for filing petition; restriction on extension of certain benefits.....	658	Reserve Officers' Training Corps, Army, senior division, credit for active duty.....	235
Appropriation for.....	88, 213, 426	Retirement, active-duty pay and allowances.....	220
Armed Forces Voluntary Recruitment Act of 1945.....	538	Selective Service personnel, travel of; payment of expenses.....	485
Camp Joseph H. Pendleton, San Diego County, Calif., lease of certain land.....	8	Terminal leave, civilian employment on, pay and allowances from armed forces.....	584
Camp Matthews, San Diego County, Calif., lease of certain land.....	8	Compensation for services.....	585
Damage claims, settlement of— Personal property losses, etc.....	578	Under-age personnel, discharge pay, allowances, etc.....	536
Philippine Islands, applicability of Act to.....	511	Appropriations available for.....	537
Dependents, person standing in loco parentis, definition.....	587	Repeal of prior legislation.....	537
Dependents of enlisted men— Family allowance.....	541	Veterans. <i>See separate title.</i>	
Quarters, monetary allowance in lieu of; restriction.....	541	Water and refrigeration, funds available for.....	222
Embassies, etc., in foreign countries, enlisted men as custodians.....	173	Marine Corps Reserve, pay restriction, officers and men drawing pension, etc.....	205
Enlisted men, appointment to Naval Academy, service requirement.....	208	Marine Schools, State, appropriation for maintenance.....	481
Furlough of officers.....	9	Maritime Commission: Administrative expenses, funds available.....	127
General, establishment of grade and rank.....	36	Appropriation and contract authorization, repeal of portion.....	226
Government employees, protection of civil-service retirement rights.....	577	Commissioners, salary rates.....	130
Government housing facilities, occupancy on rental basis without loss of rental allowances.....	316	Judgments, appropriation for.....	656
Guam, settlement of certain damage claims in.....	582	Penalty mail costs, appropriation for.....	127
Housing facilities, emergency, rental of, money allowances for quarters not denied.....	222	Increase in limitation.....	420
Inductees, funds available for expenses of.....	220	Seamen, employers' payroll tax on, exemption from limitation in Internal Revenue Code.....	88
Insurance. <i>See National Service Life Insurance.</i>		Refund of taxes paid on wages in excess of \$3,000, filing of claims, exemption from.....	38
Money allowances in lieu of transportation, payment in advance; rate.....	134	Transfer of funds to certain Treasury Department appropriations.....	58, 60
Per diem rates of allowance.....	134	Maritime Service, United States, personnel ceilings, inapplicability in certain cases.....	305
Personal property losses, reimbursement for.....	578	Maritime Training Fund, appropriation for.....	481
Postage, free— Repeal of provision respecting.....	658	Market News Service, appropriation for.....	158
Time extension.....	542	Marketing Quotas. <i>See under Agricultural Adjustment Act of 1938.</i>	
Public Health Service, treatment of active-duty personnel in Marine hospitals and out-patient offices, funds available.....	370	Marketing Service. <i>See under Agriculture, Department of.</i>	
Rental allowances, occupancy of Government facilities under Military Establishment.....	407	Marshals, U. S.: Salaries and expenses, appropriation for.....	183, 425
Reserve, pay restriction, officers and men drawing pension, etc.....	205	Transportation allowances.....	183
		Martinez, Calif., harbor improvements, examination and survey authorized.....	32
		Marumsco Creek, Md., examination and survey authorized.....	26

	Page		Page
Maryland:		Medical Care, Public Health Service, ap-	
District Training School property, road-		propriation for.....	369
way.....	589	Medicine and Surgery, Department of.	
Navigation and flood-control projects		<i>See under</i> Veterans' Administration.	
authorized.....	14	Memphis Harbor, Tenn., extension of	
Preliminary examinations and surveys		navigation facilities, examination and	
of rivers, etc., authorized.....	26, 27	survey authorized.....	31
Massachusetts:		Menemsha Creek, Marthas Vineyard,	
Marine school, appropriation for main-		Mass., improvement authorized.....	13
tenance.....	481	Menlo Park, Calif., inclusion of certain	
Navigation and flood-control projects		land within corporate limits of city,	
authorized.....	12, 13	authorized.....	661
Preliminary examinations and surveys		Menominee Harbor and River, Mich. and	
of rivers, etc., authorized.....	25	Wis., improvement authorized.....	19
Maternal and Child Health Services, ap-		Menominee Indians, Wis., support of Me-	
propriation for grants to States for..	364	nominee Agency and pay of tribal offi-	
Maternal and Child Welfare, appropria-		cers, appropriation for.....	335
tion for.....	363	Mental Diseases, appropriation for re-	
Maternity and Infant Care, Emergency:		search and investigation.....	369
Grants to States, appropriation for..	236, 364	Mental Hygiene, Division of, appropria-	
Salaries and expenses, appropriation for..	363	tion for.....	79
Mattapoissett, Mass., examination and sur-		Merchant Marine. <i>See also</i> Maritime	
vey authorized.....	25	Commission; Vessels; War Shipping	
Maumee River, Ind. and Ohio, examina-		Administration.	
tion and survey authorized.....	32	Appropriation for maritime training	
Maximo Point, Fla., channel, examination		fund.....	481
and survey authorized.....	29	Civil service, Federal, restoration to or	
McLean County, N. Dak., bridge author-		reemployment under, within-grade	
ized across Missouri River.....	471	advancements.....	299
McNary Dam, designation of.....	22	Merchant Marine Inspection, Coast	
Meat:		Guard, appropriation for.....	217
Subsidy allocation for.....	261	Seamen's service insignia, sale, posses-	
Payment by Commodity Credit Cor-		sion, etc., restrictions; penalty for	
poration.....	507	violation.....	511
Meat Inspection:		Merchant Vessels. <i>See</i> Vessels.	
Appropriation for.....	144	Mermentau River, La., examination and	
Overtime services and Sunday or holi-		survey authorized.....	30
day work, payment for.....	302	Mescalero Irrigation Project, N. Mex.,	
Mechanical Pencils, certain, exemption		appropriation for.....	328
from excise tax on jewelry.....	532	Metals. <i>See</i> Strategic and Critical Ma-	
Medals, Decorations, Etc.:		terials.	
Antarctic Expedition of 1939-41, U. S..	536	Metals Reserve Company:	
Medal of Honor, persons awarded, ap-		Appropriation for.....	200
pointment of sons to Military or		Audit and annual budget program..	598, 599
Naval Academy.....	586	Dissolution, transfer of functions, etc.,	
Merchant seamen's service insignia,		to Reconstruction Finance Corpo-	
sale, possession, etc., restrictions;		ration.....	310
penalty for violation.....	511	Meteorological Committee, International,	
Mexican Border Service Medal, issuance		appropriation for contribution.....	195
authorized.....	313	Methane Gas, reduction of zinc concen-	
Selective Service Medal, authorization,		trates with, reduction in appropria-	
etc.....	312	tion available in fiscal year 1945.....	409
Appropriation for.....	484	Metlakatla Harbor, Alaska, improvement	
Appropriations available.....	312	authorized.....	23
Veterans of World War II, medal for		Mexia Colony Project, conveyance of land	
service.....	461	and personal property to State of	
Mediation Board. <i>See</i> National Media-		Texas.....	667
Medical Badge, additional pay to enlisted		Mexican Border Act, appropriation to	
men entitled to wear.....	462	effect provisions of.....	146, 147

Mexican Border Service Medal, issuance authorized	Page	Military Academy—Continued.	Page
Mexican Claims Act of 1942, Amendments. <i>See</i> Settlement of Mexican Claims Act Amendments of 1945.	313	Maintenance and operation, appropriation for.....	398
Mexican Fruitfly Control, appropriation for	147	Officers on detail, restriction on increased pay or allowances.....	398
Mexico:		Pay, appropriation for.....	398
American Mexican Claims Commission, appropriation for.....	428	Military Appropriation Act, 1946	384
International Boundary Commission, United States and Mexico, appropriation for.....	176, 653	Military Establishment. <i>See</i> Army; War Department.	
Mexican fruitfly control, cooperation in, appropriation for.....	147	Military Personnel Claims Act of 1945	225
Migratory birds, appropriation for effecting treaty provisions respecting.....	356	Military Posts, detail of postal employees to	603
Meysers Chuck Harbor, Alaska, improvement authorized	23	Milk Laws, appropriation for enforcement.	366
Miami, Fla., Harbor and River, examination, improvement, etc., authorized	16, 28	Mill Creek, Md., improvement authorized	14
Mianus River, Conn., improvement authorized	13	Milwaukee Harbor, Wis., improvement authorized	19
Michigan:		Mineral Industries, appropriation for investigations concerning economic problems of	348
Navigation and flood-control projects authorized.....	19, 20	Mineral Leasing, appropriation for enforcement of laws relating to	344
Preliminary examinations and surveys of rivers, etc., authorized.....	32	Mineral Mining Investigations, appropriation for	347
Middle Rio Grande Conservancy District, N. Mex., appropriation for assessments on Indian lands	330	Mineral Resources and Facilities, protection, reduction in appropriation for fiscal year 1945	408
Midshipmen. <i>See under</i> Naval Academy.		Minerals, Critical and Essential. <i>See</i> Strategic and Critical Materials.	
Migration of Workers to United States, appropriation for	381	Mines, Bureau of. <i>See under</i> Interior, Department of the.	
Migratory Bird Conservation Act, appropriation for effecting provisions of	356	Mines and Mining:	
Migratory Bird Conservation Fund, appropriation for	356	Accidents, appropriation for investigation of.....	345
Migratory Bird Treaty Act, appropriation for enforcement	355	Bauxite, purchase by Metals Reserve Company.....	261
Migratory Birds:		Coal-mine inspections and investigations, appropriation for.....	345
Conservation refuges, appropriation for.....	356	Experiment stations, appropriation for.....	347
Protection of, appropriation for.....	355	Indian lands, transfer of funds for inspection of mines, etc.....	326
Military Academy:		Mineral industries, appropriation for investigations concerning economic problems of.....	348
Appointees; temporary increase in age limit.....	606	Mineral mining investigations, appropriation for.....	347
Appointments—		Rescue cars and stations, appropriation for operation of.....	345
Congressional Medal of Honor, sons of persons awarded.....	586	Minidoka Project, Idaho:	
Sons of members of armed forces killed in action, etc.....	586	Construction, appropriation for.....	647
British army officers, lectures or courses by.....	316	Operation and maintenance, appropriation for.....	339
Cadet store, liquidation of certain debts to.....	399	Ministers. <i>See</i> Ambassadors and Ministers.	
Chaplain, increase in pay.....	230	Minnesota:	
Graduates, commission as second lieutenants.....	664	Brainerd, time extended for bridging Mississippi River at.....	581
Librarian, retired officer as.....	398	Duluth, bridge authorized across Saint Louis River at.....	545
		Hastings, bridge authorized across Mississippi River at or near.....	223

	Page		Page
Minnesota—Continued.		Mobile, Ala., Harbor and River, exami-	17, 30
Indians, support, etc., appropriation for-	332	nation, improvement, etc., authorized.	
Navigation and flood-control projects		Mobilization Act. <i>See</i> War Mobilization	
authorized.....	19	and Reconversion Act of 1944.	
Pigeon River, bridge authorized across,		Mobjack Bay, Va., channel to Browns Bay,	
below High Falls.....	224	examination and survey authorized..	28
Preliminary examinations and surveys		Mohawk River, N. Y., examination and	
of rivers, etc., authorized.....	31, 32	survey authorized.....	26
Saint Croix River, time extended for		Moisture Conservation Operations, ap-	
bridging at Hudson, Wis.....	468	propriation for.....	319
Two Harbors (Agate Bay Harbor), navi-		Monetary Fund, International. <i>See</i> under	
gation improvement authorized....	556	Bretton Woods Agreements Act.	
Minnesota River, Minn., examination and		Montana:	
survey authorized.....	31	Blackfeet, Flathead, and Fort Peck	
Mint, Bureau of the. <i>See</i> under Treasury		Indians, land, acquisition of, appro-	
Department.		priation for.....	325
Mints, appropriation for salaries and		Fairview, bridge authorized across Yel-	
expenses.....	65, 91	lowstone River near.....	471
Misdemeanors. <i>See</i> Crimes and Misde-		Fort Peck project, appropriation for..	343, 648
meanors.		Glacier National Park, appropriation for	
Misphillion River, Del., examination and		roads.....	352
survey authorized.....	26	Hungry Horse project, appropriation	
Missing Persons:		for.....	341, 648
Appropriations available for pay—		Indians—	
Coast and Geodetic Survey.....	192	Irrigation projects, appropriation for..	328,
Navy Department.....	222	329, 331	
Mission Indians, Calif., appropriation for		Support, etc., appropriation for.....	325
irrigation project.....	328, 331	Poplar, bridge authorized across Mis-	
Mississippi:		souri River at.....	579
Friar Point, bridge authorized across		State Water Conservation Board, ap-	
Mississippi River at.....	467	propriation for payment to.....	329
Navigation and flood-control projects		Sun River project, appropriation for...	341
authorized.....	17, 18	Yellowstone National Park, appropria-	
Preliminary examinations and surveys		tion for roads leading out of.....	352
of rivers, etc., authorized.....	30	Montauk Point, N. Y., protection and	
Mississippi River:		improvement of beaches, examination	
Bridge authorized across, at—		and survey authorized.....	25
Brainerd, Minn., time extension.....	581	Monterey Bay, Calif., examination, im-	
Friar Point, Miss.—Helena, Ark.....	467	provement, etc., authorized.....	21, 32
Hastings, Minn.....	223	Monterey Harbor, Calif., improvement	
New Orleans, La.....	224	authorized.....	21
Flood control—		Montgomery Bell Park, Dickson County,	
Appropriation for.....	41, 654	Tenn., conveyance of railroad right-	
Condemnation procedure.....	587	of-way, authorized.....	622
Improvement authorized.....	18, 19	Montgomery County, Tenn., conveyance	
Missouri:		to Captain William Edmiston Chap-	
Jefferson National Expansion Memorial,		ter, Daughters of the American Re-	
restriction on use of certain funds		volution.....	462
for.....	353	Montrose, Colo., clerk of United States	
Soil conservation agreements, approval		District Court, restriction on use of	
by central State agency.....	156	funds for maintaining office of.....	198
Missouri River:		Monuments, National. <i>See</i> National	
Bridge authorized across, at—		Monuments.	
McLean County—Mercer or Oliver		Monuments in War Areas, Artistic and	
County, N. Dak.....	471	Historic, American Commission for	
Poplar, Mont.....	579	the Protection and Salvage of, appro-	
Examination, improvement, etc., au-		priation for.....	108
thorized.....	19, 31	Moriches Inlet, N. Y., examination and	
Missouri River Basin, appropriation for..	343, 648	survey authorized.....	25

<p>Morocco, appropriation for consular prisons, etc.....</p> <p>Morongo Irrigation Project, Calif., appropriation for.....</p> <p>Morro Bay, Calif., improvement authorized.....</p> <p>Mortgage Association, National Federal, appropriation for.....</p> <p>Mortgage Insurance, amendments to National Housing Act.....</p> <p>Moses, John, appropriation for payment to widow of.....</p> <p>Motion-Picture Project, Library of Congress, appropriation for.....</p> <p>Motor Carriers. <i>See</i> Carriers; Interstate Commerce Act.</p> <p>Motor Transport Regulation, appropriation for.....</p> <p>Motor Vehicle Theft Act, National, amendment, applicability to aircraft.....</p> <p>Motor Vehicles, repeal of use tax.....</p> <p>Mott, James W., payment to widow of, appropriation for.....</p> <p>Mount McKinley National Park, appropriation for lodges, etc.....</p> <p>Mullet Key, Fla., channel, examination and survey authorized.....</p> <p>Munitions. <i>See</i> Arms, Ammunition, and Implements of War; Lend-Lease; Lend-Lease Act.</p> <p>Murdocks Landing Pass, Tex., examination and survey authorized.....</p> <p>Murrells Inlet, S. C., examination and survey authorized.....</p> <p>Muscat, appropriation for consular prisons, etc.....</p> <p>Mustering-Out Payment Act of 1944, Amendments, method of payment.....</p> <p>Mystic River, Conn., improvement authorized.....</p> <p>Mystic River, Mass., examination and survey authorized.....</p>	<p>Page</p> <p>174</p> <p>328</p> <p>21</p> <p>200</p> <p>47</p> <p>77</p> <p>254</p> <p>120, 639</p> <p>536</p> <p>575</p> <p>633</p> <p>358</p> <p>29</p> <p>31</p> <p>28</p> <p>174</p> <p>540</p> <p>13</p> <p>25</p> <p>14, 27</p> <p>33</p> <p>14, 27</p> <p>13</p> <p>32</p> <p>175</p>	<p>Nashville, Chattanooga, and Saint Louis Railway, conveyance of right-of-way by State of Tennessee, authorized....</p> <p>Nashville, Tenn., Federal office building, appropriation for acquisition.....</p> <p>National Academy of Sciences, reimbursement for research projects.....</p> <p>National Advisory Committee for Aeronautics:</p> <p style="padding-left: 20px;">Appropriation for.....</p> <p style="padding-left: 20px;">Damage claims, appropriation for.....</p> <p style="padding-left: 20px;">Penalty mail costs, appropriation for.....</p> <p style="padding-left: 20px;">Printing and binding, appropriation for.....</p> <p>National Advisory Council on International Monetary and Financial Problems. <i>See under</i> Bretton Woods Agreements Act.</p> <p>National Airport, Washington, D. C.:</p> <p style="padding-left: 20px;">Construction, appropriation for.....</p> <p style="padding-left: 20px;">Jurisdiction in.....</p> <p>National Arboretum, appropriation for maintenance, etc.....</p> <p>National Archives:</p> <p style="padding-left: 20px;">Appropriation for.....</p> <p style="padding-left: 20px;">Government records, disposal of certain; report to Congress.....</p> <p>National Board for Promotion of Rifle Practice, appropriation for.....</p> <p>National Bureau of Standards. <i>See</i> Standards, National Bureau of, <i>under</i> Commerce, Department of.</p> <p>National Cancer Institute, appropriation for.....</p> <p>National Capital Housing Authority, appropriation for.....</p> <p>National Capital Park and Planning Commission:</p> <p style="padding-left: 20px;">Appropriation for.....</p> <p style="padding-left: 20px;">Penalty mail costs, appropriation for.....</p> <p>National Capital Parks, appropriation for.....</p> <p>National Cemeteries, appropriation for maintenance, etc.....</p> <p>National Collection of Fine Arts, appropriation for administration.....</p> <p>National Conference of Commissioners on Uniform State Laws, appropriation for support of, by District of Columbia.....</p> <p>National Defense. <i>See</i> War and National Defense.</p> <p>National Defense Act, Amendments:</p> <p style="padding-left: 20px;">Air Corps, elimination of provisions for retirement of wing commanders....</p> <p style="padding-left: 20px;">Reserve Officers' Training Corps, senior division, credit for designated military training.....</p> <p>National Employ the Physically Handicapped Week, designation of.....</p>	<p>Page</p> <p>622</p> <p>638</p> <p>476</p> <p>82, 120</p> <p>93, 431, 655</p> <p>120</p> <p>120</p> <p>424, 646</p> <p>553</p> <p>146</p> <p>121</p> <p>434</p> <p>401</p> <p>370</p> <p>121</p> <p>121, 292</p> <p>121</p> <p>292, 353, 649</p> <p>39</p> <p>125</p> <p>272</p> <p>263</p> <p>235</p> <p>530</p>
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N

Nahcotta Dock, Nahcotta, Wash., Willapa Harbor, examination and survey authorized.....

Nanticoke River, Del. and Md., examination, improvement, etc., authorized.....

Nantucket Harbor, Mass., improvement authorized.....

Napa River, Calif., examination and survey authorized.....

Narcotics, Bureau of. *See under* Treasury Department.

Narcotics Convention of 1931, implementing the, appropriation for contribution

	Page		Page
National Farm Loan Associations. <i>See</i> <i>under</i> Federal Farm Loan Act, Amend- ments.		National Labor Relations Board:	
National Forest Reservation Commission, appropriation for.....	150	Agreements between management and labor, notice requirement.....	378
National Forests. <i>See also</i> Forest Service <i>under</i> Agriculture, Department of.		Appropriation Act, 1946.....	377
Ozark National Forest, Ark., game refuge; removal of restriction on designation of certain lands.....	531	Appropriation for.....	377, 640
National Gallery of Art, salaries and expenses, appropriation for.....	125	Overthrow of United States Government, restriction on employment of per- sons advocating.....	382
National Guard:		Senate disapproval of nomination, re- striction on payment to person after.....	382
Adjutants general, continuance in fed- erally recognized status without pay	399	Transfer of funds authorized.....	420
Appropriation for.....	399	War Labor Disputes Act, duties im- posed by, restriction on use of funds for.....	640
Chaplains, Office of Chief of, appropria- tion for.....	402	National Mediation Board:	
Field exercises, appropriation for par- ticipation in.....	385	Appropriation Act, 1946.....	378
National Guard Bureau, War Depart- ment, appropriation for.....	402	Appropriation for.....	82, 378, 641
Officers on active duty, appropriation for pay.....	385	Transfer of funds.....	641
Restriction on payment of pensioners, etc.....	399	Overthrow of United States Govern- ment, restriction on employment of persons advocating.....	382
National Guard of District of Columbia, appropriation for.....	292	Reorganization plans affecting, restric- tion.....	615
National Housing Act, Amendments, mort- gage insurance.....	47	Senate disapproval of nomination, re- striction on payment to person after.....	382
National Housing Agency:		National Memorial Stadium, District of Columbia, appropriation for expenses of Commission.....	633
Administrative expenses, limitation on obligations.....	122	National Monuments:	
Appropriation for.....	82, 121, 639	Administration, protection, etc., appro- priation for.....	352, 649
Time extension on availability.....	420	Jackson Hole, restriction on use of cer- tain funds in connection with.....	360
Damage claims, appropriation for. 93, 431,	655	Statue of Liberty, appropriation for water-supply easements.....	352
Federal Home Loan Bank Administra- tion. <i>See separate title.</i>		National Mortgage Association, Federal, appropriation for.....	200
Federal Housing Administration. <i>See</i> <i>separate title.</i>		National Motor Vehicle Theft Act, Amend- ment, applicability to aircraft.....	536
Federal Public Housing Authority. <i>See</i> <i>separate title.</i>		National Park Commissioners, appoint- ments as U. S. Commissioners, com- pensation restriction.....	660
Home Owners' Loan Corporation. <i>See</i> <i>separate title.</i>		National Park Service. <i>See under</i> Inter- ior, Department of the.	
Housing, emergency, for designated veterans and servicemen.....	674	National Parks, administration, protec- tion, etc., appropriation for.....	352, 649
Housing facilities, emergency, rental by military or naval personnel, money allowances not denied.....	222	National Railroad Adjustment Board:	
Penalty mail costs, appropriation for....	122	Appropriation for.....	379
Transfer of funds; report to Congress..	122	Reorganization plans affecting, restric- tion.....	615
United States Housing Corporation. <i>See separate title.</i>		National Railway Labor Panel, appropri- ation for.....	378
War housing. <i>See under</i> Housing.		National Safety Council, Inc., appropria- tion for District of Columbia affilia- tion with.....	286
National Institute of Health, appropria- tion for.....	370, 637	National Service Life Insurance:	
National Inventors Council Service Staff, appropriation for salaries and ex- penses.....	188	Appropriation for.....	129, 642

National Service Life Insurance—Con.	Page	National War Agencies—Continued.	Page
Five-year-level-premium-term policies, extension.....	315	Overthrow of U. S. Government, restriction on employment of persons advocating.....	487
National Training School for Boys, D. C.,		Petroleum Administration for War—	
appropriation for.....	284, 421	Appropriation for.....	483
National Training School for Girls, D. C.:		Reduction in appropriation available in fiscal year 1945.....	408
Appropriation for.....	284	Price Administration, Office of. <i>See separate title.</i>	
Land, acquisition of, near Laurel, Md.....	285	Scientific Research and Development, Office of. <i>See separate title.</i>	
Superintendent, salary rate.....	285	Selective Service System. <i>See separate title.</i>	
White girls, restriction on use of funds for.....	284	Smaller War Plants Corporation. <i>See separate title.</i>	
National War Agencies:		Special projects, use of sums set apart for.....	486
Alien Property Custodian, Office of—		Strategic Services, Office of—	
Appropriation for.....	634	Appropriation for.....	483
Funds available for expenses.....	474	Damage claims, appropriation for....	655
Appropriation Act, 1946.....	473	Reduction in appropriation available in fiscal year 1945.....	408
Appropriations, availability of.....	486	Surplus property, deposit of proceeds from disposition.....	641
Censorship, Office of—		War Information, Office of. <i>See separate title.</i>	
Appropriation for.....	482	War Manpower Commission. <i>See separate title.</i>	
Reduction in appropriation available in fiscal year 1945.....	408	War Mobilization and Reconversion, Office of, appropriation for.....	484, 641
Defense Transportation, Office of. <i>See separate title.</i>		War Production Board. <i>See separate title.</i>	
Economic Stabilization, Office of, appropriation for.....	475	War Relocation Authority—	
Emergency Management, Office for. <i>See separate title.</i>		Appropriation for.....	485
Fair Employment Practice, Committee on—		Reduction in appropriation available in fiscal year 1945.....	408
Amount available for continued operation; limitation.....	473	War Shipping Administration. <i>See separate title.</i>	
Appropriation for liquidation.....	473	National War Labor Board:	
Foreign Economic Administration. <i>See separate title.</i>		Appropriation for.....	473
General provisions.....	486	Reduction in appropriation available in fiscal year 1945.....	408
Export-Import Bank of Washington, nonapplication to.....	417	Investigations, etc., concerning certain bargaining units, restrictions on use of funds.....	474
Foreign Economic Administration, application to.....	418	Leave restrictions.....	474
Price Administration, Office of, applicability to.....	416	Regional boards, committees, etc., members of, inclusion under term "consultants," travel and subsistence provisions applicable to.....	474
Rubber Development Corporation, nonapplication to.....	418	National Youth Administration:	
U. S. Commercial Company, non-application to.....	418	Judgments, appropriation for.....	94
Inter-American Affairs, Office of. <i>See separate title.</i>		Liquidation expenses, appropriation for.....	374, 375
Interdepartmental procurement.....	486	National Zoological Park, appropriation for	293
National War Labor Board—		Nationality Act of 1940, Amendments:	
Appropriation for.....	473	Alien veterans, waiver of certain fees....	585
Reduction in appropriation available in fiscal year 1945.....	408	Armed forces of U. S., members of—	
Investigations, etc., concerning certain bargaining units, restriction on use of funds.....	474	Petition for naturalization, time limit for filing.....	658
Leave restrictions.....	474		
Regional boards, committees, etc., members of, inclusion under term "consultants," travel and subsistence provisions applicable to.....	474		

	Page		Page
Nationality Act of 1940, Amendments—		Naval Petroleum Reserves:	
Continued.		Operation, conservation, etc., appro-	
Armed forces of U. S., members—Con-		priation for.....	203
Restriction on extension of certain		Reserve No. 1—	
benefits.....	658	Existing contracts, continuation in	
Residence abroad, presumption of loss		effect; funds available.....	466
of nationality.....	544	Exploration and prospecting, appro-	
Naturalization. See Citizenship and Nat-		priation for.....	426
uralization.		Leases, termination of certain.....	465
Navajo Indian Reservation, Ariz.-N. Mex.-		Production for national defense,	
Utah:		authorized.....	465
Gallup—Shiprock Highway, appropri-		Protection of, appropriation for.....	203
ation for maintenance of portion of... 337	337	Naval Procurement Fund, accounting pro-	
Gallup—Window Rock, Ariz., appro-		cedure.....	210
priation for maintenance of portion		Naval Records of World War, preparation	
of highway.....	337	of, appropriation for.....	218
Irrigation projects, appropriation for... 328, 331	328, 331	Naval Research Laboratory:	
Land, acquisition of, appropriation for... 325	325	Appropriation for.....	86, 203
Sheep-breeding station, appropriation		Construction authorized.....	10
for.....	326	Naval Reserve. See under Navy.	
Water supply, appropriation for devel-		Naval Reserve Officers' Training Corps:	
opment of.....	327	Appropriation for.....	204
Naval Academy:		Instruction in, credit allowed to enroll-	
Age limit for candidates, temporary		ees in senior division of Reserve	
increase in.....	606	Officers' Training Corps.....	235
Appointments—		Limitation on total personnel, change	
Congressional Medal of Honor, sons		in.....	3
of persons awarded.....	586	Uniforms, etc., furnishing from surplus	
Sons of members of armed forces		stocks.....	204
killed in action, etc.....	586	Naval Stations, detail of postal employees	
Appropriation for.....	205	to.....	603
Centennial Commission, establishment,		Naval Stores Act, appropriation to effect	
etc.....	134	provisions of.....	159
Cobbler and barber shops, midship-		Naval Stores Investigations, appropri-	
men's, status of funds and employ-		ation for.....	148
ees.....	660	Naval Vessels. See also Vessels.	
Enlisted men, appointment of, service		Increase and replacement, appropriation	
requirement.....	208	for.....	215
Field house, appropriation for.....	211	Lights requirements, vessels of special	
Midshipmen—		construction, exemption from cer-	
Discharge for unsatisfactory conduct		tain.....	590
or insufficient aptitude.....	605	Repair facilities, appropriation for.....	215
Traveling allowance.....	208	Repairs and alterations, authority to ex-	
Midshipmen's store, status of funds and		ceed statutory limit.....	220
employees.....	590	Naval War College, appropriation for...	203
Postgraduate School, authority to con-		Navigation. See Vessels.	
fer certain degrees.....	603	Navigation and Inspection Laws, waiver	
Swordsmanship and physical training,		of compliance with, extension of	
limitation on number of instructors... 205	205	temporary provisions.....	658
Tailor shop, midshipmen's, status of		Navigation Projects. See Flood-control	
funds and employees.....	660	projects <i>under</i> Rivers and Harbors.	
Naval Air Transport Service, per diem		Navy. See also Naval Vessels; Navy	
rates of allowance.....	209	Department.	
Naval Appropriation Act, 1946	201	Aerial flights, increased pay for, restric-	
Naval Home, Philadelphia, Pa., appropri-		tions.....	207
ation for.....	205	Air travel under orders, per diem rates	
Naval Observatory, appropriation for...	218, 219	of allowance.....	134
Naval Personnel, Bureau of. See under		Aliens, naturalization, time limit for	
Navy Department.		filing petition; restriction on exten-	
		sion of certain benefits.....	658

Navy—Continued.	Page	Navy—Continued.	Page
Antarctic Expedition of 1939-41, U. S., presentation of medals to members of.....	536	Income tax, etc.—Continued.	
Appropriation Act, 1946.....	201	Deferment of tax, etc.....	572
Armed Forces Voluntary Recruitment Act of 1945.....	538	Years to which applicable.....	572
Articles for the Government of, amendment, murder, jurisdiction in designated cases.....	595	Inductees, funds available for expenses of.....	220
Coast Guard. <i>See separate title.</i>		Inspectors of buildings abroad, assignment of personnel as.....	181
Courts martial, murder, jurisdiction in designated cases.....	595	Insurance. <i>See National Service Life Insurance.</i>	
Damage claims—		Mail clerks—	
Personal property losses, etc.....	578	Bonds, waiving of requirement.....	315
Philippine Islands, applicability of Act to.....	511	Appropriation authorized.....	316
Settlement, authority of Secretary of the Navy.....	662	Claims for losses by burglary, etc., investigation and adjustment....	603
Appropriations authorized and made available.....	662	Marine Corps. <i>See separate title.</i>	
Dental Division, functions, standards, administration, etc.....	666	Medicine and Surgery, Bureau of, reorganization.....	666
Dependents—		Money allowances in lieu of transportation, payment in advance; rate....	134
Hiring of quarters for, restriction....	207	Mustering-out payments, method of payment.....	540
Person standing in loco parentis, definition.....	587	Naval Academy. <i>See separate title.</i>	
Dependents of enlisted men—		Naval Reserve—	
Family allowance.....	541	Appropriation for.....	204
Quarters, monetary allowance in lieu of; restriction.....	541	Enlisted men, appointment to Naval Academy, service requirement....	208
Educational courses for officers, restriction.....	204	Pay restriction, officers and men drawing pension.....	205
Embassies, etc., in foreign countries, enlisted men as custodians.....	173	Retired officers on active duty, temporary appointments, etc....	262
Enlisted men, appointment to Naval Academy, service requirement....	208	V-12 program, transfer of surplus appropriations for continuance, authorized.....	668
Enlistments and reenlistments—		Nurse Corps, pay and allowances; dependents; disability retirement. 594, 595	
Enlistment allowance, computation....	541	Per diem rates of allowance.....	134, 209
Leave travel allowance, payment....	539	Personal property losses, reimbursement for.....	578
Appropriations available.....	540	Postage, free—	
Restriction.....	540	Repeal of provision respecting.....	658
Ratings.....	539	Time extension.....	542
Furlough of officers.....	9	Postgraduate school, authority to confer certain degrees.....	603
Government employees, protection of civil-service retirement rights.....	577	Prostitution, prohibition of, near naval establishments, time extension....	168
Government housing facilities, occupancy on rental basis without loss of rental allowances.....	316	Public Health Service, treatment of active-duty personnel in Marine hospitals and out-patient offices, funds available.....	370
Guam—		Recruiting campaigns authorized.....	538
Damage claims, certain, settlement of. Land, transfer for resettlement....	582	Rental allowances, occupancy of Government facilities under Military Establishment.....	407
Household servants, restriction on employment of enlisted men or civil employees as.....	207	Reserve Officers' Training Corps, Army, senior division, credit for active duty.....	235
Housing facilities, emergency, rental of, money allowances for quarters not denied.....	222	Retired officers on active duty, temporary appointments, etc.....	262
Income tax, additional allowance.....	571		
Credits or refunds for 1941 and 1942..	572		

Navy—Continued.	Page	Navy Department—Continued.	Page
Retirement, active-duty pay and allowances.....	220	Canal Zone, Panamanian citizens, employment, etc.....	220
Roads, damages to, appropriation for reimbursement of States, etc.....	81	Canton, Ohio, conveyance authorized..	7
Sea or foreign duty, base pay increase for, repeal of time limitation.....	542	Captured or missing personnel, pay, appropriation available.....	222
Selective Service personnel, travel of; payment of expenses.....	485	Citizenship requirements, employees...	220
Shore duty, naval officers, suspension of certain requirement.....	226	Civilian inspectors, reimbursement for travel in privately owned automobiles.....	222
Tableware, etc., in officers' quarters, restriction on use of funds for.....	206	Civilian personnel, additional, funds available for employment; limitation on number.....	221
Terminal leave, civilian employment on, pay and allowances from armed forces.....	584	Claims, use of funds for payment of....	221
Compensation for services.....	585	Clothing allowance on discharge for bad conduct, etc., appropriation for...	207
Under-age personnel, discharge pay, allowances, etc.....	536	Coast Guard. <i>See separate title.</i>	
Appropriations available for.....	537	Contingent expenses, appropriation for..	202, 218
Repeal of prior legislation.....	537	Contractors, private, restriction on use of funds under contracts with.....	219
V-12 program, transfer of surplus appropriations for continuance, authorized.....	668	Contracts, war, financing of.....	221
Vessels of special construction, exemption from certain lights requirements.....	590	Damage claims—	
Termination date.....	591	Appropriation for.....	86, 93, 431, 651, 655
Veterans. <i>See separate title.</i>		Property under jurisdiction of Navy Department, settlement; execution of release, etc.....	596
Water and refrigeration, funds available for.....	222	Reports to Senate and House Committees on Naval Affairs.....	596
Navy, Secretary of the. <i>See Navy Department.</i>		Settlement, authority of Secretary of the Navy.....	662
Navy Department. <i>See also Naval Vessels; Navy.</i>		Appropriations authorized and made available.....	662
Aeronautics, Bureau of—		Defense aid, disposition of articles.....	222
Aircraft design and construction, employment of technical, etc., personnel.....	218	Emergency fund, appropriation for....	203
Aviation, appropriation for.....	212	Employees on duty outside United States, transportation of dependents, etc.....	209
Salaries, appropriation for.....	218	Employment outside Department, restriction on use of funds for.....	221
Aircraft, damages from operation of, adjustment of claims.....	212	Enlisted men, detail to Department, etc.	219
Aircraft and equipment, construction and procurement—		Examining and retiring boards, appropriation for.....	218
Appropriation available.....	212	Foreign-currency appreciation, funds for payments due to.....	222
Contracts authorized.....	212	Foreign duty, special, funds for payment for.....	221
Aircraft engines, etc., surplus, authority to transfer to Civil Aeronautics Administration.....	646	General Board, appropriation for.....	218
Appropriation Act, 1946.....	201	Hawaiian Electric Company, Ltd., construction of oil pipe lines, etc., in Pearl Harbor, approval required..	5
Appropriations, additional, 1944 and 1945.....	86	Helium, transfer of funds to Bureau of Mines for procurement.....	350
Appropriations, restriction on departmental use.....	218, 219	Hospital facilities, utilization by Veterans' Administration.....	642
Armed Forces Voluntary Recruitment Act of 1945.....	538	Hours of employment and rates of pay of skilled, etc., personnel.....	220
Aviation. <i>See Aeronautics, Bureau of, this title.</i>		Household servants, restriction on employment of enlisted men or civil employees as.....	207
Bids, estimates to be filed with.....	220		

Navy Department—Continued.	Page	Navy Department—Continued.	Page
Housing facilities, emergency, rental by military or naval personnel, money allowances not denied.....	222	Naval petroleum reserves—Continued.	
Housing projects, defense, limitation increased.....	87	Reserve No. 1—Continued.	
Hydrographic Office, appropriation for.....	218, 219	Production for national defense, authorized.....	465
Inductees, funds available for expenses of.....	220	Protection of, appropriation for.....	203
Inspection and Survey, Board of, appropriation for.....	218	Naval Procurement Fund, accounting procedure.....	210
Judge Advocate General, Office of, appropriation for.....	218	Naval Records and Library, Office of, appropriation for.....	218
Judgments, appropriation for.....	93, 94, 432, 656	Naval Research Laboratory, appropriation for.....	86, 203
Land purchase contracts, limitation on commission.....	221	Naval Reserve. <i>See under Navy.</i>	
Lend-Lease Act, disposal of defense articles under.....	222	Naval vessels. <i>See separate title.</i>	
Letters patent, purchase, etc.....	219	North Kingstown, R. I., conveyance to State for highway purposes.....	226
Marine Corps. <i>See separate title.</i>		Oahu Railway and Land Company, easement in certain lands at Pearl Harbor Navy Yard.....	8
Medicine and Surgery, Bureau of—		Occupied areas, administration by Navy, funds for.....	222
Medical Department, appropriation for.....	210	Ocean and lake surveys, appropriation for.....	203
Patients, availability for manufacture of products by.....	210	Ordnance, Bureau of, appropriation for.....	87, 206, 218
Salaries, appropriation for.....	218	Osteopathy, medical officers who are graduates in, funds for payment to.....	221
Miscellaneous expenses, appropriation for.....	202	Overthrow of United States Government, restriction on employment of persons advocating.....	221
Naval Academy. <i>See separate title.</i>		Per diem rates of allowance.....	209
Naval Communications, Office of Director of, appropriation for.....	218	Personal property losses, civilian personnel, reimbursement, appropriation for.....	202
Naval hospitals and facilities, manufacture of products by patients.....	210	Personnel ceilings inapplicable in certain cases until cessation of hostilities.....	305
Naval Intelligence, Office of, appropriation for.....	218	Printing and binding, appropriation for.....	218
Naval Observatory, appropriation for.....	218, 219	Private plants, operation by Navy, funds for expenses.....	222
Naval Operations, Office of Chief of, appropriation for.....	218	Prize commissioners, appointment, etc.....	581
Naval Personnel, Bureau of—		Public-works projects, construction authorized.....	9
Miscellaneous expenses, appropriation for.....	204	Acquisition of land, report to Congress.....	10
Naval Academy. <i>See separate title.</i>		Appropriation authorized.....	10
Naval Home, Philadelphia, Pa., appropriation for.....	205	Appropriation for.....	211
Naval prison farms and prison personnel, appropriation for.....	205	Contractor's fee, restriction.....	88, 212
Naval Reserve. <i>See under Navy.</i>		Contracts authorized.....	87, 211
Salaries, appropriation for.....	218	Quarters, cost limitation.....	87, 212
Training, education and welfare, appropriation for.....	87, 203	Receipts of public moneys, use for current expenditures.....	209
Naval petroleum reserves—		Recruitment of civilian personnel, traveling expenses, appropriations available for.....	426
Operation, conservation, etc., appropriation for.....	203	Red Cross, transportation, etc., in time of war.....	222
Reserve No. 1—		Rewards—	
Existing contracts, continuation in effect; funds available.....	466	Payment for suggestions resulting in improvements, etc., funds for.....	222
Exploration and prospecting, appropriation for.....	426	Restriction on payment.....	219
Leases, termination of certain.....	465	Salaries, appropriation for.....	218

Navy Department—Continued.	Page	Navy Nurse Corps, pay and allowances; dependents; disability retirement.	Page
Secretary, Office of—		Neale Creek, Md., examination and survey authorized.	594, 595
Appropriation for.....	86, 202, 218, 426	Near East, appropriation for cultural relations program with.....	27
Damage claims, appropriation for....	86	Nebraska:	
Ships, Bureau of—		Indians—	
Maintenance—		Santee, acquisition of land, appropriation for.....	325
Appropriation for.....	87, 205	Support, etc., appropriation for.....	325
Availability of appropriations.....	426	North Platte project, appropriation for..	339
Salaries, appropriation for.....	218	Preliminary examinations and surveys of rivers, etc., authorized.....	31
Shore establishments, permanent type of construction; restriction.....	87, 211	Neches River, Tex., examination, improvement, etc., authorized.....	18, 31
Southern California Telephone Company, lease of certain land authorized.....	8	Needles, Calif., expenditures for Colorado River protection works.....	343
Specialists, funds available for employment.....	221	Nehalem Bay and River, examination and survey authorized.....	33
State, Department of, reimbursement by, for materials, services, etc.....	174	Nelscott, Oreg., beach protection, examination and survey authorized.....	32
Supplies and Accounts, Bureau of—		Neponset River, Mass., improvement authorized.....	12
Fuel and transportation, appropriation for.....	87, 210, 426	Neponsit Beach Hospital, availability of designated appropriation for repair, etc.....	636
Maintenance, appropriation for..	87, 209, 426	Netherlands and United States, arbitration of claim, appropriation for.....	428
Merchant vessels, defense installations on, transfer of funds from appropriation.....	426	Neuse River, N. C., improvement authorized.....	15
Naval Procurement Fund, accounting procedure.....	210	Neutrality Act, appropriation for expenses of execution.....	170
Pay and subsistence, appropriation for.....	207, 426	Neva Strait, Alaska, examination and survey authorized.....	33
Salaries, appropriation for.....	218	Nevada:	
Transfer of funds.....	426	Boulder Dam National Recreational Area, appropriation for.....	352, 649
Transportation of things, appropriation for.....	87, 210	Davis Dam project—	
Transfer of funds.....	87	Appropriation for.....	647
Time-measuring devices, restriction on use.....	219	Davis-Parker substation and transmission line, funds available for..	342
Trade agreements, information and advice respecting.....	411	District court, terms of.....	582
Transfer of funds.....	87	Indians—	
Transportation and recruiting, appropriation for.....	208	Irrigation projects, appropriation for..	328, 331
Transportation of personnel, use of funds for.....	221	Paiute lands, reclamation charges against, appropriation for.....	329
Veterans, boards of review, retirement of officers.....	623	Support, etc., appropriation for.....	332
Veterans' Administration—		New Bedford Harbor, Mass., examination and survey authorized.....	25
Naval hospitals, patients in, additional medical detail for care of..	208	New Haven Harbor, Conn., improvement authorized.....	13
Transfer of funds from.....	128	New Jersey:	
Water and refrigeration, funds available for.....	222	Beach Haven, Borough of, Ocean County, payment to.....	530
Yards and Docks, Bureau of—		Intracoastal Waterway, improvement authorized.....	13
Maintenance—		Navigation and flood-control projects authorized.....	13, 14
Appropriation for.....	211		
Limitation increased.....	87		
Public works—			
Appropriation for.....	211		
Contract authorization; restrictions.....	87		
Salaries, appropriation for.....	218		

New Jersey—Continued.		New York—Continued.	
Preliminary examinations and surveys of rivers, etc., authorized.....	26	Preliminary examinations and surveys of rivers, etc., authorized... 25, 26, 31, 32	
New Mexico:		West Point Military Reservation, easement over, etc., grant to Orange and Rockland Electric Company authorized.....	36
Gallup-Shiprock Highway, appropriation for maintenance of portion....	337	New York, N. Y.:	
Gallup-Window Rock, Ariz., appropriation for maintenance of portion of highway.....	337	Assay office, appropriation for.....	65
Indians—		Harbor obstructions, prevention of, appropriation for.....	40
Irrigation projects, appropriation for Navajo, acquisition of land, appropriation for.....	328	Pneumatic-tube service, appropriation for.....	73, 113
Support, etc., appropriation for....	327, 333	Newark Bay, N. J., improvement authorized.....	13
Middle Rio Grande Conservancy District, appropriation for assessments on Indian lands.....	330	Newburyport Harbor, Mass., improvement authorized.....	12
Rio Grande project, appropriation for... 340, 424, 647		Newlands Project, Nev., appropriation for reclamation charges against Paiute Indian lands.....	329
Sebastian Martin grant lands, adjustment of claims authorized.....	532	Newnan, Ga., clerk of United States District Court, restriction on use of funds for maintaining office of.....	198
Tucumcari project, appropriation for... 342, 647		Newport, R. I., Naval Training Station, appropriation for.....	87, 203
New Orleans, La.:		Newport Bay Harbor, Calif., improvement authorized.....	21
Bridge authorized across Mississippi River at or near.....	224	Niagara River, appropriations available in connection with weir across.....	429
Intracoastal Waterway, improvement authorized.....	18	Night Differential:	
Ship canal, examination and survey authorized.....	30	Government employees.....	298
New River, Fla., improvement authorized.	16	Postal Service.....	436
New Smyrna, Fla., waterway improvements at, examination and survey authorized.....	28	Nissequogue River, N. Y., examination and survey authorized.....	26
New Ulm, Minn., Minnesota River, examination and survey authorized.....	31	Nonessential Federal Expenditures, Joint Committee on, appropriation for.....	413
New Willamette Falls, Oreg., construction of lock and navigation works authorized.....	21	Norfolk, Va.—Beaufort, N. C., inland waterway, examination, improvement, etc., authorized.....	15, 28
New York:		Norfolk, Va., Naval Training Station, appropriation for.....	203
Crugers-on-Hudson, designation of proposed hospital as Franklin Delano Roosevelt Hospital.....	538	Norfolk Dam Project, appropriation for expenses in disposing of power.....	321
Indians—		Norfolk Harbor, Va., improvement authorized.....	15
Senecas, appropriation for fulfilling treaties with.....	338	North America, importation into U. S. of native-born residents for agricultural work, duration of authority.....	645
Six Nations, appropriation for fulfilling treaties with.....	338	North Carolina:	
Support, etc., appropriation for.....	335	Navigation and flood-control projects authorized.....	15, 16
Lake Champlain Bridge Commission, amendatory agreement with State of Vermont.....	227	Preliminary examinations and surveys of rivers, etc., authorized.....	28
Marine school, appropriation for maintenance.....	481	North Dakota:	
Navigation and flood-control projects authorized.....	13, 20	Garrison River Dam, restriction on use of funds for construction.....	654
Ogdensburg, bridge authorized across Saint Lawrence River at.....	544	Indians—	
Oswego River, ascertainment of property damages resulting from improvement of Erie Canal.....	33	Standing Rock, acquisition of land, appropriation for.....	325
		Support, etc., appropriation for....	325, 339

North Dakota—Continued.			
McLean County, bridge authorized across Missouri River.....	471	O'Connor, James Francis , appropriation for payment to widow of.....	Page 78
Preliminary examinations and surveys of rivers, etc., authorized.....		Official Gazette, Patent Office , appropriation for printing and binding.....	193
North East, Pa. , harbor of refuge, examination and survey authorized.....	31	Ogden, Utah , clerk of United States District Court, restriction on use of funds for maintaining office of.....	198
North Kingstown, R. I. , conveyance of land to State for highway purposes.....	32	Ogdensburg, N. Y. , bridge authorized across Saint Lawrence River at.....	544
North Platte Project, Nebr.-Wyo. , appropriation for operation and maintenance.....	226	Ohio:	
North Prong, Schooner Bayou, Vermilion Parish, La. , examination and survey authorized.....	339	Canton, conveyance within Naval Ordnance Plant.....	7
North River, Ga. , examination and survey authorized.....	31	Greene Ville, Treaty of, provision for observance of signing.....	501
Northeast (Cape Fear) River, N. C. , improvement authorized.....	28	Navigation and flood-control projects authorized.....	19, 20
Northeast Harbor, Maine , improvement authorized.....	15	Preliminary examinations and surveys of rivers, etc., authorized.....	32
Northport Harbor, N. Y. , improvement authorized.....	12	Pymatuning Lake, amendment of compact relating to, consent of Congress.....	502
Norwalk Harbor, Conn. , improvement authorized.....	13	Youngstown, bridge authorized across Mahoning River at.....	545
Noyo River and Harbor, Calif. , examination, improvement, etc., authorized... 21, 32		Oil and Gas:	
Nurses:		Investigations and dissemination of information, appropriation for.....	347
National defense training—		Leases, extension.....	587
Appropriation for.....	370	Naval petroleum reserves. <i>See separate title.</i>	
Travel, appropriations made available for.....	79	Oil pipe lines, Hawaiian Electric Company, Ltd., construction in Pearl Harbor.....	4
Navy Nurse Corps, pay and allowances; dependents; disability retirement.....	594, 595	Oklahoma, appropriation for payment of royalties, south half of Red River.....	85, 324, 646
Old-age assistance, effect of wartime service.....	80	Petroleum—	
Nurses' Examining Board, D. C. , executive secretary, salary.....	315	Pipe lines, interstate, powers of President and Government agencies, time extension.....	233
		Subsidy allocation for.....	261
O		Production and conservation, appropriation for.....	319
Oahu Railway and Land Company , conveyance by Navy Department of easement in certain lands authorized.....	8	Oil-Shale Reserves. <i>See</i> Naval Petroleum Reserves.	
Oakland Harbor, Calif. , improvement authorized.....	21	Okeechobee Cross-Florida Channel, Fla. , channel system, examination and survey authorized.....	29
Obligations, International. <i>See</i> International Obligations.		Oklahoma:	
Occohannock Creek, Va. , improvement authorized.....	14	Indians—	
Occupied Areas, Administration:		Anadarko, arts and crafts building at.....	331
Army, funds for.....	404	Atoka Agreement with Choctaw-Chickasaw Nations, fulfillment of, appropriation for expenses....	335
Navy, funds for.....	222	Choctaws, appropriation for fulfilling treaties with.....	338
Ocean City Harbor and Inlet, Md. , examination and survey authorized.....	26	Five Civilized Tribes, validation of certain conveyances.....	313
Ocean Strip and Queets Corridor , appropriation for.....	352	Pawnees, appropriation for fulfilling treaties with.....	338
Ocmulgee River, Ga. , improvement authorized.....	16	Support, etc., appropriation for....	332,
Oconee River, Ga. , improvement authorized.....	16		333, 336

Oklahoma—Continued.

Lake Texoma Recreational Area, appropriation for..... 353

Lugert-Altus project, appropriation for..... 342, 647

Oil and gas royalties, south half of Red River, appropriation for.... 85, 324, 646

Oklawaha River, Fla., examination and survey authorized..... 28

Old-Age and Survivors' Insurance, Bureau of. *See under* Social Security Board.

Old-Age and Survivors' Insurance Benefits, application to certain employees of Bonneville Power Administrator.. 548

Old-Age Assistance:

Effect on, of wartime service as a nurse, etc..... 80

Grants to States, appropriation for.... 80, 236, 372

Old Rock Buoy, Md., examination and survey authorized..... 26

Old Tampa Bay, Fla., channel, examination and survey authorized..... 29

Oldsmar, Fla., channel, examination and survey authorized..... 29

Olean, N. Y., Allegheny River, examination and survey authorized..... 31

Olga Strait, Alaska, examination and survey authorized..... 33

Olympia Harbor, Wash., improvement authorized..... 23

Olympic National Park, Wash., appropriation for..... 352

Onancock River, Va., improvement authorized..... 14

Orange and Rockland Electric Company, easement over, etc., West Point Military Reservation, N. Y., grant authorized..... 36

Orange Lake Basin, Fla., examination and survey authorized..... 29

Ordnance, Bureau of. *See under* Navy Department.

Oregon:

Bayocean Peninsula, repair of storm damage, appropriation authorized.. 21

Butte Falls, conveyance of U. S. Fish Hatchery to State; condition..... 578

Clatsop County, time extended for bridging Columbia River in..... 472

Coos Bay Wagon Road grant lands, appropriation for..... 323

Deschutes County, mineral resources, exclusion of certain lands from provisions of designated statutes..... 622

Deschutes project, appropriation for.. 341, 647

Indians—

Irrigation projects, appropriation for.. 328, 330

Support, etc., appropriation for.. 85, 333, 335

Oregon—Continued.

Klamath Falls, term of district court at.. 555

Klamath project, appropriation for... 340, 647

Navigation and flood-control projects authorized..... 21, 22

Oregon and California Railroad grant lands, appropriation for..... 323

Owyhee project, appropriation for... 340, 647

Preliminary examinations and surveys of rivers, etc., authorized..... 32, 33

Roseburg Rifle Range, Douglas County, transfer to RFC..... 505

Vale project, appropriation for..... 647

Organized Reserves, Army:

Appropriation for..... 399

Field exercises, appropriation for participation in..... 385

Medical Reserve Corps, care of Veterans' Administration beneficiaries, pay, etc..... 399

Restriction on payment of pensioners, etc..... 399

Orowoc Creek, N. Y., improvement authorized..... 13

Osage Indians, Okla.:

Education, appropriation for..... 332

Support of Osage Agency and pay of tribal officers, appropriation for... 336

Osteopathy, naval medical officers who are graduates in, funds for payment to... 221

Oswego Harbor, N. Y., examination and survey authorized..... 32

Oswego River, damages to manufacturers on, ascertainment by Secretary of War..... 33

Otto Oas Post, Numbered 659, Veterans of Foreign Wars, repeal of Act conveying lighthouse keeper's residence at Manitowoc, Wis., to..... 7

Ouachita River, examination, improvement, etc., authorized..... 19, 31

Overtime Compensation:

Basis of payment..... 296

Legislative Branch of the Government, appropriation for..... 77, 78

Postal Service..... 435

Treasury Department, Bureau of Customs, appropriation for..... 60

Owyhee Project, Oreg., appropriation for.. 340, 647

Oyster Channel, Va., improvement authorized..... 14

Ozark National Forest, Ark., game refuge; removal of restriction on designation of certain lands..... 531

Ozona, Fla., channel, examination and survey authorized..... 29

F		Page	Page
Pacific Salmon Fisheries Commission, International, appropriation for -----	179	Papago Indian Reservation, Ariz., appropriation for development of water supply -----	327
Packers and Stockyards Act, appropriation to effect provisions of -----	159	Parity Prices, sale restrictions, Commodity Credit Corporation -----	154
Pahokee, Fla., channel, examination and survey authorized -----	29	Parker Dam Power Project, Ariz.-Calif., appropriation for operation and maintenance -----	339
Paiute Indians, Nev., appropriation for reclamation charges against certain lands of -----	329	Parkers Creek, Md., examination and survey authorized -----	27
Pala Irrigation Project, Calif., appropriation for -----	328	Parks, National, administration, protection, etc., appropriation for -----	352, 649
Palatka, Fla., channel system and river, examination, improvement, etc., authorized -----	16, 28	Parrotts Creek, Va., examination and survey authorized -----	28
Palisades Project, Idaho, appropriation for construction -----	341, 647	Pascagoula, Miss., channel, examination and survey authorized -----	30
Pamlico Sound, N. C., channel improvement authorized -----	15	Pass Cavallo-Port Lavaca, Tex., channel improvement authorized -----	18
Pamunkey River, Va., improvement authorized -----	15	Pass Christian Harbor, Miss., improvement authorized -----	17
Panacea, Fla., waterway, examination and survey authorized -----	29	Passaic River, N. J., improvement authorized -----	13
Pan-American Highway, Convention on the, appropriation for fulfillment of United States obligations -----	116	Passport Agencies, appropriation for -----	88, 170
Pan American Institute of Geography and History, appropriation for contribution -----	176	Patent Office, appropriation for -----	192
Pan American Sanitary Bureau, appropriation for contribution -----	175	Pawcatuck River, R. I. and Conn., improvement authorized -----	13
Pan American Union, appropriation for contribution -----	175	Pawnee Indians, Okla., appropriation for fulfilling treaties with -----	338
Panama:		Pay Act of 1945, Federal Employees. See Federal Employees Pay Act of 1945.	
Citizens of, employment on Canal Zone, restrictions, etc.-----	44, 220, 404	Pay Readjustment Act of 1942, Amendments:	
Government of, appropriation for contribution-----	175	Dependents, person standing in loco parentis, definition-----	587
Panama, Republic of Panama, appropriation for waterworks, sewers, etc. -----	44	Enlistment allowance, computation-----	541
Panama Canal. See also Canal Zone.		Sea or foreign duty, base pay increase for, repeal of time limitation-----	542
Capacity and security, investigation of means of increasing, authorized-----	663	Peace River, Fla., examination and survey authorized -----	29
Appropriation authorized-----	663	Peach Mosaic Control, appropriation for -----	147
Civil government, appropriation for-----	43	Peanuts:	
Construction, additional facilities, appropriation for-----	43	Acreage allotment status of certain producers, protection of-----	9
Construction annuity fund, appropriation for-----	109, 166, 635	Commodity Credit Corporation, sales, parity price-----	50
Judgments, appropriation for-----	432	Pearl Harbor, T. H.:	
Maintenance, etc., appropriation for-----	42	Hawaiian Electric Company, Ltd., construction of pipe lines, etc.-----	4
Sanitation, appropriation for-----	43	Navy Yard, conveyance of easement in certain lands-----	8
Technical and professional personnel, employment-----	45	Pearl Harbor Catastrophe of Dec. 7, 1941, extension of statutes of limitation -----	233
Panama Railroad Company:		Pearl Harbor Investigating Committee, nonapplicability of designated provisions of law to employment of counsel by -----	607
Audit and annual budget program-----	598, 599	Pearl River, Miss., examination and survey authorized -----	30
Vessel employees, compensation-----	304	Peavey, Mary T., payment to, appropriation for -----	632

Peconic River, N. Y., examination, improvement, etc., authorized	Page 13, 25	Penalty Mail Costs—Continued.	Page
Pembroke Creek, N. C., improvement authorized	15	Appropriation for—Continued.	
Penal and Correctional Institutions, appropriation for	186	Securities and Exchange Commission.....	125
Penal and Penitentiary Commission, International, appropriation for contribution	175	Smaller War Plants Corporation.....	480
Penalty Mail Costs:		Smithsonian Institution.....	125
Appropriation for—		State, Department of.....	170
Agriculture, Department of.....	137	Strategic Services, Office of.....	483
Alien Property Custodian, Office of.....	474, 635	Tariff Commission.....	126
Architect of Capitol.....	251	Tax Court of the United States.....	127
Censorship, Office of.....	482	Tennessee Valley Authority.....	126
Civil Aeronautics Board.....	190	Treasury Department.....	56
Civil Service Commission.....	108	United States Commercial Company.....	417
Commerce, Department of.....	188	United States Courts.....	199
Commodity Credit Corporation.....	137	Veterans' Administration.....	129
Defense Transportation, Office of.....	475	War Food Administration.....	137
Economic Stabilization, Office of.....	475	War Information, Office of.....	478
Employees' Compensation Commission.....	377	War Manpower Commission.....	380
Executive Office of the President.....	106	War Shipping Administration, limitation increased.....	420
Export-Import Bank of Washington.....	417	Penicillin or Derivatives:	
Farm Security Agency.....	376	Certification, etc.....	463
Federal Communications Commission.....	110	Enforcement operations, etc., appropriation for.....	636, 638
Federal Deposit Insurance Corporation.....	111	Pennsylvania:	
Federal Power Commission.....	112, 419	Marine school, appropriation for maintenance.....	481
Federal Security Agency.....	376	Navigation and flood-control projects authorized.....	20
Federal Works Agency.....	113	Preliminary examinations and surveys of rivers, etc., authorized.....	26, 32
Foreign Economic Administration.....	417	Pymatuning Lake, amendment of compact relating to, consent of Congress.....	502
Fiscal year 1945, limitation increased.....	417	Springfield Township, Montgomery County, conveyance for highway and park purposes.....	508
General Accounting Office.....	118	Pensacola, Fla., harbor and waterway, examination, improvement, etc., authorized	17, 30
Government Printing Office.....	258	Pensions. <i>See</i> Veterans.	
Inter-American Affairs, Office of.....	476	Perdido Bay, Ala. and Fla., examination and survey authorized	30
Increase in limitation.....	418	Perishable Agricultural Commodities Act, appropriation to effect provisions of	159
Interior, Department of the.....	320	Petersburg Harbor, Alaska, improvement authorized	23
Interstate Commerce Commission.....	120	Petroleum. <i>See</i> Oil and Gas.	
Justice, Department of.....	182	Petroleum Administration for War:	
Labor, Department of.....	362	Appropriation for.....	483
Library of Congress.....	255	Reduction in appropriation available in fiscal year 1945.....	408
Maritime Commission.....	127	Petroleum Conservation Division. <i>See</i> under Interior, Department of the.	
Limitation increased.....	420	Petroleum Reserves, Naval. <i>See</i> Naval Petroleum Reserves.	
National Advisory Committee for Aeronautics.....	120	Petroleum Reserves Corporation, audit, annual budget program	598, 599
National Capital Housing Authority.....	121	Philadelphia, Pa.:	
National Capital Park and Planning Commission.....	121	Delaware River, improvement authorized.....	14
National Gallery of Art.....	126		
National Housing Agency.....	122		
National Labor Relations Board.....	378, 640		
Petroleum Administration for War.....	483		
Railroad Retirement Board.....	82, 379		
Reconstruction Finance Corporation.....	201		
Rubber Development Corporation.....	417		
Scientific Research and Development, Office of.....	476		

	Page		Page
Philadelphia, Pa.—Continued.		Pine Island Bayou, Tex., examination and survey authorized	31
Mint, appropriation for	65	Pine Point, Maine, examination and survey authorized	25
Naval Home, appropriation for	205	Pine River, Mich., examination and survey authorized	32
Navy Yard, maintenance of enlarged channel authorized	14	Pink Bollworm Control, appropriation for	147
Philippine Insurrection, payment to certain soldiers of; appropriation authorized	596	Pipe Lines, Petroleum. See Oil and Gas.	
Philippine Islands:		Pipestone, Minn., appropriation for education of Indians	332
Army of, appropriation for	401	Pithlachascotee River, Fla., improvement authorized	17
Damages by American forces, applicability of Act to Philippine Islands	511	Pittsburgh, Pa., appropriation for Bureau of Mines, buildings and grounds	348
Economic survey, engagement of technical employees, appropriation for	84	Plant Disease Control, appropriation for	46, 147, 148
Employees of Commonwealth, exemption from designated taxation by U. S.	670	Plant Industry, Soils and Agricultural Engineering, Bureau of. See under Agriculture, Department of.	
Export-Import Bank of Washington, extension of operations to include, authorized	666	Plant Quarantine Act, appropriation to effect provisions of	146, 147
Filipino Rehabilitation Commission, appropriation for	420	Plant Quarantines, Foreign, appropriation for enforcement	147
High Commissioner to, appropriation for office of	84, 320	Pledge of Allegiance, flag of the United States, official recognition	668
Medal for service in armed forces of the government, World War II	461	Plum Island Sound, Mass., examination and survey authorized	25
National elections, provision for	608	Pneumatic Tube Service, dispatchers, grades and salaries	443
Philippine Scouts—		Pocatello, Idaho, appropriation for game-management supply depot and laboratory	355
Disability retirement of former enlisted men after 20 years or more of service	135	Pocomoke River, Md., examination, improvement, etc., authorized	14, 26
Enlistments for occupation duty, authorized	543	Point Dume, Calif., examination and survey authorized	32
Public health services, appropriation for	637	Political Activities, Pernicious:	
Treasury, covering into of certain Philippine funds in the Treasury of the U. S.	577	Nonapplication of designated restrictions to certain part-time Government employees, extension of temporary provisions	658
Phoenix, Ariz., Indians, appropriation for support and education	85, 332	Prevention of, appropriation for	108
Phony Peach and Peach Mosaic Control, appropriation for	147	Political Defense, Emergency Advisory Committee for, appropriation for contribution	176
Physically Handicapped Week, National Employ the, designation of	530	Pompano, Fla., Hillsboro Inlet, examination and survey authorized	29
Pierre, S. Dak.:		Ponce Harbor, P. R., improvement authorized	23
Clerk of U.S. District Court, restriction on use of funds for maintaining office of	198	Poplar, Mont., bridge authorized across Missouri River at	579
Indians, appropriation for education	333	Port Alexander, Alaska, improvement authorized	23
Pigeon River, bridge authorized across, below High Falls	224	Port Allen Harbor, Hawaii, improvement authorized	23
Pillar Point, Half Moon Bay, Calif., examination and survey authorized	32	Port Angeles Harbor, Wash., improvement authorized	23
Pima Indians, Ariz.:		Port Bay, N. Y., examination and survey authorized	32
Livestock, appropriation for suppression of contagious diseases	327		
Subjugation and cropping operations on lands of, appropriation for	328		
Pinconning River, Mich., examination and survey authorized	32		

	Page	Page
Port Deposit, Md., Naval Training Station, appropriation for	203	Post Office Department—Continued.
Port Royal Sound, S. C., channel, examination and survey authorized	28	First Assistant Postmaster General, Office of, appropriation for.....
Port Tobacco Creek, Md., examination and survey authorized	27	46, 68, 70, 426, 427, 651
Portland, Maine—Boston, Mass., continuous waterway, examination and survey authorized	25	Fourth Assistant Postmaster General, Office of, appropriation for.....
Portland, Oreg.:		46, 68, 72, 88, 427, 651, 652
River improvement authorized.....	22	Free postage for members of armed forces—
Sellwood shop buildings, improvements in, appropriation for.....	152	Repeal of provision respecting.....
Portland Harbor, Maine, improvement authorized	12	Time extension.....
Porto Rico. See Puerto Rico.		Furniture, use of present.....
Post Office Department. See also Postal Service.		Judgments, appropriation for.....
Accounts, Bureau of, appropriation for.....	68, 651	Mails, rates for transportation of.....
Adjusted compensation payments, transfer of funds from Treasury Department.....	428	Maps, post-route and rural delivery, sale to public authorized.....
Adjusted losses and contingencies, appropriation for.....	69	Navy mail clerks, bonds, waiving of requirement.....
Administrative work, restriction on use of funds for maintenance, etc., in connection with.....	73	Appropriation authorized.....
Alaska—		Overthrow of United States Government, restriction on employment of persons advocating
Postmasters as notaries public, service authorized.....	605	75
Postmasters of fourth-class post offices, eligibility of certain U. S. employees for appointment as..	544	Postal rates, first-class matter, continuance of temporary increases.....
Appropriation Act, 1946.....	68	295
Budget and Administrative Planning, Office of, appropriation for.....	68, 651	Postmaster General, Office of, appropriation for.....
Buildings. <i>See</i> Public buildings, <i>this title.</i>		68, 69, 651
Checks, lost, etc., issuance of duplicates.....	593	Printing and binding, appropriation for.....
Chemical, etc., investigations, transfer of funds for.....	69	Public buildings—
Chief Inspector, Office of, appropriation for.....	68, 69, 88, 651	Maintenance and operation, appropriation for.....
Contingent expenses, appropriation for.....	68, 651	74, 88
Damage claims, appropriation for.....	69, 93, 431, 651, 655	Mechanical labor force, pay rates....
Deficiency in postal revenues, funds available for.....	74	Purchasing Agent, Office of, appropriation for.....
Field service appropriations—		68
Estimates, examination of, availability for.....	68	Rewards—
Restriction on use for Department....	68	Appropriation for payment of; limitation.....
Travel expenses, availability for.....	68	69
Fifth Congress of the Postal Union of the Americas and Spain, appropriation available for expenses of delegates to.....	427	Useful inventions, etc., payment to employees authorized.....
		591
		Salaries, reclassification of, Postal Service. <i>See under</i> Postal Service.
		Salaries in bureaus and offices, appropriation for.....
		68, 427, 651
		Scientific investigations, transfer of funds to Bureau of Standards for..
		74
		Second Assistant Postmaster General, Office of, appropriation for.....
		68, 70, 427, 651
		Solicitor, Office of, appropriation for..
		68, 651
		Telephone and telegraph services, appropriation available for.....
		427
		Telephone service, contracts for.....
		74
		Third Assistant Postmaster General, Office of, appropriation for.....
		68, 71, 427, 651, 652
		Tractors and trailer trucks, purchase, etc.....
		73
		Vehicles—
		Housing, use of funds for leasing quarters for.....
		73
		Vehicle service, appropriation for....
		73, 427

	Page	Postal Service—Continued.	Page
Post Office Department—Continued.		Postal Service—Continued.	
Violations of postal laws, expenditures for information concerning.....	70	Mail Equipment Shops, grades and salaries.....	457
Postal Service. See also Post Office Department.		Mail handlers, grades and salaries.....	444
Air Mail Service—		Substitutes, hourly rates.....	444
Examiners.....	453	Messengers, grades and salaries.....	444
Grades and salaries.....	451	Substitutes, hourly rates.....	444
Advancement restriction, clerks....	453	Military service of employees, credit for..	461
Hours of duty.....	455	Motor-Vehicle Service, employees, grades and salaries.....	445
Overtime computation.....	455	Operators of highway post-office vehicles; rights and benefits.....	453
Promotions.....	455	Overtime—	
Alaska, eligibility of certain U. S. employees for appointment as postmasters of fourth-class post offices..	544	Air Mail Service.....	454
Appropriations authorized.....	461	Compensation for.....	435
Appropriations available.....	461	December, payment in lieu of compensatory time.....	454
Assistant postmasters, second-class post offices.....	443	Railway Mail Service.....	454
Automatic promotions, eligibility.....	459	Part-time positions, salary readjustments.....	461
Central accounting offices, salary increases.....	443	Pneumatic tube service, grades, salaries, etc., of dispatchers and operators..	444
City Delivery Service—		Substitute employees, pay basis.....	444
Carriers, grades, salaries, etc.....	443	Postal rates, first-class matter, continuance of temporary increases.....	295
Substitute employees, pay basis....	444	Postmasters—	
Transfer of employees to Inspection Service, authority of Postmaster General.....	451	Base pay, restriction on reduction of..	438
Claims, certain, of postmasters and mail clerks of armed forces, investigation and adjustment.....	603	Compensation, basis of computation..	437
Time limitation for filing claim.....	604	Promotion, regular clerks and carriers, eligibility.....	443
Cleaners, classified, grades and salaries..	444	Railway Mail Service—	
Clerks, carriers, and other employees; grades, salaries, etc.....	443, 444, 445	Compensatory time or payment for Saturday, Sunday or holiday work.....	454
Substitute employees, pay basis.....	444	Examiners.....	453
Custodial Service, grades and salaries..	446	Grades and salaries.....	451
Detroit River Marine Service, salaries of carriers.....	444	Advancement restriction, clerks....	453
Employees—		Hours of duty.....	455
Compensation, method of payment..	436	Mail handlers and substitute mail handlers.....	454
"Month" construed.....	436	Overtime computation.....	455
Definition.....	435	Promotions, automatic.....	455
Detail to military and naval posts and war plants; allowances.....	603	Reassignments, clerks in charge....	455
Interchange of, time extension.....	270	Road duty.....	454
Leave, annual and sick.....	436	Travel allowances.....	455
Night differential.....	436	Rewards to employees for useful inventions, etc., authorized.....	591
Overtime, night work, noninclusion in computation.....	436	Rural Delivery Service—	
Substitute employees, classified, annual and sick leave.....	436	Equipment maintenance, payment for.....	456
Equipment and Supplies, Division of, grades and salaries.....	458	Grades and salaries.....	455
Free postage for members of armed forces—		Reassignments.....	456
Repeal of provision respecting.....	658	Salaries—	
Time extension.....	542	Decrease, limitation on.....	461
Inspection Service, grades and salaries..	450	Readjustments, assignments of employees.....	460
		Reclassification, etc.....	435
		Saturday service during designated periods, compensatory time for.....	459
		Additional pay; computation.....	459

Postal Service—Continued.	Page	Power Commission, Federal. See Federal	Page
Service, allowable.....	461	Power Commission.....	
Military duty.....	461	Powers of Appointment , time extension in connection with release of.....	264
Special-delivery messengers, grades and salaries.....	459	Prairie du Chien, Wis., Mississippi River , examination and survey authorized..	31
Employment at other duties.....	460	Predatory Animals , appropriation for control of.....	355, 649
Vehicles, provision of, under allowance basis.....	460	Prencinradio, Inc. , audit and annual budget program.....	598, 599
Veterans, reemployment, consideration of services.....	460	President of the United States:	
Substitute employees, classified.....	444	Appointments by—	
Minimum hours of duty.....	435	Admiral in Coast Guard.....	37
Railway Mail Service.....	453, 454	Army of the United States, general officers, wartime reduction of temporary grades.....	168
Rural Delivery Service, carriers, rate of pay.....	456	Export-Import Bank of Washington, members of Board of Directors..	527
Special-delivery messengers.....	460	General in Marine Corps.....	36
Superintendents and assistant superintendents of classified stations, salary basis.....	440	International Bank for Reconstruction and Development, governor, executive directors, and alternates.....	512
Supervisory employees, first-class post offices—		International Monetary Fund, governor, executive directors, and alternates.....	512
Reassignments.....	441	Judges. See under U. S. Courts.	
Salaries.....	438	Justice, Department of—	
Supervisory needs, determination of, by Postmaster General.....	443	Antitrust Division, personnel at salaries of \$7,500 or more.....	182
U. S. Stamped Envelope Agency—		Special attorneys, etc., at salaries of \$7,500 or more.....	183
Clerks, grades and salaries.....	443	Military Academy cadets—	
Supervisors, salaries.....	440	Congressional Medal of Honor, sons of persons awarded.....	586
Village delivery service, grades and salaries.....	444	Sons of members of armed forces killed in action.....	586
Substitutes, hourly rates.....	445	Naval Academy midshipmen—	
Washington, D. C., post office, fixing of salaries of postmaster and supervisory employees.....	437	Congressional Medal of Honor, sons of persons awarded.....	586
Watchmen, grades and salaries.....	444	Sons of members of armed forces killed in action.....	586
Substitutes, hourly rates.....	444	Regular Army, additional officers....	664
Postal Union of the Americas and Spain, Fifth Congress , appropriation available for expenses of delegates to.....	427	Smaller War Plants Corporation, board of five directors.....	96
Postmaster General. See under Post Office Department.		Surplus Property Administrator.....	533
Postwar Flood Control Projects , appropriation available.....	92	United Nations, U. S. representatives in organs and agencies of.....	619, 620
Postwar Highways , appropriation for.....	638	Budget programs, wholly owned Government corporations, submittal to..	598
Postwar Navigation and Flood-Control Program , adoption and authorization of.....	12	Citizenship requirements, etc., for certain employees, authority to suspend.....	45, 220, 405
Postwar Relief, Etc. , contracts or agreements under lend-lease authorization, restriction.....	52	Emergency fund, appropriation continued available.....	414
Potato Act , appropriation for refund of taxes collected under.....	62	Executive Office—	
Potomac River , examination and survey authorized.....	27	Appropriation for..	79, 106, 380, 413, 473, 634
Poultry:		Reduction in appropriations available in fiscal year 1945.....	407
Diseases of, funds available for eradication.....	145	Detail of Government employees to..	106
Feeding and breeding, appropriation for investigations, etc.....	143		

President of the United States—Con.	Page	President of the United States—Con.	Page
Executive Office—Continued.		United States notes, termination of authority for issuance.....	238
Executive Mansion and grounds, appropriation for.....	106, 414, 634	Vehicles, official, exemption from certain limitations on use.....	132
Addition, appropriation for.....	634	War Relief Control Board, appropriation for.....	170
Offices, etc.. under. <i>See individual titles.</i>		White House Police Force, pay increase..	470
Penalty mail costs, appropriation for..	106	President's War Relief Control Board, appropriation for.....	170
President, compensation of, appropriation for.....	106	Press and Radio, American, reporting on UNRRA supplies and services, recommendation of Congress.....	609, 612
White House Office, appropriation for Export control of certain commodities, administration; time extension....	270	Pribilof Islands, Alaska, appropriation for furnishing food, etc., to natives.....	355
Lend-Lease. <i>See separate title.</i>		Price Administration, Office of. <i>See also</i> Price Control.	
Petroleum pipe lines, interstate, time extension for exercise of powers respecting.....	233	Agricultural commodities, restriction on enforcement of maximum prices....	415
Postwar relief, etc., contracts or agreements under lend-lease authorization, restriction.....	52	Appropriation for.....	79, 414
Proclamations authorized—		Appropriations, condition of balances, report to Congress.....	416
General Pulaski's Memorial Day....	543	Contract authorizations, condition of balances, report to Congress.....	416
George Washington Carver Day....	668	Damage claims, appropriation for....	431, 655
National Employ the Physically Handicapped Week.....	530	General provisions relating to war agencies, applicability of.....	416
Woman's Enfranchisement Day, request for issuance.....	555	Information, certain, restriction on divulging of.....	415
Protection of, appropriation for....	184, 185	Oaths, administration of.....	415
Reorganization of Government departments and agencies. <i>See separate title.</i>		Price fixing, maximum, limitation on use of specifications or standards..	416
Reports to be submitted to, by/on—		Price formulation, experience requirement for personnel.....	415
Commodity Credit Corporation, appraisal of assets and liabilities....	51	Subsidy payments, restriction on.....	415
Inter-American Affairs, Office of, operations of certain corporations..	477	Price Control. <i>See also</i> Price Administration, Office of; Price Control Act of 1942, Emergency.	
National Advisory Council on International Monetary and Financial Problems, participation of U. S. in, and operations of International Monetary Fund and International Bank for Reconstruction and Development.....	513	Maximum prices on certain meats, etc., restriction.....	309
Requisitioning of property, etc., for national defense, time extensions..	270, 271	Slaughtering quotas, restriction on imposition of.....	309
Trade agreements—		Certification of slaughtering plant...	309
Authority to enter into, time extension.....	410	Termination date.....	306
Information and advice by—		Price Control Act of 1942, Emergency: Amendments—	
Navy Department.....	411	Agricultural commodities, approval of Secretary of Agriculture.....	307
War Department.....	411	Emergency Court of Appeals—	
Proclamations respecting, restriction on issuance of certain.....	411	Complaints, filing of.....	308
Treaty of Greene Ville Celebration Commission, membership on.....	501	Slaughterers, extra compensation payments to, reviewability of determinations.....	262
United Nations—		Livestock, inclusion as agricultural commodity.....	308
Armed forces, authority to negotiate agreements respecting.....	621	Maximum prices, collect-on-delivery sales.....	307
Reports to Congress respecting.....	620	Rent control, defense areas.....	306
Representation.....	620	Industry advisory committee, appointment.....	307

Price Control Act of 1942, Emergency—	Page	Priorities, War Contracts, materials for,	Page
Continued.		extension of emergency provisions...	658
Amendments—Continued.		Prison Industries, Federal, Incorporated:	
Termination date.....	306	Audit and annual budget program.....	598
Commodity Credit Corporation, subsidy		Transfer of funds to certain Treasury	
operations, limitations.....	51	Department appropriations.....	58
Subsidy payments, certain, by Govern-		Prison System, Federal. See under Jus-	
ment corporations, inapplicability		tice, Department of.	
to.....	260	Prisoners, Federal, support of, appropria-	
Printing, Joint Committee on:		tion for.....	187
Appropriation for.....	77, 78, 250	Prisoners of War:	
Dual compensation restrictions, certain,		Employees' Compensation Act, disabil-	
nonapplicability to designated em-		ity or death of persons subject to...	505
ployees.....	633	Escape, procurement of or assistance in,	
Printing and Binding:		penalty.....	101
Appropriation for—		Maintenance, etc., appropriation for—	
Agriculture, Department of.....	138	Navy Department.....	202
Budget, Bureau of the.....	106, 634	War Department.....	406
Civil Aeronautics Board.....	191	Pay, etc., appropriations available.....	84
Commerce, Department of.....	188, 423	Prisons, Bureau of. See under Justice,	
Federal Communications Commission...	110	Department of.	
Federal Power Commission.....	112	Private Forestry Cooperation, appropria-	
Federal Security Agency.....	376, 638	tion for.....	151
Federal Trade Commission.....	112	Private Plants, operation by Navy, funds	
General Accounting Office.....	118, 639	for expenses.....	222
Interior, Department of the.....	320	Prizes, capture by U. S., during war;	
Interstate Commerce Commission...	120, 639	jurisdiction, etc.....	581
Justice, Department of.....	182	Probation Officers, United States Courts:	
Labor, Department of.....	361	Attorney General, failure to carry out	
Library of Congress.....	255	certain orders of.....	198
National Advisory Committee for		Salaries, appropriation for.....	198
Aeronautics.....	120	Travel allowance.....	199
National Archives.....	121	Processing and Related Taxes, appropria-	
National Labor Relations Board.....	378	tion for refund of.....	62
National Mediation Board.....	379	Processing Industry, maximum prices on	
National Railroad Adjustment Board...	379	certain meats, etc., restriction.....	309
Navy Department.....	218	Proclamations:	
Patent Office.....	193	General Pulaski's Memorial Day,	
Post Office Department.....	68	authorized.....	543
Railroad Retirement Board.....	379	George Washington Carver Day, au-	
Securities and Exchange Commission...	125	thorized.....	668
State, Department of.....	88, 170	National Employ the Physically Handi-	
Tariff Commission.....	126	capped Week, requested.....	530
Tax Court of the United States.....	127	Woman's Enfranchisement Day, request	
Treasury Department.....	57	for issuance.....	555
United States Courts.....	199	Produce Agency Act, appropriation to	
Veterans' Administration.....	46, 129, 642	effect provisions of.....	159
Reimbursement to emergency fund		Production Control Committees, Inter-	
for the President, national de-		national, appropriation for.....	141
fense.....	642	Production Credit Corporations:	
War Department.....	403	Audit.....	597, 599
Limitation increased.....	92	Budget program, annual.....	597, 598
Executive departments and independent		Property, Real and Personal, termination	
establishments, payment to Govern-		of designated seizure powers.....	658
ment Printing Office for.....	257	Property Taxes, exemption of international	
Reports of Government departments,		organizations.....	671
discontinuance of printing of.....	258	Prostitution, Prohibition of, near military	
Printing Office. See Government Print-		and naval establishments, time exten-	
ing Office.		sion.....	168

	Page		Page
Protection and Salvage of Artistic and Historic Monuments in War Areas, American Commission for the, appropriation for	108	Public Health Service—Continued.	
Prouts Neck, Maine, examination and survey authorized	25	Hospitals, maintenance, etc., additional appropriation.....	7, 419
Providence Hospital, Washington, D. C.: Amendments respecting—		Hospitals and medical care—	
Corporate name.....	551	Appropriation for.....	369
Real estate, holding of, limitation repealed.....	552	Neponsit Beach Hospital, availability of appropriation for repair, etc....	636
School for nurses and interns.....	551	Industrial hygiene, appropriation for investigations.....	369
Provo River Project, Utah, appropriation for construction	341, 647	Malaria, appropriation for control of....	369
Public Assistance, Bureau of. See under Social Security Board.		Marine Corps personnel, funds available for furnishing medical treatment to..	370
Public Buildings Acts, appropriation for carrying out provisions of	113	Medical care—	
Public Buildings Administration. See under Federal Works Agency.		Appropriation for.....	369
Public Debt, Bureau of the. See under Treasury Department.		Neponsit Beach Hospital, availability of appropriation for repair, etc....	636
Public Debt Act of 1945	47	Mental disease, appropriation for research and investigation.....	369
Public Debt Transactions:		Mental Hygiene, Division of, appropriation for	79
Payment of subscriptions of U. S. to International Monetary Fund or International Bank for Reconstruction and Development, treatment as.....	514	Mines, Bureau of, details to.....	351
Second Liberty Bond Act, use of proceeds of certain securities issued under.....	528	Miscellaneous and contingent expenses, appropriation for.....	79
Public Health, International Office of, appropriation for contribution	653	Money allowances in lieu of transportation, payment in advance; rate....	134
Public Health Service:		National Cancer Institute, appropriation for operating expenses	370
Air travel under orders, per diem rates of allowance.....	134	National Institute of Health, appropriation for	370, 637
Aircraft, appropriation for hire, maintenance, etc.....	369	Naval personnel, funds available for furnishing medical treatment to....	370
Cincinnati, Ohio, appropriation for maintenance and operation of water and sanitary investigations station at.....	371	Nurses, national-defense training—	
Commissioned corps, civilian employment while on terminal leave.....	584	Appropriation for.....	370
Commissioned officers, appropriation for.....	370	Transfer of funds to St. Elizabeths and Freedmen's Hospitals.....	370
Communicable diseases, appropriation for prevention and suppression of...	369	Travel, appropriations made available for.....	79
Dependents, person standing in loco parentis, definition.....	587	Officers, details to Coast Guard, per diem rates of allowance authorized..	216
Government housing facilities, occupancy on rental basis without loss of rental allowances.....	316	Overthrow of United States Government, restriction on employment of persons advocating.....	382
Health and sanitation activities, emergency, reduction in appropriation available in fiscal year 1945.....	408	Per diem rates of allowance.....	134
Health and sanitation activities (national defense), appropriation for.....	369	Philippine Islands, public health services, appropriation for.....	637
		Postwar planning, appropriation for....	371
		Prison System, Federal, assignment of officers to; transfer of funds.....	187
		Psychiatric service for District of Columbia juvenile court.....	280
		Quarantine service, appropriation for..	370, 637
		Rental allowances, occupancy of Government facilities under Military Establishment.....	407
		Retired officers, removal of restrictions respecting appointment as Superintendent of Gallinger Municipal Hospital.....	411
		Salaries and expenses, appropriation for..	371

Public Health Service—Continued.	Page	Public Lands—Continued.	Page
Senate disapproval of nomination, restriction on payment to person after.....	382	Oil and gas leases, extension of.....	587
Service and supply fund, appropriation for.....	370	Payments to States from proceeds of sales, appropriation for.....	323
Standards, National Bureau of, officers detailed to, funds available for expenses.....	193	Range improvements outside of grazing districts, appropriation for.....	323
State health services, grants and services to, appropriation for.....	369	Salt Springs land, Ala., disposition authorized, use of proceeds.....	264
Surgeon General—		Springfield Township, Montgomery County, Pa., conveyance for highway and park purposes.....	508
Detail of commissioned officer to act as Superintendent of Gallinger Hospital, authorized.....	412	Tongass National Forest, Alaska, conveyance of certain lands to Catholic bishop of Alaska.....	535
Office of, appropriation for.....	371	West Point Military Reservation, easement over, etc., grant to Orange and Rockland Electric Company authorized.....	36
Tropical disease, appropriation for control of.....	369	Public Printer. <i>See</i> Government Printing Office.	
Tuberculosis control, appropriation for.....	79, 369	Public Roads Administration. <i>See under</i> Federal Works Agency.	
Venereal diseases—		Public Works:	
Appropriation for control of.....	368, 636	Loans or advances to States, etc., appropriation for.....	112, 638
Transfer of funds.....	369	Naval. <i>See</i> Public-works projects under Navy Department.	
Veterans' Administration, transfer of funds from.....	128	Rivers and harbors. <i>See separate title.</i>	
War Shipping Administration, transfer of funds from.....	481	Virgin Islands, appropriation for.....	113, 638
Public Health Service Act, appropriation to effect provisions of.....	368	War public works—	
Public Health Survey, housing facilities, emergency, rental of, money allowances for quarters not denied.....	222	Construction projects, priority.....	81
Public Housing Authority. <i>See</i> Federal Public Housing Authority.		Increase in appropriation.....	383
Public Landing, Md., examination and survey of harbor authorized.....	27	Restriction on use of funds.....	383
Public Lands. <i>See also</i> Interior, Department of the.		War public works (community facilities)—	
Alaska, sale or lease of, to certain employees of the Department of the Interior.....	467	Appropriation for; restriction on use of funds.....	80, 419
Camp Croft, S. C., easement over, etc., grant to Duke Power Company authorized.....	36	Time extension.....	383
Cheyenne, Wyo., conveyance of land to city in connection with water supply system.....	469	Public Works Administration. <i>See under</i> Federal Works Agency.	
Classification as to mineral character, etc., appropriation for.....	344, 649	Pueblo Indians, N. Mex.:	
Deschutes County, Oreg., exclusion of certain lands from provisions of designated statutes.....	622	Irrigation project, appropriation for...	328
Eastport, Maine, exchange of lands and transfer of roadway easement to city of.....	34	Water supply, appropriation for development of.....	327
Fire protection and timber management, appropriation for.....	324, 646	Puerto Rico:	
Guam, transfer of lands for resettlement authorized.....	584	Agricultural experiment stations, appropriation for.....	142, 143
North Kingstown, R. I., conveyance to State for highway purposes.....	226	Agricultural extension work, appropriation for.....	141
		Federal land bank branch, loans by, restriction.....	267
		Hurricane relief loans, appropriation to continue collections, etc., of moneys due United States.....	359
		Lend-lease funds, restriction on use for purchase or distribution of food products.....	430
		Navigation and flood-control projects authorized.....	23

Puerto Rico—Continued.
 Preliminary examinations and surveys of rivers, etc., authorized..... 33
 Topographic surveys, appropriation for..... 344
 Vocational education, appropriation for..... 367
Pulaski Memorial Day, proclamation authorized..... 543
Purnell Act, appropriation to effect provisions of..... 142
Purviance Creek, N. C., examination and survey authorized..... 28
Pymatuning Lake, amendment of compact, consent of Congress..... 502
Pyramid Lake Indian Reservation, Nev., irrigation system, appropriation for... 331
Pyramid Lake Irrigation Project, Nev., appropriation for..... 328

Q

Quapaw Agency, Okla., appropriation for tuition of pupils..... 333
Quarantine Service, appropriation for... 370, 637
Quartermaster Corps. *See under* War Department.
Quillayute River, Wash., improvement... 23
Quinaielt Indians, Wash., attorneys' expenses, appropriation for..... 337
Quinnipiac River, Conn., restriction on improvement..... 13

R

Racine Harbor, Wis., improvement authorized..... 19
Radio Facilities:
 International organizations, exemption from tax on..... 671
 Tax rates, applicability..... 576
Radio Monitoring, appropriation for..... 110
Radio Office, Inter-American, appropriation for contribution..... 175
Radio Operators on United States Ships, employment restriction, time extension..... 259
Radio Stations, International Short-Wave:
 Inter-American Affairs, Coordinator of, contracts by, indemnification for loss or damage..... 477
 War Information, Office of, contracts by, indemnification for loss or damage... 478
Radio Union, International Scientific, appropriation for contribution..... 176
Railroad Adjustment Board, National:
 Appropriation for..... 379
 Reorganization plans affecting, restriction..... 615
Railroad Grade Crossings, Federal highways, appropriation for..... 117

Railroad Retirement Account, appropriation for..... 379
Railroad Retirement Board:
 Appropriation Act, 1946..... 379
 Overthrow of United States Government, restriction on employment of persons advocating..... 382
 Penalty mail costs, appropriation for... 82, 379
 Reorganization plans affecting, restriction..... 615
 Senate disapproval of nomination, restriction on payment to person after..... 382
 Transfer of funds to certain Treasury Department appropriations..... 58, 60
Railroad Unemployment Insurance Act, amount to be withheld by Social Security Board for administration of Kentucky unemployment compensation law..... 550
Railroads. *See* Carriers.
Railway Mail Service:
 Appropriation for..... 71, 427
 Salaries, reclassification of..... 451
Ramsey Bay, channel to Chesapeake Bay, examination and survey authorized .. 27
Range Investigations, appropriation for... 151
Rapid City, S. Dak., appropriation for support of Indian museums..... 331
Rapides Parish, La., transfer of certain lands in, to Louisiana State University and Agricultural and Mechanical College..... 468
Rappahannock River, Va., examination and survey authorized..... 27
Real and Personal Property, termination of designated seizure powers..... 658
Reciprocal Trade Agreements. *See* Trade Agreements.
Reclamation, Bureau of. *See under* Interior, Department of the.
Reclamation Project Act of 1939, Amendments:
 Construction charges, deferments to, extension of authority..... 76
 Repayment contracts, amendment—Annual installments, determination of amount..... 75
 Modification of existing contracts, duration of authority..... 76
 Special amendatory contracts, approval by Act of Congress..... 76
 Amendment by mutual agreement... 76
Reconstruction and Development, International Bank for. *See under* Bretton Woods Agreements Act.

	Page		Page
Reconstruction Finance Corporation:		Red River of the North, Minn., S. Dak.,	
Agriculture, Department of—		N. Dak., examination and survey	
Farm tenancy loans.....	161	authorized.....	31
Rural electrification loans.....	162, 422	Redwood Creek, Calif., improvement au-	
Rural rehabilitation loans, advances for	160	thorized.....	21
Restrictions on use.....	161	Referees in Bankruptcy, appointments as	
Appropriation for.....	200, 635	U. S. Commissioners.....	659
Audit and annual budget program....	598, 599	Refugee Board, War, appropriation con-	
Corporations created by, limitations on		tinued available for completing liqui-	
subsidy payments.....	260	dation of activities.....	414
Export-Import Bank, payments by.....	528	Refugee Shelter, Emergency, Fort Ontario,	
Judgments, payment of.....	656	N. Y.:	
Schaffer, Alfred Oscar.....	656	Appropriation available.....	85
Lending authority, increase.....	160, 162	Appropriation for.....	485
Penalty mail costs, appropriation for..	201	Refugees, Intergovernmental Committee	
Renegotiation Act, excessive profits		on:	
collected under, reimbursement of		Appropriation continued available....	653
certain Treasury Department ap-		Appropriation for.....	428
propriations.....	90	Regional Agricultural Credit Corporations:	
Roseburg Rifle Range, Douglas County,		Audit.....	597, 599
Oreg., transfer to.....	505	Budget program, annual.....	597, 598
Salaries of persons making or processing		Regional Banks for Cooperatives, audit of	
certain loans, restriction on use of		financial transactions, report, etc....	600
funds for.....	635	Registration of Foreign Agents, inter-	
Schaffer, Alfred Oscar, appropriation		national organizations, immunities..	669
for payment of judgment.....	656	Rehabilitation. See Veterans' Adminis-	
Subsidy payments by corporations cre-		tration; Vocational Rehabilitation.	
ated by, limitations on.....	261	Rehoboth Bay, Del., waterway, examina-	
Payments by Commodity Credit Cor-		tion, improvement, etc., authorized..	14, 26
poration; reduction of amounts		Reindeer Service, Alaska, appropriation	
available to RFC.....	507	for.....	335
Transfer of functions, etc., of designated		Relief and Rehabilitation Administration,	
corporations to; dissolution of cor-		United Nations. <i>See</i> United Nations	
porations.....	310	Relief and Rehabilitation Adminis-	
Transfer of funds to certain Treasury		tration.	
Department appropriations.....	60	Relocation Authority. See War Relocation	
Reconstruction Finance Corporation Mort-		Authority.	
gage Company. See RFC Mortgage		Renegotiation Act:	
Company.		Amendment, termination date.....	294
Reconversion. See Surplus Property Act		Refunds under, appropriation for.....	90
of 1944; Tax Adjustment Act of 1945;		Reconstruction Finance Corporation,	
War Mobilization and Reconversion		excessive profits collected by,	
Act of 1944.		reimbursement of appropriation..	90
Records, U. S. Government, disposal of		War Contracts Price Adjustment	
certain.....	434	Board, certification of amount to	
Recreational Demonstration Areas, appro-		Treasury.....	90
riation for.....	353, 649	Treasury, certification to, of amounts	
Recruitment Act of 1945, Armed Forces		withheld or credited, compliance by	
Voluntary.....	538	War Department.....	407
Red Cross, American:		Rent Control. See Price Control Act of	
Tax-exempt status of certain real prop-		1942, Emergency.	
erty in D. C.....	589	Reorganization of Government Depart-	
Transportation, etc., in time of war,		ments and Agencies:	
appropriation for naval expenses		"Agency" defined.....	616
incident to.....	222	Costs, reduction in, expectation of	
Red Point, Md., channel, examination and		Congress.....	613
survey authorized.....	26	Declaration of Congress.....	618
Red River, South Half, payment to Okla-		Federal Loan Agency, continuance as	
homa from oil and gas royalties, ap-		independent establishment; trans-	
propriation for.....	85, 324, 646	fer of functions, funds, etc., to....	5

Reorganization of Government Departments and Agencies—Continued.		Retraining and Reemployment Administration, appropriation for	Page 484
Findings of President.....	613	Revenue. See Taxes.	
Purposes.....	613	Revenue Act of 1932:	
Reorganization Act of 1945.....	613	Amendments—	
“Reorganization” defined.....	616	Gift tax, certain discretionary trusts, years to which applicable.....	264
Reorganization plans—		Postage rates, first-class, continuance of temporary increase.....	295
Congressional consideration; rules for procedure, etc.....	617	Postal Service, change in basis for determination of class of office and computation of salaries, etc.....	437
Contents.....	614	Revenue Act of 1942, Amendment, release of powers of appointment, time extension	264
Effective date.....	616	Revenue Act of 1943:	
Exempted agencies.....	615	Amendments—	
Heads and assistant heads of agencies; appointment authorized.....	614	Excise taxes, certain, continuation of power of Secretary of Treasury to authorize Government exemption from.....	576
Joint Committee on Nonessential Federal Expenditures, economy studies, appropriation for.....	413	Gift tax, certain discretionary trusts, years to which applicable.....	264
Limitations on powers with respect to reorganizations.....	615	War contracts, termination of re- pricing of.....	295
Preparation and transmittal to Congress.....	614	Revenue Act of 1945	556
Printing of, in Statutes at Large and Federal Register.....	617	Revised Statutes:	
Time limitation for transmittal to Congress.....	616	Section 300, repeal.....	594
Saving provisions.....	617	Section 1318, amendment.....	606
Unexpended appropriations, return to Congress.....	617	Section 1442, amendment.....	9
Representatives in Congress. See House of Representatives.		Section 1517, amendment.....	606
Requisitioning of War Materials, Etc.:		Section 1624, amendment.....	595
Foreign Economic Administration, funds continued available for payment..	417	Section 1699, repeal.....	105
Time extensions.....	270, 271	Section 1700, repeal.....	105
Reserve Officers' Training Corps, Army:		Section 1701, repeal.....	105
Appropriation for.....	399	Sections 3483-3488, repeal.....	225
Mounted, motor transport, or tank units, limitation.....	401	Section 3646, amendment.....	592
Restriction on use of other funds.....	401	Section 3647, repeal.....	594
Senior division, credit for designated military training.....	235	Section 3709, construction regarding procurement of transportation services.....	607
Students in designated units, restriction on further enrollment.....	401	Section 4621, amendment.....	581
Surplus stocks of War Department, furnishing of supplies from.....	400	Section 4624, amendment.....	581
Reserve Officers' Training Corps, Naval:		Rewards. See also Awards.	
Appropriation for.....	204	Indian lands, information respecting forest and range fires, etc., appropriation for.....	325, 326
Instruction in, credit allowed to enrollees in senior division of Reserve Officers' Training Corps.....	235	Navy Department—	
Limitation on total personnel, change in.....	3	Payment for suggestions resulting in improvements, etc., funds for... ..	222
Uniforms, etc., furnishing from surplus stocks.....	204	Restriction on payment.....	219
Reservoirs. See Flood-control projects under Rivers and Harbors.		Post Office Department—	
Retirement. See Army; Civil Service Retirement and Disability Fund; Government Employees; Marine Corps; Navy.		Compensation for useful inventions, etc., by personnel.....	591
		Detection of certain criminals; securing information.....	69
		Postal Service, compensation for useful inventions, etc., by personnel.....	591

Rewards—Continued.		Rivers and Harbors—Continued.	
Reclamation, Bureau of, information respecting persons damaging public property.....	339	Flood-control projects—Continued.	
War Department—		Investigations, conduct of.....	10
Restriction on use of funds.....	403	Penstocks, etc., installation authorized.....	12
Suggestions resulting in improvements, funds for.....	407	Plans, proposals, or reports, submission to Congress, etc.....	10
RFC Mortgage Company:		Policy of Congress, declaration of.....	10
Appropriation for.....	200	Postwar construction, adoption of program.....	12
Audit and budget program.....	598, 599	State interests, protection of.....	10
Rhode Island:		Western States, use of waters of, for navigation.....	11
Navigation and flood-control projects authorized.....	13	Irrigation works, investigations and reports.....	11
North Kingstown, conveyance to State for highway purposes.....	226	Navigation projects. <i>See</i> Flood-control projects, <i>this title</i> .	
Rhodes Point, Md., channel, examination and survey authorized.....	27	Obstructions, removal of.....	23
Richardson Highway, appropriation for construction.....	358	Physicians, employment of.....	24
Richmond Harbor, Calif., improvement authorized.....	21	Shore-line investigations at Federal expense authorized, report, etc.....	508
Rifle Practice, National Board for Promotion of, appropriation for.....	401	Water conservation and utilization projects, appropriation for.....	162, 343
Rincon Irrigation Project, Calif., appropriation for.....	328	Riverton Project, Wyo., appropriation for.....	340, 647
Rio Grande Bank Protection Project, appropriation for.....	89	Riverton-Le Clair Irrigation District, Wyo., appropriation for Indians' pro rata share of cost of operation, etc.....	331
Rio Grande Project, N. Mex.-Tex., appropriation for.....	340, 424, 647	Roads. <i>See</i> Highways; Public Roads Administration <i>under</i> Federal Works Agency.	
Rio Grande Projects, appropriation for rectification, canalization, flood control, etc.....	176, 177	Robinson-Patman Antidiscrimination Act, inapplicability to regulation of insurance until designated date.....	34
River and Harbor Act, repeal of provision relating to removal of temporary obstructions.....	23	Rochester Harbor, N. Y., improvement authorized.....	20
Rivers and Harbors:		Rock Island Bridge, Rock Island, Ill., appropriation for maintenance.....	397
Appropriation for.....	40, 92, 429, 654	Rockfish, small, sale in D. C. regulated....	588
Arkansas River, interstate compact for division of waters.....	53	Rockhall Harbor, Md., examination and survey authorized.....	27
Bridges. <i>See separate title.</i>		Rockport, Ark., Ouachita River, examination and survey authorized.....	31
Channel improvements.....	23	Rocky Mountain National Park, Colo., exchange of lands authorized.....	466
Debris, removal.....	23	Rocky River, Ohio, examination and survey authorized.....	32
Existing works, preservation and maintenance, appropriation for.....	40	Rodanthe, N. C., channel improvement authorized.....	15
Flood control—		Rodents, Injurious, appropriation for control of.....	355, 649
Appropriation for.....	41, 92, 236, 429, 654	Rollinson Channel, N. C., improvement authorized.....	15
Emergency work—		Roman Catholic Church, conveyance of certain lands in Tongass National Forest, Alaska.....	585
Appropriation authorized.....	231	Roosevelt, Franklin Delano, appropriation for expenses incident to death and burial.....	418
Appropriation for.....	235		
Appropriations available; limitation.....	236		
Mississippi River, condemnation procedure.....	587		
Post-war construction, appropriation available.....	92		
Restriction on use of funds; priorities.....	41		
Surveys, appropriation for.....	111, 636		
Flood-control projects—			
Adoption and authorization.....	12, 556		
Examinations and surveys authorized.....	25		

Roseburg Rifle Range, Douglas County, Oreg., transfer to Reconstruction Finance Corporation	Page 505	Safety Council, Inc., National, appropriation for District of Columbia affiliation with	Page 286
Ross Cove (Magothy River), Md., examination and survey authorized	27	Safety Harbor, Fla., channel, examination and survey authorized	29
Rosslyn Connecting Railroad Company, conveyance of certain lands to, authorized	543	Saint Augustine Harbor, Fla., examination and survey authorized	28
Roswell, N. Mex., clerk of United States District Court, restriction on use of funds for maintaining office of	198	Saint Catherines Sound, Md., improvement authorized	14
Royal C. Johnson Veterans Memorial Hospital, designation	263	Saint Clair River at Southeast Bend, Mich., channel improvement authorized	20
Rubber, Etc., produced outside United States, subsidy allocation for	261	Saint Croix, V. I., appropriation for municipal government	650
Rubber Development Corporation:		Saint Croix River, time extended for bridging, at Hudson, Wis	468
Appropriation for.....	418	Saint Croix River Basin, Minn. and Wis., examination and survey authorized ..	31
Nonapplication of certain general provisions to.....	418	St. Elizabeths Hospital, D. C.:	
Audit and annual budget program... 598, 599		Appropriation for..... 166, 285, 371, 421	421
Penalty mail costs, allocation of funds for.....	417	Student nurses, transfer of funds for items furnished under training program.....	370
Rubber Project, Emergency:		Saint Francisville, Ill., toll bridge authorized across Wabash River at	580
Aliens, employment of.....	165	Saint Helena Sound, S. C., channel, examination and survey authorized	28
Appropriation for.....	152	Saint Ignace, Mich., harbor, examination and survey authorized	32
Amendment.....	422	Saint James Harbor, N. Y., examination and survey authorized	26
Rubber Reserve Company:		Saint Johns River, Fla., examination, improvement, etc., authorized 16, 28, 29	
Appropriation for.....	200	Saint Joseph Harbor, Mich., improvement authorized	19
Audit and annual budget program... 598, 599		Saint Joseph Sound, Fla., channel, examination and survey authorized	29
Dissolution, transfer of functions, etc., to Reconstruction Finance Corporation.....	310	Saint Josephs Bay, Fla., examination, improvement, etc., authorized	17, 30
Guayule shrub, appropriation for harvesting and processing of.....	423	Saint Lawrence Bridge Commission, revival and reenactment of Act creating	544
Rural Delivery Service:		St. Louis, Mo., Jefferson National Expansion Memorial, restriction on use of certain funds for	353
Appropriation for.....	70	St. Louis Mission Boarding School, Okla., appropriation for education of Osage Indian children	332
Grades and salaries.....	455	Saint Louis River, bridge authorized across at Duluth, Minn	545
Rural Electrification Administration:		Saint Lucie Inlet, Fla., improvement authorized	16
Appropriation for..... 162, 422		Saint Marks, Fla., canal, examination and survey authorized	29
Engineer trainees, employment of citizens of other American republics..	165	Saint Marks River, Fla., improvement authorized	17
Rural Rehabilitation, appropriation for ... 160		Saint Marys River, Ga. and Fla., examination and survey authorized	28
Russell Creek, S. C., improvement authorized	16	Saint Marys River, Mich.:	
		Examination and survey authorized....	32
		Hydroelectric power plant, construction of; limitation; sale of power, etc.	20
S			
Sabine River, Tex., examination and survey authorized	31		
Sabine-Neches Waterway, Tex., examination, improvement, etc., authorized .. 18, 31			
Sackets Harbor, N. Y., examination, improvement, etc., authorized	20, 32		
Sacramento Indian Reservation, Calif., appropriation for irrigation system ..	331		
Sacramento River, Calif., appropriation for flood control	42		
Safety and Health Program, national-defense industries, appropriation for ..	362		

Saint Marys River, Mich.—Continued.	Page	San Luis Valley Project, Colo., appropriation for	Page
Improvement authorized	20	San Pablo Bay, Calif., improvement authorized	342, 647
Saint Marys River, Ohio and Ind., examination and survey authorized	32	San Xavier Irrigation Project, Ariz., appropriation for	21
Saint Patricks Creek, Md., examination and survey authorized	27	Sanders, D. X., appropriation for payment of judgment	328
Saint Petersburg Harbor, Fla., channel, examination and survey authorized	29	Sandhurst Royal Military College, United Kingdom, lectures by United States Army officers at	94
Salamanca, N. Y., appropriation for ground rent, Federal building	113	Sandusky Harbor, Ohio, improvement authorized	317
Salem Harbor, Mass., improvement authorized	12	Sandy Hook, N. J., improvement and protection of beaches, examination and survey authorized	20
Salem River, N. J., examination and survey authorized	26	Sandy Hook Bay, N. J., examination and survey for channel to, and navigation improvements at, Leonardo	26
Salina, Kans., clerk of United States District Court, restriction on use of funds for maintaining office of	198	Sanitarium Company, Portland, Oreg., payments authorized for Alaskan insane patients	357
Salmon Fisheries Commission, International Pacific, appropriation for	179	Sanitation Activities, appropriation for investigations	369
Salmon River, Alaska, appropriation for flood control	41	Sanitation Activities, Emergency, reduction in appropriation available in fiscal year 1945	408
Salmon River, Oreg., improvement authorized	21	Santa Barbara Harbor, Calif., improvement authorized	21
Salt River Irrigation Project, Ariz., appropriation for	328, 331	Sante Fe, N. Mex., appropriation for education of Indians	333
Salt Springs Land, Ala., disposition authorized, use of proceeds	264	Sante Fe River, Fla., examination and survey authorized	29
San Carlos Act, Amendment, construction charges on non-Indian lands, repayments	469	Santa Monica Harbor, Calif., examination and survey authorized	32
San Carlos Indians, Ariz.:		Santa Rosa Island, Fla., waterway, examination and survey authorized	30
Irrigation project—		Santee-Congaree Buckingham Landing Site, S. C., examination and survey authorized	28
Appropriation for	85, 328	Santee Indians, Nebr., acquisition of land, appropriation for	325
Power plant, modification of contract for purchase	487	Sarasota Bay, Fla., channel, examination and survey authorized	29
San Carlos Irrigation and Drainage District, settlement of certain water rights claims, contract requirement	330	Saturday Half-Holiday Law, repeal	303
San Carlos Irrigation Project, Ariz.:		Sault Sainte Marie, Mich.:	
Appropriation for	328	Hydroelectric power plant, disposition of	20
Construction charges on non-Indian lands, repayments	469	Saint Marys River, examination and survey authorized	32
San Diego, Calif., Naval Training Station, appropriation for	203	Savannah Harbor, Ga., improvement authorized	16, 556
San Diego County, Calif., lease of certain land by Navy Department to Southern California Telephone Company	8	Savings and Loan Insurance Corporation, Federal, audit and annual budget program	598, 599
San Diego Harbor, Calif., improvement authorized	21	Savings Bonds. See Liberty Bond Act, Second; Treasury Department.	
San Francisco, Calif., mint, appropriation for	65	Saw Mill River, N. Y., examination and survey authorized	26
San Francisco-Oakland Bay Bridge, Calif., payment for damages	550		
San Jacinto Military Reservation, right-of-way for public road or highway and tunnel	52		
San Juan Harbor, P. R., maintenance of existing channel and turning basin authorized	23		

	Page		Page
Scarboro River, Maine, examination and survey authorized	25	Securities Act of 1933, Amendment, exempted securities, limitation increased	167
Schaffer, Alfred Oscar, appropriation for payment of judgment	656	Securities and Exchange Commission:	
School Lunch Program, funds available for	157, 645	Appropriation for.....	125, 641
Schools and Colleges. See Colleges and Schools.		Penalty mail costs, appropriation for...	125
Schuylkill River, Pa., examination and survey authorized	26	Printing and binding, appropriation for..	125
Sciences, National Academy of, reimbursement for research projects	476	Reorganization plans affecting, restriction.....	615
Scientific Research and Development, Office of:		Seed Act, Federal, appropriation to effect provisions of	159
Appropriation for.....	475	Seed Testing Congress, International, appropriation for share of expenses ...	159
Reduction in appropriation available in fiscal year 1945.....	408	Seldovia Harbor, Alaska, improvement authorized	23
Contractors, indemnification of.....	476	Selective Service System. See also Selective Training and Service Act of 1940.	
National Academy of Sciences, payment to.....	476	Appropriation for.....	484
Personalty, disposition of.....	476	Conscientious objectors, work program for.....	485
Research, etc., for other agencies, transfer of funds.....	476	Damage claims, appropriation for..	93, 431, 655
Scientific Unions, International Council of, appropriation for contribution	175	Personnel, uncompensated, award of merit authorized.....	312
Scioto River, Portsmouth, Ohio, improvement authorized	19	Appropriations available.....	312
Scrugham, James G., payment to widow of, appropriation for	412	Appropriation for.....	484
Seacoast Defenses, appropriation for	398	Travel by personnel; payment of expenses.....	485
Seamen. See also Merchant Marine; Vessels.		Selective Training and Service Act of 1940:	
Relief, protection, etc., abroad, appropriation for.....	174	Amendments—	
Seattle, Wash., Assay Office, appropriation for	65	Expiration date, extension.....	166
Sebastian Martin Grant Lands, N. Mex., adjustment of claims authorized	532	Training period, inductees under 19 years of age.....	166
Second Deficiency Appropriation Act, 1944, Amendments:		Conscientious objectors, limitation on use of War Department funds for..	386
Public Works Administration, liquidation, time extension; limitation on use of funds.....	80	Seminole Indians, Okla., appropriation for tuition of pupils	333
Increase in limitation.....	638	Senate. See also Congress; Legislative Branch of the Government.	
Second Deficiency Appropriation Act, 1945. See Deficiency Appropriation Act, 1945, Second.		Appointments with consent of—	
Second Liberty Bond Act. See Liberty Bond Act, Second.		Admiral in Coast Guard.....	37
Second War Powers Act, Amendments. See War Powers Act, 1942, Second, Amendments.		Export-Import Bank of Washington, members of Board of Directors..	527
Secret Service Division. See under Treasury Department.		General in Marine Corps.....	36
Securities:		International Bank for Reconstruction and Development, governor, executive directors, and alternates.....	512
Government obligations, purchase by Federal Reserve banks, extension of temporary provisions.....	658	International Monetary Fund, governor, executive directors, and alternates.....	512
Liberty Bond Act, Second. <i>See separate title.</i>		Judges. <i>See under U. S. Courts.</i>	
		Justice, Department of—	
		Antitrust Division, personnel at salaries of \$7,500 or more....	182
		Special attorneys, etc., at salaries of \$7,500 or more.....	183
		Regular Army, additional officers....	664

Senate—Continued.	Page
Appointments with consent of—Con. Smaller War Plants Corporation, board of five directors.....	96
Surplus Property Administrator.....	533
United Nations, U. S. representatives in organs and agencies of.....	619, 620
Appropriations, Committee on— Employment of assistants for obtain- ing factual data.....	243
Status of employees drawn from executive departments and agen- cies.....	243
Chaplain, appropriation for.....	238
Clarke, William H. Crichton, payment to estate of.....	77
Clerical assistance— Appropriation for.....	241
Pay in case of death of Senator.....	241
Committee employees— Appropriation for.....	239
Salary schedules, rearrangement of; limitations.....	241
Contingent expenses, appropriation for.....	77, 242, 605, 633
Document Room, appropriation for.....	239
Folding room, appropriation for.....	242
Inquiries and investigations, appropria- tion for.....	243, 412, 605
Johnson, Minnie McN., payment to, appropriation for.....	632
Majority, secretary for, salary.....	632
Maloney, Francis T., payment to widow of, appropriation for.....	77
Mileage, reappropriation for.....	632
Moses, John, payment to widow of, appropriation for.....	77
Nomination, disapproval of, restriction on payment to person after.....	133, 382
Pages, appropriation for.....	242, 412
Peavey, Mary T., payment to, appro- priation for.....	632
Post Office, appropriation for.....	242
Postage stamps, air-mail and special- delivery, appropriation for.....	243
Postmaster, appropriation for salary for. Amendment.....	242, 412
President pro tempore, appointment of Senators to committee on certain improvements to Senate wing of Capitol.....	472
Reorganization Act of 1945, Congres- sional procedure under.....	617
Reporting proceedings, appropriation for.....	242
Restaurants, appropriation for.....	243, 412
Salaries, payment when usual pay day falls on Saturday.....	633
Salaries and mileage, appropriation for.....	238

Senate—Continued.	Page
Scrugham, James G., payment to widow of, appropriation for.....	412
Secretary, Office of— Additional expenditure authorized..	632
Appropriation for.....	238
Clerical assistance, additional amount, appropriation for.....	77
Disbursing office, readjustment of salaries.....	77
Sergeant at Arms and Doorkeeper, Office of, appropriation for.....	242, 632
Telephone calls, long-distance, appro- priation for.....	244
Telephone wiring plans, special, installa- tion authorized.....	632
Treaty of Greene Ville Celebration Commission, appointment of Senate members of.....	501
Vice President, Office of— Appropriation for.....	238
Clerical assistance, allowance in- creased.....	77
Senate Office Buildings: Maintenance, etc., appropriation for... ..	252
Police details for duty on Capitol grounds.....	259
Subway transportation, appropriation for.....	252
Seneca Indians, N. Y.: Treaties with, appropriation for ful- filling.....	338
Tribal affairs, appropriation for admin- istration.....	335
Sequoia National Park, Calif., appropria- tion for Generals Highway, etc.....	352
Sequoyah Vocational School, Tahlequah, Okla., appropriation for education of Indians.....	333
Servicemen, Housing for Distressed Fam- ilies of. See War housing under Housing.	
Servicemen's Dependents Allowance Act of 1942, Amendments, family allow- ance, and allowance in lieu of quarters for dependents.....	541
Servicemen's Readjustment Act of 1944: Farm Tenant Act, loans under, appro- priation for.....	161
Loans under, by Land Bank Commis- sioner, interest.....	269
Servicemen's Readjustment Act of 1944, Amendments: Adjusted compensation, deductions of benefits, etc., repeal of provision respecting.....	631
Allied governments, extension of bene- fits to designated persons serving in armed forces of.....	631

	Page		Page
Servicemen's Readjustment Act of 1944, Amendments—Continued.		Shelldrake Harbor, Mich., examination and survey authorized	32
Benefits, certain, designated enlistments regarded as war-service for purpose of securing.....	542	Sherman Act, applicability to regulation of insurance	34
Cooperative associations, loans for stock in.....	270	Sherman Institute, Riverside, Calif., appropriation for education of Indians ..	332
Educational benefits.....	624	Shinnecock Inlet, Long Island, N. Y., examination and survey authorized ..	25
Farm Tenant Act, eligibility for benefits	629	Ship Construction, reduction of contract authorization	226
Hospitalized veterans, extension of benefits to.....	632	Ship Repair Facilities. <i>See</i> Naval Vessels.	
Loans	626	Shipping. <i>See</i> Merchant Marine; Vessels; War Shipping Administration.	
Administrative regulations, authority of Veterans' Administrator to promulgate.....	629	Ships. <i>See</i> Naval Vessels; Vessels.	
Business property, purchase.....	628	Ships, Bureau of. <i>See under</i> Navy Department.	
Default, procedure on.....	630	Shipyard River, S. C., improvement authorized	16
Delinquent indebtedness, loans on.....	630	Shore-Line Investigations at Federal Expense, authorization, report, etc. ..	508
Effective date of amendments.....	631	Shoshone Indians, Wyo., appropriation for	336, 337
Farms, etc., purchase.....	628	Shoshone Project, Wyo.:	
Homes, purchase or construction.....	628	Construction, appropriation for.....	341, 647
Insurance of.....	630	Operation and maintenance, appropriation for.....	340
Powers of Veterans' Administrator..	631	Power system, increase in limitation on expenditures for.....	424
Secondary loans.....	629	Signal Corps. <i>See under</i> War Department.	
Prosthetic appliance, care of person entitled to; travel expenses.....	623	Signal Safety Systems, appropriation for investigations, etc.	119
Procurement of services, etc.....	623	Silver, recoinage, appropriation for	59
Retirement, boards of review.....	623	Silver Purchase Act of 1934, appropriation for carrying out provisions of	65
Terminal leave, benefits while on.....	632	Silver Springs Run, Fla., examination and survey authorized	28
Veterans' Administration—		Sinepuxent Bay, Md., examination and survey authorized	26
Buildings and space, authority of Administrator to acquire, removal of time limitation.....	623	Sioux Falls, S. Dak., Royal C. Johnson Veterans Memorial Hospital, designation	263
Priorities for.....	463	Sioux Indians:	
Veterans' organizations, facilities for representatives of, authority of Administrator to furnish.....	623	Appropriations for.....	338, 424
Vocational rehabilitation—		Claims for personal property losses—	
Subsistence.....	626	Appropriation for.....	647
Training period.....	626	Appropriations authorized.....	265
Settlement of Mexican Claims Act Amendments of 1945	49	Attorneys' services, payment for, authority of Secretary.....	265
American Mexican Claims Commission, appropriation for.....	428	Time limitation.....	265
Appraisals, notice of, awards, etc.....	49	Sitka Harbor, Alaska, examination, improvement, etc., authorized	23, 33
Awards, certification of; payments.....	49, 50	Six Nations, N. Y., appropriation for fulfilling treaties with	338
Data, transmittal to Secretary of State and Secretary of Treasury.....	49	Skagway Harbor, Alaska, examination, improvement, etc., authorized	23, 33
Review, petition for.....	50	Slater Branch Bridge and Road Club, Inc., authorization for construction of bridge across Tug Fork of Big Sandy River at or near Williamson, W. Va. ..	223
Termination of authority of Commission	50		
Seventy-ninth Congress, Second Session, date of beginning	668		
Shark River, N. J., improvement authorized	13		
Shearer, David McD., appropriation for payment of judgment	94		
Shelby, N. C., clerk of United States District Court, restriction on use of funds for maintaining office of	198		

Slaughterers , extra compensation payments to, relief from repayment in certain cases.....	261	Social Security Board—Continued.	
Small-Game Guns , transfer tax on; manufacturers' and dealers' tax.....	531	Grants to States, appropriation for—	
Smaller War Plants Corporation:		Continued.	
Audit and annual budget program....	598, 599	Dependent children, aid to.....	80
Continuance.....	95	Old-age assistance.....	80
Directors, board of, appointment.....	96	Unemployment compensation administration.....	80
Continuance in office of present members.....	96	Kentucky unemployment compensation law, amount to be withheld.....	550
Funds available for administrative expenses.....	479	Miscellaneous expenses, appropriation for.....	373, 637
Smith-Lever Act, Agricultural Extension Work:		Old-Age and Survivors' Insurance, Bureau of, appropriation for.....	80, 373, 637
Appropriations authorized.....	232	Reduction.....	638
Appropriations for.....	141, 422	Overthrow of United States Government, restriction on employment of persons advocating.....	382
Smithsonian Institution:		Public Assistance, Bureau of, appropriation for.....	373
National Gallery of Art, salaries and expenses, appropriation for.....	125	Salaries, appropriation for.....	373, 637
Salaries and expenses, appropriation for.....	125, 641	Senate disapproval of nomination, restriction on payment to person after.....	382
Smithtown, Long Island, N. Y. , examination and survey authorized.....	25	Transfer of funds authorized.....	373
Snake River, Oreg., Wash., Idaho , improvement authorized.....	21	War Manpower Commission, transfer of funds from.....	381
Social Security Act. See also Social Security Board.		Withholding of moneys from State agencies, restriction.....	374
Amendments—		Social Security Taxes , nonapplication of automatic increase in 1946 rate.....	576
Bonneville Power Administrator, application of old-age and survivors' insurance benefits to certain employees of.....	548	Soil and Moisture Conservation Operations , appropriation for.....	319
International organizations, exemption.....	671	Soil Conservation and Domestic Allotment Act:	
Refunds of taxes collected on services rendered before Jan. 1, 1946.....	671	Acreage allotment status, producers of cotton, wheat, and peanuts, protection of.....	9
Census information, appropriation for supplying of.....	188	Appropriation to effect provisions of..	154
Grants to States, appropriation for—		Soil Conservation Service. See under Agriculture, Department of.	
Blind, aid to.....	236, 372	Soils , appropriation for investigations of management methods, etc.....	145
Child-welfare services.....	364	Soldier Ledge Channel in Hussey Sound, Casco Bay, Maine , maintenance authorized.....	12
Crippled children, services for.....	364	Soldiers' and Sailors' Civil Relief , appropriation for payment of claims.....	129
Dependent children, aid to.....	236, 372	Soldiers' Home, United States:	
Maternal and child health services..	364	Appropriation for.....	42
Maternal and child welfare.....	363	Surplus property, transfer to, authorization.....	641
Maternity and infant care, emergency	236	Solicitor General. See under Justice, Department of.	
Old-age assistance.....	236, 372	Solid Fuels Administration for War:	
Unemployment compensation administration.....	373, 637	Appropriation for.....	321
Old-age assistance, effect on, of wartime service as a nurse, etc.....	80	Reduction in appropriation available in fiscal year 1945.....	408
Social Security Board. See also Social Security Act.		South America. See American Republics.	
Employment Security, Bureau of, appropriation for.....	373	South Basin, San Francisco, Calif. , examination and survey authorized.....	32
Grants to States, appropriation for....	236, 372, 373		
Blind, aid to.....	80		

South Carolina:	Page	Standard Container Act, appropriation to effect provisions of -----	Page
Camp Croft, easement over, etc., granted to Duke Power Company	36	Standards, National Bureau of. <i>See under</i> Commerce, Department of.	159
Navigation and flood-control projects authorized	16	Standing Rock Indians, N. Dak. and S. Dak., appropriation for acquisition of land	325
Preliminary examinations and surveys of rivers, etc., authorized	28	Stanislaus National Forest, appropriation for road maintenance	352
South Dakota:		Star-Route Service, appropriation for	70
Indians—		State, Department of:	
Standing Rock, acquisition of land, appropriation for	325	Ambassadors and ministers. <i>See under</i> Foreign Service, <i>this title.</i>	
Support, etc., appropriation for	325, 333	American Mexican Claims Commission, appropriation for	428
Preliminary examinations and surveys of rivers, etc., authorized	31	American Republics—	
South Holston Dam, appropriation for construction	126	Cooperation with, appropriation for	180
South River, Md., examination and survey authorized	27	Nonprofit institutions, availability of appropriation for contracts, etc., with	428
Southern Branch of Elizabeth River, Va., examination and survey authorized	28	Travel in Western Hemisphere by citizens of	180
Southern California Telephone Company, lease of certain land in San Diego County, Calif., by Navy Department authorized	8	Appropriation Act, 1946	169
Southern Ute Indians, Colo.:		Conference of Allied Ministers of Education in London	179
Irrigation project, appropriation for	328	Contingent expenses, appropriation for	88, 169
Land, acquisition of, appropriation for	325	Contributions, quotas, etc., appropriation for	175, 427, 428, 653
Southwestern Power Administration, appropriation for	321	Cultural relations with China and neighboring countries, Near East, and Africa	179
Spanish-American War:		Transfer of funds authorized	179
Payment to certain soldiers of; appropriation authorized; limitation on fees	596	Export-Import Bank of Washington, membership of Secretary of State on Advisory Board and Board of Directors	527, 528
Volunteers, appropriation for payment of claims of certain	95, 657	Designation of agent by Secretary of State	527
Speaker of the House of Representatives:		Foreign Economic Administration, transportation of dependents and effects from foreign countries, appropriation for	416
Appointments by—		Foreign Service—	
Capitol building, committee on certain improvements to House wing	472	Administrative, etc., personnel; classification; salaries	102
Treaty of Greene Ville Celebration Commission, House members of	501	Ambassadors and ministers—	
Appropriation for Office of	244	Classification and salaries	103
Springfield Township, Montgomery County, Pa., conveyance for highway and park purposes	508	Double-salary restriction	171
Spruce Production Corporation, U. S., audit and annual budget program	598, 599	Emergency assignments	171
Stabilization, Office of Economic, appropriation for	475	Liberated areas, assignments in	171
Stabilization Act of 1942, Amendments:		Salaries, appropriation for	170
Maximum prices on certain meats, etc., restriction	309	Vehicles, official, exemption from certain limitations on use	132
Slaughtering quotas, restriction on imposition of	309	Assignment for duty in Government agencies	104
Certification of slaughtering plant	309	Auxiliary (emergency), appropriation for	173, 652
Termination date	306	Board of Foreign Service Personnel, composition, duties, etc.	105
Stabilization Loans, International Bank for Reconstruction and Development, authority to make or guarantee	516	Bonds and sureties	103

State, Department of—Continued.

	Page
Foreign Service—Continued.	
Buildings and grounds in foreign countries, sale of, use of proceeds; report to Congress.....	53
Buildings fund, appropriation for....	174
Business transactions by officers and employees of Foreign Service, restriction, exception.....	105
Citizenship requirements.....	173
Commissary service, reimbursements; report to Congress.....	174
Consular agents, exemption from restriction on transactions of business by Foreign Service officers and employees.....	105
Contingent expenses, appropriation for.....	89, 173, 652
Contracts exempt from prohibition on interest of Members of Congress..	175
Cost of living allowances, appropriation for.....	172
Department personnel, assignment for special duty.....	103
Emergencies in Diplomatic and Consular Service, appropriation for..	89, 174
Refunds, etc., crediting of.....	174
Emergency assignments.....	175
Foreign Service Personnel, Division of, assignment of Foreign Service officer as chief, restrictions.....	105
Government personnel, assignment for special duty.....	103
Living quarters, etc., allowances—	
Clerks.....	102
Officers.....	104
Office of the Foreign Service, Director of, assignment of Foreign Service officer, restrictions.....	105
Officers; classification, salaries.....	103
Post allowances—	
Clerks.....	102
Officers.....	104
Reports to Congress.....	102, 104
Promotions and appointments, reports and recommendations for..	103
Quarters—	
Allowances, limitations.....	172
Losses due to foreign currency appreciation, exclusion.....	652
Appropriation for.....	172
Representation allowances, appropriation for.....	172, 652
Retirement and disability fund, appropriation for.....	172
Salaries, appropriation for—	
Ambassadors and ministers.....	170
Clerks.....	172, 652
Foreign Service officers.....	171

	Page
State, Department of—Continued.	
Foreign Service—Continued.	
Salaries, appropriation for—Contd.	
Miscellaneous salaries and allowances.....	172, 652
Subsistence expenses on temporary detail under commission.....	172
Transportation, appropriation for..	171, 652
Vehicles, official, exemption from certain limitations on use.....	132
Inspectors of buildings abroad, assignment of certain Government personnel as.....	181
Inter-American Cultural Relations, Convention for Promotion of, appropriation for expenses under....	180
International Boundary Commission, United States and Canada and Alaska and Canada, appropriation for.....	178
International Boundary Commission, United States and Mexico, appropriation for.....	176, 177, 653
International conferences (emergency), appropriation for participation in.....	176, 652
International Fisheries Commission, appropriation for.....	178
International Joint Commission, United States and Great Britain, appropriation for.....	178
International obligations, appropriation for.....	89, 175, 427, 428, 652
International Organizations Immunities Act. <i>See separate title.</i>	
International Pacific Salmon Fisheries Commission, appropriation for....	179
Judgments, appropriation for.....	656
Justice, Department of, matters under joint control, investigations.....	184
Lower Rio Grande flood-control project, appropriation for.....	177
Marine Corps, enlisted men as custodians of buildings abroad.....	173
Mexican claims. <i>See Settlement of Mexican Claims Act Amendments of 1945.</i>	
National Advisory Council on International Monetary and Financial Problems, membership of Secretary.....	512
Navy, enlisted men as custodians of buildings abroad.....	173
Navy Department, reimbursement for materials, services.....	174
Overthrow of United States Government, restriction on employment of persons advocating.....	201
Passport agencies, appropriation for... 88, 170	
Penalty mail costs, appropriation for... 170	

State, Department of—Continued.	Page	Stillaguamish River, Wash., improvement authorized.....	Page
President's War Relief Control Board, appropriation for.....	170	Stony Creek, Md., examination and survey of tributary authorized.....	27
Printing and binding, appropriation for.....	88, 170	Strategic and Critical Materials. <i>See also</i>	
Rio Grande bank protection project, appropriation for.....	89	Mines, Bureau of, <i>under</i> Interior, Department of the.....	
Salaries, appropriation for.....	169, 652	Alumina, appropriation for production of Reduction in appropriation available in fiscal year 1945.....	349 408
Secretary, Office of, appropriation for.....	88, 169, 652	Bauxite, purchase by Metals Reserve Company.....	261
Territorial papers, collecting and editing—		Bauxite and alunite ores and aluminum clay deposits, appropriations for investigations of.....	349
Appropriation authorized.....	510	Reduction in appropriation available in fiscal year 1945.....	408, 409
Appropriation for.....	170	Helium—	
Printing, restriction on.....	511	Plants, appropriation for construction and equipment.....	348
Trade agreements, funds for effecting provisions of law relating to.....	170	Reduction in appropriation available in fiscal year 1945.....	408
United Nations—		Production and investigations, transfer of funds.....	350
Expenses, U. S. share, appropriation authorized.....	621	Transportation of workers and school children.....	351
Representation of U. S. by Secretary of State.....	620	Utilization and research, appropriation for.....	350
Visa Board of Appeals, appropriation for salaries.....	169	Magnesium pilot plants and research, appropriation for.....	350
War Crimes, United Nations Commission for Investigation of, appropriation for.....	89, 180	Reduction in appropriation available in fiscal year 1945.....	409
State, Secretary of. <i>See</i> State, Department of.		Manganese beneficiation pilot plants and research, appropriation for.....	349
State Legislation, appropriation for preparation of index to.....	254	Reduction in appropriation available in fiscal year 1945.....	408
State Marine Schools, appropriation for maintenance.....	481	Mineral resources and facilities, protection, reduction in appropriation available in fiscal year 1945.....	408
State Unemployment Compensation:		Minerals—	
Bonneville Power Administrator and employees, contribution requirement authorized.....	549	Critical and essential, appropriation for investigation of deposits of.....	350
"Employment" and "wages" defined.....	549	Scientific and economic investigations, appropriation for.....	344
Statistical Institute, Inter-American:		Steel production, investigation of raw-material resources.....	348
Appropriation for contribution.....	176, 653	Subsidy allocations—	
Membership dues, U. S., conditional payment of.....	311	Commodities produced outside United States.....	261
Statue of Liberty National Monument, appropriation for water-supply easements.....	352	Copper, lead, zinc, premium payments.....	261
Statutes at Large, reorganization plans taking effect to be printed in.....	617	Petroleum and petroleum products.....	261
Statutes of Limitations:		Rubber, etc., produced outside United States.....	261
Antitrust laws, violations, continuance of suspension.....	306	Synthetic liquid fuel demonstration plants, appropriation for construction and operation.....	346
Extension of, in connection with Pearl Harbor catastrophe of Dec. 7, 1941.....	233	Contracts for additional work authorized.....	347
Steel Production, appropriation for investigation of raw-material resources.....	348	Transportation of workers and school children.....	347
Steinway Creek, Astoria, N. Y., examination and survey authorized.....	26		
Sterling, Colo., clerk of United States District Court, restriction on use of funds for maintaining office of.....	198		

Strategic and Critical Materials—Con.	Page	Supreme Court, United States. See under	Page
Zinc concentrates, reduction of, with		United States Courts.	
methane gas, reduction in appro-		Surgeon General. See Public Health Serv-	
priation available in fiscal year 1945.	409	ice; Medical Department under War	
Strategic Highway Network, appropriation		Department.	
for.....	81, 117	Surplus Property Act of 1944:	
Strategic Services, Office of:		Aircraft, availability of appropriations	
Appropriation for.....	483	for disposal of.....	484
Reduction in appropriation available		Amendment, disposal of aluminum	
in fiscal year 1945.....	408	plants and facilities, extension of	
Damage claims, appropriation for.....	655	period of prohibition.....	546
Interdepartmental procurement, exemp-		Commodities disposed of for export,	
tion from general provision.....	487	parity price restrictions inappli-	
Streams, Gaging of, appropriation for...	344, 648	cable to.....	154
Stump Point, Md., channel, examination		Disposal agencies, appropriation for.	484, 641
and survey authorized.....	26	Special fund account, establishment;	
Sturgeon Bay, Wis., improvement author-		availability.....	641
ized.....	19	Surplus Property Board, appropriation	
Submarginal Land, appropriation for re-		for.....	484
tirement of.....	157	Treasury Department, Procurement	
Subsidies:		Division—	
Commodity Credit Corporation, pay-		Appropriation for expenses incident	
ments by—		to property disposal.....	67
Limitations.....	51	Transfer of funds from.....	484
Increase.....	506	Repeal of limitations.....	641
Reduction in amounts available to		Surplus Property Administration:	
RFC.....	506	Establishment, duties, etc.....	533
Continuance for fiscal year 1946 of cer-		Surplus Property Board—	
tain payments; allocations; limita-		Abolishment, transfer of functions,	
tions.....	260	funds, etc.....	533
Payment of, restriction on use of funds		Appropriation for.....	484
for.....	415, 430	Susquehanna River, Md., improvement	
War Department funds, restriction on		authorized.....	14
use.....	390	Suwannee River, Ga. and Fla., examina-	
Sugar Act of 1937:		tion and survey authorized.....	29
Appropriation to effect provisions of...	158	Swan Quarter Bay—Deep Bay, N. C.,	
Taxes under, proceeds of certain, cover-		waterway, improvement authorized..	15
ing into general funds of Treasury		Sweetpotato Weevil Control, appropri-	
of Philippines.....	577	tion for.....	147
Sugar Council, International, appropri-		Synthetic Liquid Fuel Demonstration	
ation for share of expenses.....	141	Plants:	
Sugars and Sirups, emergency production		Construction and operation—	
in industrial alcohol plants.....	555	Appropriation for.....	346
Sun River Project, Mont., appropriation		Contracts for additional work au-	
for.....	341	thorized.....	347
Superintendent of Documents, appropri-		Transportation of workers and school	
ation for Office of.....	258	children.....	347
Supplemental Appropriations. See also			
Deficiency Appropriation Acts.			
Supplemental Appropriations, 1945.....	46, 166		
Agricultural Research Administration,			
appropriation for.....	46	Tacoma Harbor, Wash., improvement	
House of Representatives, appropriation		authorized.....	23
for.....	46	Tallahassee, Fla., canal, examination and	
Legislative Branch of the Government,		survey authorized.....	29
appropriation for.....	46	Tampa Bay Channel, Fla., examination and	
Post Office Department, appropriation		survey authorized.....	29
for.....	46	Tampa Harbor, Fla., improvement author-	
Veterans' Administration, appropriation		ized.....	17
for.....	46	Tangier Channel, Va., improvement au-	
		thorized.....	14

T

	Page	Page
Tangipahoa River, La., examination and survey authorized	30	Taxes—Continued.
Tanners Creek, Md., examination and survey authorized	27	Employment taxes—Continued.
Tar Bay, Md., examination and survey authorized	26	Withholding at source on wages, reduction in.....
Tariff Act of 1930:		Percentage withholding.....
Amendments—		Wage bracket withholding.....
Freight forwarders, designation as carriers of bonded merchandise, authorized.....	667	Biweekly payroll period.....
Trade agreements—		Daily or miscellaneous payroll period.....
Authority of President to enter into, time extension.....	410	Monthly payroll period.....
Duties, modifications in rates; basis of computation, etc.....	410	Semimonthly payroll period.....
Proclamations respecting, restriction on issuance of certain ...	411	Weekly payroll period.....
Trade agreements—		Excess profits tax—
Funds for effecting provisions of law relating to.....	170	Carry-backs—
Information and advice to President by—		Claims for refund based on, period of limitation.....
Navy Department.....	411	Consolidated returns, time extension and tentative adjustment in the case of.....
War Department.....	411	Deficiencies attributable to.....
Tariff Commission:		Interest in connection with.....
Appropriation for.....	126	Period of limitation.....
Commissioners—		Refunds or credits of tax decrease.....
Participation in certain proceedings, restriction on payment.....	126	Tentative adjustments.....
Salary rates.....	130	Reports of refunds and credits to Joint Committee on Internal Revenue Taxation..
Penalty mail costs, appropriation for..	126	Time extensions for payment of taxes by corporations expecting.....
Printing and binding, appropriation for..	126	Credit of ten per centum against.....
Reorganization, restriction on type of plan.....	616	Declared value, repeal.....
Taskmers Creek, Va., examination and survey authorized	27	Alternative tax where war loss recoveries included in net income.....
Tax Adjustment Act of 1945	517	Exemption, specific, increase in.....
Tax Court of the United States:		Repeal of provision relating to....
Appropriation for.....	127	Fiscal year taxpayers
Petitions, time for filing.....	673	Postwar credit bonds, lost, inclusion under Government Losses in Shipment Act.....
Printing and binding, appropriation for..	127	Postwar refund, changes in provisions relating to.....
Tax Research, Division of, appropriation for	56	Relief provisions, review of certain determinations and redeterminations by special division of Board of Tax Appeals.....
Taxes:		Repeal in 1946.....
Amortization adjustments in the case of consolidated returns.....	523	Unused excess profits credit, restriction.....
Amortization deductions, tentative adjustments with respect to.....	525	Excise taxes—
Refunds or credits of tax decrease....	526	Boats, repeal of use tax.....
Capital stock tax, repeal.....	574	Cordials, floor stocks refunds on.....
Employment taxes—		Distilled spirits, floor stocks refunds on.....
Bonneville Power Administrator, application to certain employees of..	548	Electric light bulbs, floor stocks refunds on.....
International organizations, exemptions and refunds.....	670, 671	Limitations on eligibility for.....
Social Security, nonapplication of automatic increase in 1946 rate..	576	Fermented malt liquors, floor stocks refunds on.....

Taxes—Continued.	Page	Taxes—Continued.	Page
Excise taxes—Continued.		Income taxes—Continued.	
Floor stocks refunds on designated articles.....	575	Surtax—	
Government exemptions, certain, continuation of power of Secretary of Treasury to authorize.....	576	Corporations, decrease.....	568
Jewelry, exemption of certain mechanical pencils.....	532	Individuals.....	557
Motor vehicles, repeal of use tax.....	575	Limitation.....	558
Telegraph, telephone, radio and cable facilities—		Tax table, individuals with adjusted gross incomes of less than \$5,000..	560
Applicability of tax rates.....	576	War losses, extension of time for claiming credit or refund with respect to.....	673
International organizations, exemption.....	671	Withholding. <i>See under</i> Employment taxes, <i>this title</i> .	
Transportation of persons and things, international organizations, exemption.....	671	“International organization”, definition of, for Internal Revenue Code.....	671
War taxes, “rate reduction date”, definition.....	576	International organizations, immunities.....	669
Wines, floor stocks refunds on.....	575	Philippine Islands, covering of proceeds of certain taxes into general funds of Philippine Treasury.....	577
Foreign insurance companies, credits against net income.....	570	Powers of appointment, time extension in connection with release of.....	264
Gift tax, certain discretionary trusts, years to which applicable.....	264	Processing and related taxes, appropriation for refund of.....	62
Guns, small-game, transfer tax on; manufacturers' and dealers' tax....	531	Property taxes, international organizations, exemption.....	671
Income taxes—		Railroad, etc., companies operated in D. C., taxation of rolling stock....	610
Aliens, nonresident, credits against net income.....	559	Revenue Act of 1945.....	556
Corporations, decrease in surtax.....	568	Social Security, nonapplication of automatic increase in 1946 rate.....	576
Employees' trusts, taxable years for which deductions allowable..	673	Tax Adjustment Act of 1945.....	517
Fiscal year taxpayers.....	570	Tax Court of the United States, time for filing petitions.....	673
Indebtedness, extension of treatment of income resulting from discharge of.....	574	Withholding. <i>See under</i> Employment taxes, <i>this title</i> .	
International organizations and employees, exemptions.....	670	Taylor Creek, Fla., improvements to Lighthouse Service depot, examination and survey authorized.....	28
Military personnel, additional allowance for.....	571	Taylor's Landing, Md., examination and survey authorized.....	26
Credits or refunds for 1941 and 1942.....	572	Tea Importation Act, appropriation for enforcement.....	366
Years to which applicable.....	572	Teachers' Salary Act of 1945, D. C.....	488
Naval personnel, additional allowance for.....	571	Amendments.....	502
Credits or refunds for 1941 and 1942.....	572	Telecommunication Union, Bureau of International, Radio Section, appropriation for contribution.....	175
Taxable years to which applicable..	572	Telegraph, Telephone, Etc., Facilities:	
Normal tax—		International organizations, exemption from tax on.....	671
“Exemption,” definition of.....	559	Tax rates, applicability.....	576
Exemptions, allowance of.....	558	Tennessee:	
Credits against net income.....	559	Montgomery Bell Park, conveyance of railroad right-of-way, authorized..	622
Individuals.....	557	Nashville, Federal office building, appropriation for acquisition.....	638
Philippines, Commonwealth of the, employees, exemptions.....	670	Preliminary examinations and surveys of rivers, etc., authorized.....	31
Pre-service earned income, deferment of tax attributable to.....	572		
Service pay for commissioned service, deferment of tax attributable to..	572		

Tennessee River, examination and survey authorized	Page 30	Tide Creek, Fla., waterway, examination and survey authorized	Page 29
Tennessee Valley Associated Cooperatives, Inc., audit and annual budget program	598, 599	Tillamook, Ore., property protection, appropriation authorized	21
Tennessee Valley Authority:		Tillamook Bay and Bar, Ore., examination and survey authorized	33
Appropriation for.....	126	Timber:	
Audit and annual budget program... 598, 599		Indian lands, appropriation for preservation, etc.....	325
Penalty mail costs, appropriation for... 126		Investigation and testing, appropriation for.....	149
Transfer of funds to certain Treasury Department appropriations.....	60	Time, Daylight Saving, termination of	537
Terminal Inspection Act, appropriation for operations under	147	Titusville, Fla., waterway improvements, examination and survey authorized ...	28
Territorial Courts, appropriation for	197	Tlingit and Haida Indians, Alaska, extension of time for filing suit	231
Territorial Papers:		Tobacco:	
Collecting and editing—		Acreage allotments.....	506
Appropriation authorized.....	510	Fire-cured and dark air-cured, marketing quotas.....	506
Appropriation for.....	170	Loans on crops.....	506
Printing, restriction on.....	511	Tobacco Act, appropriation for refund of taxes collected under	62
Territories:		Tobacco Inspection and Tobacco Stocks and Standards Acts, appropriation to effect provisions of	158
Emergency fund, reduction in appropriation available in fiscal year 1945.....	409	Tobacco Seeds and Plants, appropriation to effect provisions of Act relating to exportation of	159
Government in, appropriation for... 86, 357, 650		Tofte Harbor, Minn., examination and survey authorized	31
Territories and Island Possessions, Division of. See under Interior, Department of the.		Toledo, Ohio, waterway, examination and survey authorized	32
Texas:		Tombigbee River, examination, improvement, etc., authorized	17, 30
Colorado River project, appropriation for construction.....	86	Toms River, N. J., improvement authorized	14
Dallas, easement in certain Veterans' Administration lands for highway purposes.....	54	Tonawanda Harbor, N. Y., improvement authorized	20
Lake Texoma Recreational Area, appropriation for.....	353	Tongass National Forest, Alaska, conveyance of certain lands to Catholic bishop of Alaska	535
Limestone County, conveyance of certain land and personal property to State.....	667	Tongue River Irrigation Project, Mont., appropriation for	328
Navigation and flood-control projects authorized.....	18	Tongue River Water Users' Association, appropriation for payment to	329
Preliminary examinations and surveys of rivers, etc., authorized.....	31	Topographic Surveys, appropriation for ...	344, 648
Rio Grande project, appropriation for... 340, 424, 647		Totuskey Creek, Va., improvement authorized	15
San Jacinto Military Reservation, right-of-way for public road or highway and tunnel granted to Galveston County.....	52	Town Creek, Md., improvement authorized	14
Thames River, Conn., improvement authorized	13	Trade Agreements:	
The Hague (Smith Creek), Va., examination and survey authorized	28	Authority of President to enter into, time extension.....	410
Thoroughfare-Albemarle Sound, N. C., channel, examination and survey authorized	28	Duties, modifications of rates; basis of computation, etc.....	410
Thoroughfare Bay—Cedar Bay, N. C., channel improvement authorized	15	Funds for effecting provisions of law relating to.....	170
Thurberia Weevil Control, appropriation for	147		

Trade Agreements—Continued.		Treasury Department—Continued.	
Information and advice to President by—		Disbursement, Division of—Continued.	
Navy Department.....	411	Transfer of funds from designated agencies.....	58
War Department.....	411	District of Columbia—	
Proclamations respecting, restriction on issuance of certain.....	411	Black-out expenses, loan for, reduction in appropriation available in fiscal year 1945.....	409
Trade Commission, Federal. <i>See</i> Federal Trade Commission.		White House Police and Secret Service forces, reimbursement for benefit payments to.....	64, 428
Trade-Mark Bureau, Inter-American, appropriation for contribution.....	175	Engraving and Printing, Bureau of—	
Training-Within-Industry Service:		Appropriation for.....	63
Appropriation for.....	381	Crediting of proceeds from work.....	63
Liquidation expenses, appropriation for.....	381	Protection of currency, etc., transfer of funds for; detail of Secret Service supervisors.....	64
Transportation. <i>See</i> Carriers.		Scientific investigations, transfer of funds to Bureau of Standards for.....	63
Transportation, Defense, Office of. <i>See</i> Defense Transportation, Office of.		Travel expenses, limitation increased..	91
Transportation Act of 1940, Amendment, rates for Government traffic; effective date.....	606	Export-Import Bank of Washington, Secretary to serve on Advisory Board of.....	528
Transportation Corps, Army, appropriation.	392	Federal Crop Insurance Corporation, subscriptions to capital stock, appropriation for.....	90
Transportation Taxes, international organizations, exemption.....	671	Fiscal Service, appropriation for.....	58, 90
Treasurer of the United States, Office of. <i>See under</i> Treasury Department.		Foreign funds control, appropriation for.....	56
Treasury, Secretary of the. <i>See</i> Treasury Department.		Reduction in appropriation available in fiscal year 1945.....	409
Treasury Department:		General Counsel, Office of, appropriation for.....	56
Accounts, Bureau of, appropriation for..	58, 90, 428, 653	Gifts to United States—	
Adjusted Compensation Payment Act, 1936, appropriation for administrative expenses.....	428	Conditional, acceptance limitation....	658
Appropriation Act, 1946.....	56	Redemption, payment of tax.....	48
Audited claims, appropriation for.....	90	Inspectors of buildings abroad, assignment of personnel as.....	181
Checks, U. S., lost, etc.—		Internal Revenue, Bureau of, appropriation for.....	61, 91, 429, 653
Delegation of authority.....	594	Internal-revenue collections, reports to Congress on refunds in excess of \$500.....	62
Depositaries in foreign countries, checks drawn against.....	593	International Bank for Reconstruction and Development—	
Issuance of checks in replacement....	592	Payments made to U. S. by, disposition of.....	515
"Original check," definition.....	594	Subscription, payment authorized....	514
Undertakings of indemnity, exceptions to requirement.....	592	International Monetary Fund—	
Chief Clerk, Office of, appropriation for..	57, 653	Payments made to U. S. by, disposition of.....	515
Commodity Credit Corporation—		Subscription, payment authorized....	514
Annual appraisal of assets; report to President.....	51	Judgments, appropriation for.....	94, 432, 656
Appropriation for restoration of capital impairment.....	90	Mexican Claims. <i>See</i> Settlement of Mexican Claims Act Amendments of 1945.	
Comptroller of the Currency, Office of, appropriation for.....	61	Mint, Bureau of the—	
Corporations, Government. <i>See</i> Government Corporations; Government Corporation Control Act.		Appropriation for.....	65, 91
Customs, Bureau of, appropriation for..	60, 653		
Damage claims, appropriation for....	431, 655		
Debt, public, increase of limitation.....	47		
Disbursement, Division of—			
Appropriation for.....	58, 653		

Treasury Department—Continued.	Page	Treasury Department—Continued.	Page
Mint, Bureau of the—Continued.		Public Debt, Bureau of the—Contd.	
Five-cent pieces, metallic content, redemption, etc.; termination of temporary provisions.....	658	Reduction in appropriation available in fiscal year 1945.....	409
Miscellaneous and contingent expenses, appropriation for.....	57	Paper for United States securities, distinctive, division of award....	59
Narcotics, Bureau of—		Public debt transactions—	
Appropriation for.....	62	Second Liberty Bond Act, use of proceeds of certain securities issued under.....	528
Expenditures for narcotics, reimbursement of sums recovered.....	63	Subscriptions of U. S. to International Monetary Fund or International Bank for Reconstruction and Development.....	514
Law observance, funds for dissemination of information regarding..	63	Renegotiation Act, refunds under, appropriation for.....	90
Law violators, information in connection with apprehension of, expenditure authorized.....	63	Research and Statistics, Division of, appropriation for.....	56
National Advisory Council on International Monetary and Financial Problems, membership of Secretary	512	Salaries, appropriation for.....	56
Overthrow of United States Government, restriction on employment of persons advocating.....	75	Salaries and expenses, restriction on payment.....	67
Penalty mail costs, appropriation for...	56	Savings bonds, replacement of losses in connection with redemption of, report to Congress.....	48
Personnel, Division of, appropriation for.....	57	Secret Service Division—	
Philippine funds, certain, covering into Treasury of the Philippines.....	577	Appropriation for.....	64, 91
Printing and binding, appropriation for..	57	Details of personnel for duty on Capitol Grounds.....	250
Procurement Division—		Information concerning law violations, funds available for.....	64
Advances, crediting of, to general supply fund.....	66	Secretary, Office of, appropriation for..	56, 90
Appropriation for.....	65	Reduction in appropriation available in fiscal year 1945.....	409
Field offices of other Government agencies, transactions with.....	66	Securities acquired by United States, disposition of; limitation.....	48
Field warehouses, standard forms and blankbook work, purchase.....	66	Tax Legislative Counsel, Office of, appropriation for.....	56
Per diem employees at fuel yards, pay rates.....	66	Tax Research, Division of, appropriation for.....	56
Personal services, amount available from general supply fund for....	66	Treasurer of the United States, Office of, appropriation for.....	60
Printing and binding, orders for.....	67	Reduction in appropriation available in fiscal year 1945.....	409
Reconditioning of equipment, payment for.....	67	Treasury buildings—	
Supplies, services, etc., payment for..	66	Custody of, appropriation for.....	58
Surplus property, expenses incident to disposal of, appropriation for...	67	Guard force, appropriation for.....	64
Transfer of appropriation to Office of War Mobilization and Reconversion.....	484	United States notes, termination of authority for issuance.....	238
Transfer or detail of employees from other agencies, transfer of funds for.....	65	Veterans, board of review, retirement of officers.....	623
Typewriters—		Treaty of Greene Ville Celebration Commission, composition, duties, expenditures, etc.....	501
Prices.....	67	Trent River, N. C., improvement authorized.....	15
Repairs, payment for.....	67	Trinity River and Tributaries, Tex., examination, improvement, etc., authorized.....	18, 31
Warehousing functions for non-Federal agencies, continuance of....	66	Tropical Diseases, appropriation for control of.....	369
Public Debt, Bureau of the—			
Appropriation for.....	59		

Truckee-Carson Irrigation District:
 Appropriation for assessments for operation of drains..... 329
 Approval of contract with United States; authority of Secretary of Interior to execute..... 466
Trusts. *See* Statutes of Limitations; Taxes.
Truxton Canon Indians, Ariz., irrigation project, appropriation for..... 328
Tuberculosis Control, Public Health Service, appropriation for..... 79, 369
Tucumcari Project, N. Mex., appropriation for construction..... 342, 647
Turkey Point, Fla., waterway, examination and survey authorized..... 29
Twitch Cove, Md., examination and survey for construction of boat basin at Ewell authorized..... 26
Two Harbors (Agate Bay Harbor), Minn., navigation improvement authorized..... 556
Two Leggins Water Users' Association, appropriation for assessments..... 329
Tylerton, Md., channel, examination and survey authorized..... 27

U

Uintah Indian Irrigation Project, appropriation for..... 85, 330
Umatilla Dam, construction, name changed to McNary Dam..... 22
Umpqua Harbor and River, Oreg., improvement authorized..... 21
Uncompahgre, Etc., Utes, Utah, appropriation for irrigation system..... 330
Unemployment Compensation, State:
 Bonneville Power Administrator and employees, contribution requirement authorized..... 549
 "Employment" and "wages" defined..... 549
Unemployment Compensation Administration, grants to States, appropriation for..... 80, 373, 637
Uniform State Laws, National Conference of Commissioners on, appropriation for support of, by District of Columbia..... 272
Union Catalogues, appropriation for maintenance, etc..... 254
United Nations. *See also* International Organizations Immunities Act.
 Appointments, U. S., to—
 Atomic energy, commission respecting, limitation..... 620
 Economic and Social Council, limitations..... 620
 General Assembly sessions..... 619
 Security Council..... 619
 Trusteeship Council, limitations..... 620

United Nations—Continued.
 Appropriations authorized..... 621
 Armed forces, agreements with Security Council respecting, authority of President..... 621
 Economic sanctions, authority of President..... 620
 Food and Agriculture Organization. *See separate title.*
 Participation Act of 1945..... 619
 President or Secretary of State, representation of U. S. by..... 620
United Nations Commission for Investigation of War Crimes, appropriation for..... 89, 180
United Nations Food and Agriculture Organization:
 Appropriation authorized..... 529
 Appropriation for..... 653
 Membership of U. S..... 529
 New obligations for U. S., restrictions... 530
United Nations Relief and Rehabilitation Administration:
 Appropriation for..... 609, 634
 Authorization, increase in..... 612
 Time extension..... 612
 Participation Act, 1946..... 609
 Press and radio, American, admission to recipient countries, request to President..... 609, 613
 Recommendations of Congress respecting—
 Facilities, credentials, etc., for personnel, supplying by recipient country..... 609, 612
 Motor-transport equipment, retention of title, etc..... 609, 612
 Trade and barter agreements of recipient country, availability... 609, 612
United States Code:
 Amendment, Ozark National Forest, Ark., removal of restriction on designation of certain lands..... 531
 Preparation of new edition, appropriation for..... 78, 249
 Appropriation continued available... 249
 Appropriation for..... 78, 249
United States Code Annotated, price limitation on purchase by Government departments and agencies... 134
United States Commercial Company:
 Appropriation for..... 418
 Nonapplication of certain general provisions..... 418
 Audit and annual budget program... 598, 599
 Penalty mail costs, allocation of funds for... 417
United States Courts. *See also* Justice, Department of.
Administrative Office—
 Appropriation for..... 199

United States Courts—Continued.	Page
Administrative Office—Continued.	
Personal services, compensation.....	199
Bailiffs, appropriation for pay and expenses.....	184, 425
Books, transmittal to successors in office; marking.....	200
Claims, Court of, appropriation for....	197
Penalty mail costs, appropriation for..	197
Clerks of courts, salaries of, appropriation for.....	198
Clerks' offices, restriction on use of funds at designated places.....	198
Commissioners—	
Appointment of referee in bankruptcy or national park commissioner as..	659
Fees, appropriation for.....	198, 634
Criers, salaries of, appropriation for..	198, 634
Customs and Patent Appeals, Court of, appropriation for.....	197, 634
Penalty mail costs, appropriation for..	197
Customs Court, appropriation for.....	197
Penalty mail costs, appropriation for..	197
District courts—	
Court reporters for, appropriation for salaries.....	199
District of Columbia, jurisdiction in suits involving Kermit Roosevelt fund.....	317
International Monetary Fund or International Bank for Reconstruction and Development, jurisdiction and venue of actions against.....	516
Nevada, terms of court.....	582
Prize commissioners, appointment, etc.....	581
District of Columbia—	
Appropriation for.....	92, 196
Court of Appeals for, sale price limitations on reports of.....	200
Reimbursement to United States, appropriation for.....	281
Emergency Court of Appeals—	
Complaint as to validity of price orders, etc.....	308
Slaughterers, extra compensation payments to, reviewability of determinations.....	262
Stay of proceedings.....	308
Employees, rates of compensation. <i>See</i> Federal Employees Pay Act of 1945.	
Judge, Kansas District, appointment of additional; limitation.....	545
Judges, salaries of, appropriation for....	198
Judicial districts—	
Connecticut, terms of district court..	663
Georgia, eastern, transfer of Ben Hill County to Americus division.....	550
Nevada, terms of district court.....	582

United States Courts—Continued.	Page
Judicial districts—Continued.	
Oregon, Klamath Falls, term of district court at.....	555
Virginia, eastern and western, composition; terms of court.....	554
Washington eastern, Yakima, term of district court at.....	661
Jurors' fees, appropriation for.....	198
Law clerks, salary limitation.....	199
Limitation increased.....	301
Miscellaneous expenses, appropriation for.....	199, 634
Overthrow of United States Government, restriction on employment of persons advocating.....	201
Penalty mail costs, appropriation for....	199
Per diem restriction.....	184, 187
Printing and binding, appropriation for..	199
Probation system, appropriation for....	198
Salaries, miscellaneous, appropriation for.....	199
Secretaries, salary limitation.....	199
Limitation increased.....	301
Supreme Court—	
Appropriation for.....	196
Books, purchase of, appropriation for..	255
Criminal proceedings, preparation of rules for, appropriation made available.....	196
Penalty mail costs, appropriation for..	196
Tax Court of the U. S., time for filing petitions.....	673
Territorial Courts, appropriation for....	197
Traveling expenses, appropriation for..	199
Virginia—	
Additional Federal jurisdiction, acceptance by U. S.....	554
Jurisdiction over designated areas..	553, 554
United States Employment Service, facilities, etc., return to States.....	381
United States Housing Authority, audit and annual budget program.....	598, 599
United States Housing Corporation, audit and annual budget program.....	598, 599
United States Maritime Commission. <i>See</i> Maritime Commission.	
United States Naval Academy Centennial Commission:	
Appropriation authorized.....	135
Duration.....	135
Establishment, etc.....	134
Expenditures.....	135
Report to Congress.....	135
United States Soldiers' Home, appropriation for.....	42
United States Spruce Production Corporation, audit and annual budget program.....	598, 599

UNRRA. <i>See</i> United Nations Relief and Rehabilitation Administration.		Veterans—Continued.	
Upper Kvichak River, Alaska, examination and survey authorized.....	33	Aliens, waiver of certain naturalization fees.....	585
Urbanna Creek, Va., improvement authorized.....	15	Allied governments, World War II service, extension of certain benefits to designated persons.....	631
Utah:		Building material priorities.....	134
Indians—		Disability pensions—	
Irrigation project, appropriation for.....	85, 330	Peacetime service-incurred, rates.....	534
Support, etc., appropriation for.....	327, 337	Effective date of increase.....	535
Provo River project, appropriation for.....	341, 647	Wartime service-incurred, rates.....	533
Ute Indians, Utah, appropriation for attorney's compensation, etc.....	337	Effective date of increase.....	535
		District of Columbia—	
V		Free copies of public records for determining eligibility for benefits.....	591
V-12 Program, Naval Reserve, transfer of appropriations for continuance authorized.....	668	Service and discharge certificates, recording of.....	100
Valdez Harbor, Alaska, examination and survey authorized.....	33	Teachers and other employees of Board of Education, experience credit for service in armed forces.....	497
Vale Project, Oreg., appropriation for construction.....	647	Educational benefits.....	624
Vancouver, Wash., river improvement authorized.....	22	War service construed.....	542
Vegetable Crops and Diseases, appropriation for investigations, etc.....	145	Farm Tenant Act, loans under, appropriation for.....	161
Venereal Diseases, appropriation for control.....	368, 636	Government employees—	
Vermillion Harbor, Ohio, examination and survey authorized.....	32	Overtime compensation, etc., not considered in determining eligibility for certain benefits.....	305
Vermont, Lake Champlain Bridge Commission, amendatory agreement with State of New York.....	227	Within-grade advancements on restoration or reemployment.....	299
Vessels. <i>See also</i> Naval Vessels.		Hospital and domiciliary facilities, use of Army and Navy hospitals by Veterans' Administration.....	642
Coast Guard—		Housing—	
Vessels and shore facilities, acquisition, etc., appropriation for.....	217	Veterans attending educational institutions, appropriations authorized and made available.....	674
Vessels of special construction, exemption from certain lights requirements.....	590	Veterans with families, certain.....	260
Termination date.....	591	Appropriation for.....	639
Construction, reduction of contract authorization.....	226	Appropriations authorized and made available.....	260, 674
Government employees, travel on United States ships, suspension of requirement.....	133	Loan benefits, war service construed.....	542
Inspection laws, waiver of compliance with, extension of temporary provisions.....	658	Loans.....	626
Inspectors, overtime services, Sunday or holiday work, payment for.....	302	Secondary loans.....	629
Lend-lease of, appropriation for.....	430	Medal for service in World War II.....	461
Radio operators on United States ships, employment restriction, time extension.....	259	Military Academy, appointments to—	
Veterans. <i>See also</i> Veterans' Administration.		Congressional Medal of Honor, sons of persons awarded.....	586
Alien spouses and minor children, admission to U. S.....	659	Members of armed forces killed in action, sons of.....	586
		Naval Academy, appointments to—	
		Congressional Medal of Honor, sons of persons awarded.....	586
		Members of armed forces killed in action, sons of.....	586
		Postal Service employees, service credit.....	461
		Readjustment allowances, war service construed.....	542
		Reemployment, Postal Service, consideration of services as special-delivery messenger.....	460

Veterans—Continued.	Page	Veterans' Administration—Continued.	Page
Regulations—		Legal newspapers, funds available for purchase of.....	128
No. 1 (a)—		Loans to veterans.....	626
Part I—		Administrative regulations, authority of Administrator to promulgate..	629
Paragraph II (k) to (o), amendment; (p), addition.....	533	Default, procedure on.....	630
Part II—		Delinquent indebtedness, loans on...	630
Paragraph II (k) to (o), amendment; (p), addition.....	534	Insurance of.....	630
Part VII—		Powers of Administrator.....	631
Paragraph 1, amendment.....	626	Secondary loans.....	629
Paragraph 3, amendment.....	626	Los Angeles, Calif., transfer of certain property to city for fire-station purposes.....	55
Part VIII—		Medical consultants, employment of...	128
Paragraph 12, addition.....	542	Medicine and Surgery, Department of—	
Amendments.....	624	Administrative regulations, promulgation by Chief Medical Director..	679
Restoration to former positions, independent offices.....	130	Disciplinary boards, composition, functions, etc.....	678
Servicemen's Readjustment Act of 1944. <i>See separate title.</i>		Establishment, functions, composition, etc.....	675
Spanish-American War—		Expenses of attendance at designated meetings, authorized.....	678
Travel pay, etc., for certain soldiers of, appropriation authorized; limitation.....	596	Hospital attendants, salary range....	678
Volunteers, appropriation for payment of claims of certain.....	95, 657	Personnel, appointment of.....	675
Terminal leave, civilian employment on..	584	Grades and pay.....	677
Vocational rehabilitation—		Leave regulations, hours and conditions of employment, authority of Administrator.....	677
Subsistence.....	626	Medical or surgical specialist, rating as; conditions and restrictions..	677
Training period.....	626	Present employees of medical service.....	678
Veterans' Administration. <i>See also</i> Veterans.		Probationary period, promotions, separations, etc.....	676
Administration, medical, hospital, and domiciliary services, appropriation for....	83, 127	Qualifications.....	676
Increase in limitation.....	642	Reinstatement in Federal civil service.....	676
Buildings and space, authority of Administrator to acquire.....	463	Retirement.....	678
Time limitation, removal of.....	623	Temporary employment, authorized.....	679
Civil Service Commission, reimbursement by.....	108	Terminal leave, appointments while on, authorized.....	676
Construction and repair, restriction on use of funds.....	128	Training, courses of, authorized; limitations and condition.....	679
Dallas, Tex., easement in certain lands for highway purposes.....	54	Residencies, establishment of.....	679
Damage claims, appropriation for.....	431	Special medical advisory group, establishment.....	678
Federal Security Agency, transfer of funds to.....	128	National service life insurance, appropriation for.....	129, 642
Franklin Delano Roosevelt Hospital, Crugers-on-Hudson, N. Y., designation of proposed hospital as.....	538	Naval hospitals, additional detail for care of patients.....	208
Hospitalization restrictions.....	130	Navy Department, transfer of funds to..	128
Hospitals and domiciliary facilities—		Penalty mail costs, appropriation for...	129
Appropriation for.....	129	Pensions, appropriation for.....	46, 129
Army and Navy hospitals, utilization authorized.....	642	Printing and binding, appropriation for.....	46, 129, 642
Construction, appropriation for.....	642	Reimbursement to emergency fund for the President, national defense....	642
Insurance, military and naval, appropriation for.....	129		
Interior, Department of the, transfer of funds to.....	128		
Judgments, appropriation for.....	656		

Veterans' Administration—Continued.	
Priorities.....	463
Prosthetic appliances, procurement of services, etc.....	623
Public Health Service, transfer of funds to.....	128
Readjustment benefits, appropriation for	129
Reduced-fare requests, funds available for.....	128
Reorganization, restriction on type of plan.....	616
Royal C. Johnson Veterans Memorial Hospital, Sioux Falls, S. Dak., designation.....	263
Servicemen's Readjustment Act of 1944. <i>See separate title.</i>	
Soldiers' and sailors' civil relief, appropriation for.....	129
State or Territorial homes, aid to.....	128
Tobacco, purchase authorized.....	128
Travel expenses, attendance at meetings, amount available.....	642
Veterans' organizations, furnishing of facilities for representatives of.....	623
Visual educational information, amount available for.....	128
War Department, transfer of funds to.....	128
Veterans of Foreign Wars, Otto Oas Post, Numbered 659, repeal of Act conveying lighthouse keeper's residence at Manitowoc, Wis., to.....	7
Vice President of the United States:	
Office of—	
Appropriation for.....	238
Clerical assistance, allowance increased.....	77
Village Delivery Service:	
Appropriation for.....	70
Carriers and clerks, salaries.....	444
Virgin Islands:	
Agricultural experiment station, appropriation for.....	359
Executive assistant to Governor, appointment of.....	359
Government in, appropriation for.....	358
Legal counsel, appointment of.....	359
Lend-lease funds, restriction on use for purchase or distribution of food products.....	430
Preliminary examinations and surveys of rivers, etc., authorized.....	33
Public works, appropriation for.....	113, 638
Saint Croix, appropriation for municipal government.....	650
Topographic surveys, appropriation for.....	344
Virgin Islands Company, audit and annual budget program.....	598, 599
Virginia:	
Arlington, exchange of lands near Pentagon Building authorized.....	543

Virginia—Continued.	
Boundary line, District of Columbia and Virginia, establishment.....	552
Acceptance of provisions by Virginia, requirement.....	553
Airport, Washington National, jurisdiction over.....	553
Jurisdiction over designated areas.....	553, 554
Rights, etc., reserved to U. S.....	552
Coast waterway, improvement authorized.....	14
Judicial districts, composition; terms of court.....	554
Navigation and flood-control projects authorized.....	14, 15
Preliminary examinations and surveys of rivers, etc., authorized.....	27, 28
Virus Serum Toxin Act, appropriation for enforcement.....	144
Visa Board of Appeals, appropriation for salaries.....	169
Vocational Education:	
Appropriation for.....	366
District of Columbia, appropriation for.....	275
Vocational Rehabilitation, appropriation for.....	374

W

Wabash River, toll bridge authorized across, at Saint Francisville, Ill.....	580
Wacasassa River, Fla., examination and survey authorized.....	29
Wachapreague Inlet, Va., channel, examination and survey authorized.....	27
Wage Adjustment Board, appropriation for expenses of.....	361
Wage and Hour Division. <i>See under Labor, Department of.</i>	
Wage Stabilization, Agricultural. <i>See Wage stabilization program under War Food Administration.</i>	
Wahpeton, N. Dak., appropriation for education of Indians.....	333
Walker River Irrigation Project, Nev., appropriation for.....	328
Walnut Creek, Md., examination and survey authorized.....	27
Walnut Lake, Md., channel to, examination and survey authorized.....	27
Wapato Irrigation System, Yakima Indian Reservation, Wash., appropriation for.....	330
War, Secretary of. <i>See War Department.</i>	
War Agencies. <i>See National War Agencies.</i>	
War and National Defense:	
Alumina, appropriation for production of.....	349
Reduction in appropriation available in fiscal year 1945.....	408

War and National Defense—Continued.		Page
Apprentice training service, appropriation for.....	380, 650	
Army. <i>See separate title.</i>		
Bauxite and alunite ores and aluminum clay deposits, appropriations for investigations of.....	349	
Reduction in appropriation available in fiscal year 1945.....	408, 409	
Budget, Bureau of the, national-defense activities, appropriation for.....	107	
Termination of availability.....	107	
Civil Service Commission, national-defense activities, appropriation for.....	109	
Reduction in appropriation available in fiscal year 1945.....	408	
Termination of availability.....	109	
Coast Guard. <i>See separate title.</i>		
Conciliation, Commissioners of, appropriation for.....	362	
District of Columbia, female workers, temporary permits to extend hours of, extension of time.....	95	
Enemy aliens. <i>See under Aliens.</i>		
Expediting production—		
Appropriation for.....	384	
Expenditures without specific approval of President.....	384	
Export control of certain commodities, administration; time extension.....	270	
Federal Communications Commission, national-defense activities, appropriation for.....	110	
Termination of availability.....	110	
Federal Power Commission, national-defense activities, appropriation for.....	111	
Termination of availability.....	112	
Guam, settlement of certain damage claims.....	582	
Health and sanitation activities, appropriation for.....	369	
Reduction in appropriation available in fiscal year 1945.....	408	
Helium—		
Plants, appropriation for construction and equipment.....	348	
Reduction in appropriation available in fiscal year 1945.....	408	
Production and investigations, transfer of funds.....	350	
Transportation of workers and school children.....	351	
Utilization and research, appropriation for.....	350	
Housing. <i>See separate title.</i>		
Justice, Department of, appropriation for War Division.....	182	

War and National Defense—Continued.		Page
Labor—		
Disputes in defense industries, appropriation for National Labor Relations Board in connection with.....	378	
Statistics, appropriation for.....	362, 650	
Wage rates, etc., appropriation for administration of regulations....	361	
Lend-Lease Act. <i>See separate title.</i>		
Magnesium pilot plants and research, appropriation for.....	350	
Reduction in appropriation available in fiscal year 1945.....	409	
Malaria, appropriation for control of..	369	
Manganese beneficiation pilot plants and research, appropriation for....	349	
Reduction in appropriation available in fiscal year 1945.....	408	
Marine Corps. <i>See separate title.</i>		
Maternity and infant care, emergency, appropriation for.....	236, 363, 364	
Minerals, strategic and critical, appropriation for investigations of....	344, 350	
Naval vessels. <i>See separate title.</i>		
Navy. <i>See separate title.</i>		
Nurses, training of—		
Appropriation for.....	370	
Travel, appropriations made available for.....	79	
Petroleum pipe lines, interstate, powers of President and Government agencies, time extension.....	233	
Price control. <i>See separate title.</i>		
Prisoners of war. <i>See separate title.</i>		
Prizes, capture by U. S., jurisdiction, etc	581	
Radio operators on United States ships, employment restriction, time extension.....	259	
Railroads, expediting of traffic, etc., appropriation for.....	120	
Requisitioning of war materials, etc., time extensions.....	270, 271	
Safety and health program, appropriation for.....	362	
Second War Powers Act, Amendments. <i>See War Powers Act, 1942, Second, Amendments.</i>		
Selective Service System. <i>See separate title.</i>		
Steel production, investigation of raw-material resources.....	348	
Strategic and critical materials. <i>See separate title.</i>		
Synthetic liquid fuel demonstration plants, appropriation for construction and operation.....	346	
Contracts for additional work authorized.....	347	
Transportation of workers and school children.....	347	

	Page	War Department—Continued.	Page
War and National Defense—Continued.		Appropriations, availability and merger of.....	406
Territories, emergency fund, reduction in appropriation available in fiscal year 1945.....	409	Appropriations and contract authorizations, condition of balances, report to Congress.....	407
Tropical diseases, appropriation for control of.....	369	Arlington, Va., exchange of lands near Pentagon Building authorized.....	543
Venereal diseases, appropriation for control of.....	368, 636	Armed Forces Voluntary Recruitment Act of 1945.....	538
War Powers Act, 1942, Second, Amendments. See separate title.		Armored force, appropriation for.....	398
Workers—		Army, damages incident to activities of, appropriations available for payment.....	45
Education and training—		Army War College, appropriation for..	385
Appropriation for liquidation of program.....	367	Assignments, transfers, and allotments, restriction on reclamation of money paid under.....	386
Reduction in appropriation available in fiscal year 1945.....	408	Audited claims, appropriation for.....	95, 657
Time limit on use of funds for training.....	383	Bonneville Project, appointment of personnel.....	547
Training within industry, appropriation for.....	381	Butter substitutes, restriction on use..	390
Liquidation of service, appropriation for expenses.....	381	Camp Croft, S. C., easement over, etc., grant to Duke Power Company authorized.....	36
Zinc concentrates, reduction of, with methane gas, reduction in appropriation available in fiscal year 1945..	409	Canal Zone—	
War Bonds. See Liberty Bond Act, Second; Treasury Department.		Hours of employment and rates of pay of skilled, etc., personnel.....	44, 405
War Contracts. See Contracts, War.		Maintenance, etc., appropriation for..	42
War Contracts Price Adjustment Board, refunds under Renegotiation Act, certification of amount to Treasury.....	90	Panamanian citizens, employment, etc.....	44, 404
War Crimes, United Nations Commission for Investigation of, appropriation for.....	89, 180	Chemical Warfare Service—	
War Crops, producers of, protection of acreage allotment status.....	9	Appropriation for.....	397
War Damage Corporation:		Chief of Chemical Warfare Service, Office of, appropriation for.....	402
Appropriation for.....	200	Chief of Staff—	
Audit and annual budget program....	598, 599	Contingent fund, appropriation for..	384
War Department. See also Army.		Office of, salaries, appropriation for..	402
Adjutant General's Department, appropriation for.....	385, 402	Citizens' Military Training, appropriation for.....	399
Advisory personnel, expenses of, limitation.....	402	Citizenship requirements, employees..	44, 404
Aerial flights, increased pay for nonflying officers, limitation.....	386	Nonapplicability to personnel under Military Establishment.....	386
Air Corps—		Civil Appropriation Act, 1946.....	39
Appropriation for.....	393	Civil functions, appropriation for..	39, 92, 654
Commanding General, Army Air Forces, Office of, appropriation for.....	402	Civilian employees, instruction and training, funds available for.....	405
Wing commanders, elimination of provisions for retirement of.....	263	Claims for damage to or loss of personal property, settlement; restriction... Appropriation authorized and made available.....	225
Aircraft engines, etc., surplus, authority to transfer to Civil Aeronautics Administration.....	646	Appropriation for.....	389
Appropriation Acts—		Command and General Staff School, Fort Leavenworth, Kans., appropriation for.....	385
Civil.....	39	Conscientious objectors, limitation on use of funds for.....	386
Military.....	384	Construction, permanent, limitation on..	396
		Contingencies, Army.....	384

War Department—Continued.	Page	War Department—Continued.	Page
Contingent expenses—		Expediting production—	
Appropriation for.....	403	Appropriation for.....	384
Limitation increased.....	92	Expenditures without specific ap- proval of President.....	384
Contract authorizations, condition of balances, report to Congress.....	407	Family allowances, restriction on use of funds for audit work respecting....	406
Contracts, war—		Field exercises, appropriation for.....	385
Financing of.....	404	Finance Department—	
Renegotiation of, certification to Treasury of amounts withheld or credited.....	407	Chief of Finance, Office of, appropria- tion for.....	402
Damage claims, payment—		Courts martial, appropriation for ex- penses of.....	388
Appropriation for..... 91, 389, 429,	654	Damage claims, appropriation for pay- ment of.....	91, 389
Appropriations available.....	45, 225	Deserters, etc., expenses in connection with.....	388
Damages, manufacturers on Oswego River, ascertainment.....	33	Finance Service, appropriation for... Availability for additional pay to enlisted men entitled to wear Medical Badge.....	389 462
Defense articles, disposal of.....	406	Pay of the Army, appropriation for... Travel of the Army, appropriation for..	385 387
Dependents, transportation of, on change of station.....	388	“Flying officer”, definition.....	386
Dibble General Hospital, inclusion within corporate limits of Menlo Park, Calif., authorized.....	661	Foreign countries, funds for conducting investigations in.....	404
Domestic food or clothing products, preference for.....	390	Gages, dies, jigs, etc., funds available for procurement of.....	406
Eastport, Maine, exchange of lands and transfer of roadway easement to city of.....	34	General Staff Corps, appropriation for..	384
Education in medicine or dentistry, restriction on use of funds for.....	391	Helium, procurement of—	
Electric energy, sale of.....	20	Appropriation for.....	393
Engineers, Corps of—		Transfer of funds to Bureau of Mines for.....	350
Appropriation for..... 40, 429, 654	654	Hospital facilities, utilization by Veter- ans’ Administration.....	642
Barracks and quarters, appropriation for.....	396	Household effects, transportation of, on change of station.....	388
Chief of Engineers, Office of, appropria- tion for.....	402	Indian fishing grounds, replacement, transfer to Secretary of Interior..	22
Contracts without advertising.....	40	Inspector General, Office of, appropria- tion for.....	402
Repeal of authority.....	654	Inter-American relations, appropriation for.....	401
Engineer Service, appropriation for... Flood control. <i>See under Rivers and Harbors.</i>	395	Judge Advocate General, Office of, appropriation for.....	402
Military posts, construction, etc., appropriation for.....	395	Judgments, appropriation for. 93, 94, 432,	656
Personnel, additional, employment of.....	40	Kermit Roosevelt Fund, Trustees of the, establishment of board.....	316
Power-driven boats, use restricted....	41	Land, acquisition of, restrictions.....	395
Reclamation, Bureau of, cooperation with, investigations.....	341	Land purchase contracts, limitation on commissions.....	405
Reorganization plans affecting civil functions, restriction.....	615	Lend-Lease Act, disposal of defense articles under.....	406
Rivers and harbors. <i>See separate title.</i>		Medical Department—	
Surveys, etc., unauthorized, restric- tion.....	41	Medical and Hospital Department, appropriation for.....	394
Water mains, Federal, outside D. C., appropriation for maintenance and operation.....	42	Surgeon General, Office of, appropria- tion for.....	402
Enlistments in Regular Army, wartime; limitation; term of service.....	230	Military Academy. <i>See separate title.</i>	
		Military Appropriation Act, 1946.....	384

War Department—Continued.	Page	War Department—Continued.	Page
Military attachés, funds available for rental of offices, etc.....	396	Quartermaster Corps—Continued.	
Montgomery County, Tennessee, conveyance to Captain William Edmiston Chapter, D. A. R.....	462	Clothing and equipage, appropriation for.....	390
Mount, no additional pay to officer owning.....	386	Horses, draft and pack animals, appropriation for.....	391
National Board for Promotion of Rifle Practice, appropriation for.....	401	Incidental expenses, appropriation for.....	391
National Guard. <i>See separate title.</i>		Quartermaster General, Office of, appropriation for.....	402
Occupied areas, funds for administration of.....	404	Subsistence of the Army, appropriation for.....	389
Ordnance Department—		Supplies, regular, appropriation for..	390
Chief of Ordnance, Office of, appropriation for.....	402	Welfare of enlisted men, appropriation for.....	389
Ordnance service and supplies, appropriation for.....	396	Quarters, limitation on construction costs.....	406
Rock Island Bridge, Rock Island, Ill., appropriation for maintenance..	397	Receipts of public moneys, disposition of.....	386
Organized Reserves. <i>See separate title.</i>		Regular Army, increase in commissioned strength.....	664
Overthrow of U. S. Government, restriction on employment of persons advocating.....	45, 405	Rental of Government facilities, money allowances for personnel.....	407
Painting, etc., of war scenes or portraits, restriction on payment for.....	389	Reserve officers on active duty, funds available for pay and allowances... ..	403
Panama Canal—		Reserve Officers' Training Corps. <i>See separate title.</i>	
Construction, additional facilities, appropriation for.....	43	Retired officers selling supplies to Army, restriction.....	386
Maintenance, etc., appropriation for..	42	Rewards—	
Pearl Harbor catastrophe of Dec. 7, 1941, extension of statutes of limitation.....	233	Restriction on payment of.....	403
Per diem rates of allowance.....	388	Suggestions resulting in improvements, funds for.....	407
Personnel, additional, restriction on employment.....	402	Rivers and harbors. <i>See separate title.</i>	
Personnel ceilings inapplicable in certain cases until cessation of hostilities..	305	Roseburg Rifle Range, Douglas County, Oreg., transfer authorized.....	505
Philippine Islands, public relief and civilian defense, payment of unexpended balance of appropriation into general funds of Treasury of Philippines.....	577	Salaries, appropriation for.....	402
Philippine Scouts, enlistments for occupation duty, authorized.....	543	San Jacinto Military Reservation, right-of-way for public road or highway and tunnel.....	52
Philippines, Army of, appropriation for..	401	Schools, special service, appropriation for.....	397
Post exchanges, restriction on use of funds for.....	404	Seacoast defenses, appropriation for... ..	398
Printing and binding, appropriation for..	403	Secretary, Office of, appropriation for... ..	384, 402, 403, 429
Limitation increased.....	92	Shearer, David McD., appropriation for payment of judgment.....	94
Prisoners of war, funds for maintenance, etc.....	406	Shore-line investigations, referral of shore protection projects to Beach Erosion Board.....	508
Public moneys, advances of, nonapplicability of restrictions on.....	405	Signal Corps—	
Publications, restriction on pay of Army personnel connected with certain... ..	386	Alaska Communication System, appropriation for.....	39
Quartermaster Corps—		Chief Signal Officer, Office of, appropriation for.....	402
Cemeterial expenses, appropriation for.....	39	Signal Service of the Army, appropriation for.....	392
		Soldiers' Home, U. S., appropriation for..	42
		Stabling rental, limitation.....	396

	Page		Page
War Department—Continued.		War Information, Office of:	
Subsidies, restriction on use of funds for payment of.....	390	Appropriation for.....	477
Technical and professional personnel, employment of.....	405	Reduction in appropriation available in fiscal year 1945.....	408
Temporary employment without regard to civil-service laws, etc.....	402	Damage claims, appropriation for.....	431
Time-measuring devices, restriction on payment to officers, etc., using.....	403	Food and quarters for employees outside continental U. S.....	479
Trade agreements, information and advice respecting.....	411	International short-wave radio facilities, indemnification for damages.....	478
Transfer of funds.....	91, 403	Publications for U. S. distribution, restriction.....	478
Transportation Corps, appropriation for.....	392	War Labor, migration of workers to United States, appropriation for.....	381
Veterans, board of review, retirement of officers.....	623	War Labor Board, National. See National War Labor Board.	
Veterans' Administration, transfer of funds from.....	128	War Labor Disputes Act:	
Water, surplus, sale of.....	20	Appropriation for expenses of National Labor Relations Board under.....	378
West Point Military Reservation, N. Y., easement over, etc., grant to Orange and Rockland Electric Company authorized.....	36	Restriction on further use of funds..	640
War Department Civil Appropriation Act, 1946.....	39	War Losses, extension of time for claiming credit or refund with respect to.....	673
War Effort, appropriation for enforcement of Acts relating to.....	182	War Manpower Commission:	
War Food Administration:		Administration, appropriation for.....	380
AAA program, restriction on payment of persons demanding joining of as condition of draft deferment, etc....	155	Apprentice training service, appropriation for.....	380, 650
Assessments against producers, etc., restriction.....	153	Appropriation Act, 1946.....	380
Damage claims, appropriation for.....	93, 431	Appropriation available in fiscal year 1945, reduction.....	408
Louisiana State University and Agricultural and Mechanical College, transfer of certain lands in Rapides Parish to.....	468	Chairman, salary rate as Administrator of Federal Security Agency.....	374
Penalty mail costs, appropriation for...	137	Emergency Management, Office for, applicability of general provisions..	382
Political activities, pernicious, restriction on payment of persons engaging in.....	155	Employment office facilities and services—	
Printing and binding, transfer of funds for.....	138	Appropriation for.....	79, 380
Rural rehabilitation and grants to needy farmers, appropriation for; report to Congress.....	160	Employees, payment for designated leave.....	380
Salaries and expenses—		Return of facilities, etc., to States...	381
Appropriation for.....	152, 644	Salary restrictions.....	381
Reduction in appropriation available in fiscal year 1945.....	408	Transfer of funds to Social Security Board.....	381
Sebastian Martin grant lands, N. Mex., adjustment of claims by Administrator.....	532	Migration of workers, appropriation for..	381
Wage stabilization program—		Overthrow of United States Government of persons advocating.....	382
Agricultural, restriction.....	153	Penalty mail costs, appropriation for..	380
Appropriation for.....	153	Senate disapproval of nomination, restriction on payment to person after.....	382
War Housing. See under Housing.		Training-within-industry service, appropriation for.....	381
		War Mobilization and Reconversion, Office of:	
		Appropriation for.....	484, 641
		Contract Settlement, Office of, appropriation for.....	484
		Retraining and Reemployment Administration, appropriation for.....	484
		Surplus Property Administration, establishment, duties, etc.....	533

	Page		Page
War Mobilization and Reconversion, Office of—Continued.		War Relocation Authority:	
Surplus Property Board. <i>See under</i> Surplus Property Administration.		Appropriation for.....	485
War Mobilization and Reconversion Act of 1944:		Reduction in appropriation available in fiscal year 1945.....	408
Advisory Board, members, nonapplicability of designated sections of Criminal Code.....	235	Refugee shelter, emergency, Fort Ontario, N. Y.—	
Public works, loans or advances to States, etc., appropriation for... 112, 638		Appropriation available.....	85
War Overtime Pay Act of 1943, appropriations for pay increases authorized by...	77, 78	Appropriation for.....	485
War Plants Corporation, Smaller. <i>See</i> Smaller War Plants Corporation.		Transfer of funds to Federal Security Agency for aid to enemy aliens, etc..	375
War Powers Act, 1942, Second, Amendments:		Limitation increased.....	80
Five-cent pieces, metallic content, etc., termination of temporary provisions	658	Travel expenses, limitation increased..	84
Gifts, conditional, acceptance limitation.....	658	War Risk Insurance Fund, transfer of funds to War Shipping Administration.....	481
Naturalization of aliens in armed forces; time limit for filing petition; restriction on extension of benefits..	658	War Services, Community, appropriation for.....	375
Postage, free, for armed forces, repeal of provisions respecting.....	658	War Shipping Administration:	
Property, acquisition, termination of authority.....	658	Damage claims, appropriation for.. 93, 431, 655	
Time extension of designated provisions.....	658	Exemption from general provisions relating to war agencies.....	487
War Prizes, capture by U. S.; jurisdiction, etc.....	581	Judgments, appropriation for..... 432, 656	
War Production Board:		Marine and war risk insurance fund, transfer of funds from.....	481
Appropriation for.....	479	Maritime training fund, appropriation for.....	481
Reduction in appropriation available in fiscal year 1945.....	408	Penalty mail costs, increase of limitation on.....	420
Damage claims, appropriation for... 431, 655		Personnel ceilings inapplicable in certain cases until cessation of hostilities..	305
Farm machinery, replacement, etc., in flood-damaged areas, allocations and priorities authorized.....	231	Public Health Service, transfer of funds to.....	481
Smaller War Plants Corporation. <i>See separate title.</i>		Revolving fund, appropriation for increase of.....	480
Travel expenses, funds available for reimbursement of certain personnel.....	479	Seamen, employers' payroll tax on, exemption from limitation in Internal Revenue Code.....	38
War Public Works:		Refund of taxes paid on wages in excess of \$3,000, filing of claims, exemption from.....	38
Appropriation for, restriction on use of funds.....	80, 419	State marine schools, appropriation for reimbursement of States maintaining.....	481
Increase in appropriation; restriction.....	383	Vessels transferred to other agencies, transfer of funds.....	481
Community facilities, time extension..	383	War Veterans. <i>See</i> Veterans.	
Construction projects, priority.....	81	Warehouse Act, appropriation to effect provisions of.....	159
War Refugee Board, appropriation continued available for completing liquidation of activities.....	414	Warm Springs Irrigation Project, Oreg., appropriation for.....	328
War Relief, Foreign, appropriation continued available for termination of program.....	414	Warrior River, Ala. and Miss., improvement authorized.....	17
War Relief Control Board, President's, appropriation for.....	170	Warrior River Terminal Company, audit and annual budget program.....	598, 599
		Washington:	
		Columbia Basin project, appropriation for.....	340, 342, 648
		Indians—	
		Colville Indians, acquisition of land, appropriation for.....	325

Washington—Continued.	Page	West Palm Beach Canal, Fla., examination and survey authorized.....	Page
Indians—Continued.		West Point, N. Y.:	29
Irrigation projects, appropriation for.....	328, 330	Bullion depository, appropriation for....	65
Support, etc., appropriation for.....	325, 335, 337	Military reservation, easement over, etc., grant to Orange and Rockland Electric Company authorized.....	36
Navigation and flood-control projects authorized.....	21, 22, 23	West Virginia, bridge authorized across Tug Fork of Big Sandy River at or near Williamson.....	223
Olympic National Park, appropriation for protection of adjacent land.....	352	Westchester Creek, N. Y., examination and survey authorized.....	26
Preliminary examinations and surveys of rivers, etc., authorized.....	33	Western Hemisphere. <i>See</i> American Republics.	
Yakima, term of district court at.....	661	Western Shoshone Indians, Nev., appropriation for irrigation systems.....	328, 331
Yakima project, appropriation for.....	340, 342, 647	Westport, Wash., examination and survey for breakwater, etc., authorized.....	33
Washington, D. C. <i>See</i> District of Columbia.		Weymouth Fore River, Mass., improvement authorized.....	12
Washington, George, Definitive Writings of, furnishing of sets to members of Congress.....	258	Whaling Treaty Act, appropriation for enforcement.....	355
Washington, George, Memorial Parkway, appropriation for.....	353	Wheat:	
Washington City Post Office, reimbursement for heat furnished by Capitol Power Plant.....	252	Acreage allotment status of certain producers, protection of.....	9
Washington National Airport:		Commodity Credit Corporation, sales, parity price.....	50
Construction, appropriation for.....	424, 646	Sale price restrictions.....	154
Jurisdiction in.....	553	Subsidy allocation, payment by Commodity Credit Corporation.....	507
Maintenance and operation, appropriation for.....	190	Wheat Advisory Committee, International, appropriation for share of expenses..	141
Watauga Dam, appropriation for construction.....	126	Wheelock Academy, Okla., appropriation for education of Indians.....	333
Water Conservation and Utilization Projects, appropriation for.....	162, 343	Whiskey. <i>See</i> Distilled Spirits.	
Waterways. <i>See</i> Rivers and Harbors.		White House Office:	
Watson Bayou, Fla., improvement authorized.....	17	Appropriation for.....	106, 413
Waukegan Harbor, Ill., improvement authorized.....	19	Roosevelt, Franklin Delano, appropriation for expenses incident to death and burial.....	413
Way Cake Creek, N. J., improvement authorized.....	13	White House Police Force, pay increase..	470
Weather Bureau. <i>See under</i> Commerce, Department of.		White Pine Blister Rust Control, appropriation for.....	149
Websters Cove, Md., examination and survey for construction of jetty authorized.....	26	Whitings Creek, Va., improvement authorized.....	15
Weibert, Henry, appropriation for settlement of claim of.....	425	Wichita Mountains Wildlife Refuge, appropriation for maintenance of long-horned cattle.....	356
Weights and Measures, International Bureau of, appropriation for contribution.....	427, 653	Wickford Harbor, R. I., improvement authorized.....	13
Wekiwa River, Fla., channel system, examination and survey authorized..	29	Wildlife. <i>See</i> Fish and Wildlife Service <i>under</i> Interior, Department of the.	
Well Cove, Chester River, Md., channel, examination and survey authorized..	27	Willamette River, improvements authorized.....	21, 22
Wellfleet Harbor, Mass., improvement authorized.....	12	Willapa River and Harbor, Wash., examination, improvement, etc., authorized..	22, 33
West Atchafalaya Basin, La., examination and survey authorized.....	30	Williams Point, Md., examination and survey authorized.....	26

4

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
SEVENTY-NINTH CONGRESS
OF THE UNITED STATES OF AMERICA

1945

AND

PROCLAMATIONS, TREATIES, AND INTERNATIONAL
AGREEMENTS OTHER THAN TREATIES

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CONTENTS

	Page
LIST OF PRIVATE LAWS	v
LIST OF CONCURRENT RESOLUTIONS	xvii
LIST OF PROCLAMATIONS	xix
LIST OF TREATIES	xxi
LIST OF INTERNATIONAL AGREEMENTS OTHER THAN TREATIES	xxiii
PRIVATE LAWS	683
CONCURRENT RESOLUTIONS	839
PROCLAMATIONS	853
TREATIES	893
INTERNATIONAL AGREEMENTS OTHER THAN TREATIES	1271
INDEX	1895

LIST OF PRIVATE LAWS

CONTAINED IN THIS VOLUME

THE SEVENTY-NINTH CONGRESS OF THE UNITED STATES FIRST SESSION, 1945

Private Law		Date	Page
1	--- <i>Lewis Hobart Kenney and others.</i> AN ACT To authorize Lewis Hobart Kenney, Charles Garner, Charles Clement Goodman, and Henry Charles Robinson to accept decorations and orders tendered them by the Government of the United States of Brazil.....	Feb. 28, 1945---	683
2	--- <i>G. F. Allen.</i> AN ACT For the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes...	Feb. 28, 1945---	683
3	--- <i>G. F. Allen.</i> AN ACT For the relief of G. F. Allen, chief disbursing officer for the Treasury Department, and for other purposes.....	Feb. 28, 1945---	685
4	--- <i>John T. Cooper.</i> AN ACT For the relief of John T. Cooper.....	Mar. 1, 1945---	685
5	--- <i>Mrs. Amy McKnight.</i> AN ACT For the relief of Mrs. Amy McKnight.....	Mar. 1, 1945---	686
6	--- <i>Ensign Frederick Matthews McCord.</i> AN ACT For the relief of Ensign Frederick Matthews McCord, United States Naval Reserve.....	Mar. 10, 1945---	686
7	--- <i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel for personal property lost or damaged as the result of a fire at the naval auxiliary air facility, Astoria, Oregon, on April 2, 1944.....	Mar. 10, 1945---	686
8	--- <i>Lt. Col. Frank P. Snow.</i> AN ACT To provide an additional sum for the payment of a claim under the Act entitled "An Act to provide for the reimbursement of certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel and certain Federal civil employees for personal property lost or damaged as a result of the hurricane and flood at Parris Island, South Carolina, on August 11-12, 1940", approved April 23, 1941.....	Mar. 10, 1945---	687
9	--- <i>Naval and civilian personnel, reimbursement.</i> AN ACT To provide reimbursement for personal property lost, damaged, or destroyed as the result of an explosion at the naval mine depot, Yorktown, Virginia, on November 16, 1943.....	Mar. 13, 1945---	687
10	--- <i>Oscar Griggs.</i> AN ACT For the relief of Oscar Griggs.....	Mar. 15, 1945---	688
11	--- <i>Ruben M. Herren.</i> AN ACT For the relief of Ruben M. Herren.....	Mar. 23, 1945---	688
12	--- <i>Dr. Luther J. Head.</i> AN ACT For the relief of Doctor Luther J. Head.....	Mar. 23, 1945---	689
13	--- <i>Foreign Service personnel, reimbursement.</i> AN ACT For the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war conditions.....	Mar. 23, 1945---	689
14	--- <i>New England Telephone and Telegraph Company.</i> AN ACT For the relief of the New England Telephone and Telegraph Company.....	Mar. 23, 1945---	690
15	--- <i>Henry B. Tucker.</i> AN ACT For the relief of Henry B. Tucker.....	Mar. 23, 1945---	690
16	--- <i>Dr. David O. Clements, estate.</i> AN ACT For the relief of the estate of Doctor David O. Clements, deceased.....	Mar. 24, 1945---	690
17	--- <i>Dane D. Morgan.</i> AN ACT For the relief of Dane D. Morgan.....	Mar. 24, 1945---	691
18	--- <i>Wallace Robertson and others.</i> AN ACT For the relief of Wallace Robertson, Henry Bowker, and Edward Parisian, and for other purposes.....	Mar. 24, 1945---	691
19	--- <i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the United States naval training center, Farragut, Idaho, on July 10, 1944.....	Mar. 24, 1945---	692

LIST OF PRIVATE LAWS

Private Law		Date	Page
20	<i>Lindon A. Long.</i> AN ACT For the relief of Lindon A. Long	Mar. 28, 1945	692
21	<i>James M. Hiler.</i> AN ACT For the relief of James M. Hiler	Mar. 28, 1945	692
22	<i>F. L. Gause and others.</i> AN ACT For the relief of F. L. Gause and the legal guardian of Rosalind and Helen Gause, minors	Mar. 31, 1945	693
23	<i>Perkins Gins.</i> AN ACT For the relief of Perkins Gins, formerly Perkins Oil Company, of Memphis, Tennessee	Mar. 31, 1945	693
24	<i>Mrs. Mae E. Sutton.</i> AN ACT For the relief of Mrs. Mae E. Sutton	Apr. 5, 1945	694
25	<i>Dempsey Industrial Furnace Corporation.</i> AN ACT For the relief of the Dempsey Industrial Furnace Corporation	Apr. 16, 1945	694
26	<i>St. Vincent's Infirmary and Dr. Alvin W. Strauss.</i> AN ACT For the relief of Saint Vincent's Infirmary and Doctor Alvin W. Strauss	Apr. 16, 1945	694
27	<i>Southern Bitumen Company.</i> AN ACT For the relief of the Southern Bitumen Company, of Ensley, Alabama	Apr. 16, 1945	695
28	<i>Arthur J. Campbell and others.</i> AN ACT To provide for the reimbursement of certain civilian personnel for personal property lost as a result of the Japanese occupation of Hong Kong and Manila	Apr. 16, 1945	695
29	<i>Jay Taylor Cattle Company.</i> AN ACT For the relief of the Jay Taylor Cattle Company, Amarillo, Texas	Apr. 16, 1945	696
30	<i>George Webb.</i> AN ACT For the relief of George Webb	Apr. 16, 1945	696
31	<i>Angelina Bourbeau.</i> AN ACT For the relief of Angelina Bourbeau	Apr. 17, 1945	696
32	<i>Murray B. Latimer.</i> AN ACT For the relief of Murray B. Latimer	Apr. 17, 1945	697
33	<i>H. J. Blexrud, estate.</i> AN ACT For the relief of H. J. Blexrud estate	Apr. 17, 1945	697
34	<i>Mrs. Wilma Louise Townsend.</i> AN ACT For the relief of Mrs. Wilma Louise Townsend	Apr. 17, 1945	698
35	<i>Margaret G. Potts.</i> AN ACT For the relief of Margaret G. Potts	Apr. 17, 1945	698
36	<i>Fred Clouse and Mrs. Emily G. Clouse.</i> AN ACT For the relief of Fred Clouse and Mrs. Emily G. Clouse	Apr. 17, 1945	698
37	<i>A. P. Scarborough and J. D. Ethridge.</i> AN ACT For the relief of A. P. Scarborough and J. D. Ethridge	Apr. 17, 1945	699
38	<i>Ray L. Smith.</i> AN ACT For the relief of Ray L. Smith	Apr. 17, 1945	699
39	<i>Gus A. Vance.</i> AN ACT For the relief of Gus A. Vance	Apr. 17, 1945	700
40	<i>Leo Edward Day and Phillip Tamborello.</i> AN ACT For the relief of Leo Edward Day and Phillip Tamborello	Apr. 17, 1945	700
41	<i>Anne Loacker.</i> AN ACT For the relief of Anne Loacker	Apr. 17, 1945	700
42	<i>Mrs. W. V. Justice.</i> AN ACT For the relief of Mrs. W. V. Justice	Apr. 17, 1945	700
43	<i>Leona Connor Childers, estate.</i> AN ACT For the relief of Florence J. Sybert, administratrix of the estate of Leona Connor Childers	Apr. 17, 1945	701
44	<i>Dr. David R. Barglow.</i> AN ACT For the relief of Doctor David R. Barglow	Apr. 17, 1945	701
45	<i>Clyde Bowen, estate.</i> AN ACT For the relief of Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased	Apr. 17, 1945	702
46	<i>Charles H. Dougherty, Sr.</i> AN ACT For the relief of Charles H. Dougherty, Senior	Apr. 19, 1945	702
47	<i>Mrs. Mildred Ring.</i> AN ACT For the relief of Mrs. Mildred Ring	Apr. 19, 1945	702
48	<i>Mrs. Rose Schiffer.</i> AN ACT For the relief of Mrs. Rose Schiffer	Apr. 19, 1945	703
49	<i>J. P. Harris.</i> AN ACT For the relief of J. P. Harris	Apr. 19, 1945	703
50	<i>Ralph A. Stowell, estate.</i> AN ACT For the relief of the estate of Ralph A. Stowell	Apr. 19, 1945	704
51	<i>Murray W. and Elsie P. Moran.</i> AN ACT For the relief of Murray W. and Elsie P. Moran	Apr. 19, 1945	704
52	<i>Daniel Baker Company.</i> AN ACT For the relief of the Daniel Baker Company, of Manchester, Kentucky	Apr. 20, 1945	704
53	<i>Benjamin D. Lewis.</i> AN ACT For the relief of Benjamin D. Lewis	Apr. 20, 1945	705
54	<i>Lawrence Motor Company, Inc.</i> AN ACT For the relief of the Lawrence Motor Company, Incorporated	Apr. 23, 1945	706
55	<i>Baldwin Brothers Paving Company.</i> AN ACT For the relief of the Baldwin Brothers Paving Company	Apr. 24, 1945	706
56	<i>Edward J. Kelly.</i> AN ACT To grant the honorary rank of colonel to Edward J. Kelly, major and superintendent of the Metropolitan Police force of the District of Columbia	Apr. 27, 1945	706
57	<i>Charles Gaudet.</i> AN ACT To confirm the claim of Charles Gaudet	Apr. 30, 1945	707

LIST OF PRIVATE LAWS

vii

Private Law		Date	Page
58	--- <i>Anna Eleanor Roosevelt</i> . AN ACT Granting a franking privilege to Anna Eleanor Roosevelt	May 7, 1945	707
59	--- <i>Maria Manriquez Ruiz</i> . AN ACT For the relief of Maria Manriquez Ruiz	May 15, 1945	707
60	--- <i>Estella Ruiz, guardian</i> . AN ACT For the relief of the legal guardian of Estella Ruiz	May 15, 1945	708
61	--- <i>June I. Gradijan</i> . AN ACT For the relief of June I. Gradijan	May 15, 1945	708
62	--- <i>James A. Kelly</i> . AN ACT For the relief of James A. Kelly	May 15, 1945	709
63	--- <i>Mrs. Ellen McCormack</i> . AN ACT For the relief of Mrs. Ellen McCormack	May 15, 1945	709
64	--- <i>Pierce William Van Doren and Elmer J. Coates</i> . AN ACT For the relief of Pierce William Van Doren and Elmer J. Coates	May 15, 1945	709
65	--- <i>Maj. Malcolm K. Beyer</i> . AN ACT For the relief of Major Malcolm K. Beyer	May 15, 1945	710
66	--- <i>Marine Corps personnel, reimbursement</i> . AN ACT To reimburse certain Marine Corps personnel and former Marine Corps personnel for personal property lost or damaged as the result of a fire in the training building at the Marine Corps air station, Cherry Point, North Carolina, on June 3, 1944	May 15, 1945	710
67	--- <i>Chesley Brazil</i> . AN ACT For the relief of Chesley Brazil	May 15, 1945	710
68	--- <i>Beatrice Withers, estate, etc.</i> AN ACT For the relief of Mary Martha Withers, as trustee; Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased; and Mary Martha Withers, individually	May 15, 1945	711
69	--- <i>Adell Brown and Alice Brown</i> . AN ACT For the relief of Adell Brown and Alice Brown	May 29, 1945	712
70	--- <i>Vonnie Jones, guardian</i> . AN ACT For the relief of the legal guardian of Vonnie Jones, a minor	May 29, 1945	712
71	--- <i>Frances Biewer</i> . AN ACT For the relief of Frances Biewer	May 29, 1945	712
72	--- <i>Ed Williams</i> . AN ACT For the relief of Ed Williams	May 29, 1945	713
73	--- <i>Fred A. Lower</i> . AN ACT For the relief of Fred A. Lower	May 29, 1945	713
74	--- <i>Mrs. Gladys Stout</i> . AN ACT For the relief of Mrs. Gladys Stout	May 29, 1945	714
75	--- <i>Mrs. Mary Karalis</i> . AN ACT For the relief of Mrs. Mary Karalis	May 29, 1945	714
76	--- <i>Sidney B. Walton</i> . AN ACT For the relief of Sidney B. Walton	May 29, 1945	714
77	--- <i>Margaret M. Meersman</i> . AN ACT For the relief of Margaret M. Meersman	May 29, 1945	715
78	--- <i>Lee Graham</i> . AN ACT For the relief of Lee Graham	May 29, 1945	715
79	--- <i>Mrs. Alma Mallette and Ansel Adkins</i> . AN ACT For the relief of Mrs. Alma Mallette and Ansel Adkins	May 29, 1945	716
80	--- <i>Louis Ciniglio, guardian</i> . AN ACT For the relief of the legal guardian of Louis Ciniglio	May 29, 1945	716
81	--- <i>Mrs. Bessie I. Clay</i> . AN ACT For the relief of Mrs. Bessie I. Clay	May 29, 1945	716
82	--- <i>Robert Lee Slade</i> . AN ACT For the relief of Robert Lee Slade	May 29, 1945	717
83	--- <i>Domenico Strangio</i> . AN ACT For the relief of Domenico Strangio	May 29, 1945	717
84	--- <i>Francis X. Servaites</i> . AN ACT For the relief of Francis X. Servaites	May 29, 1945	718
85	--- <i>Frank Lore and Elizabeth Vidotto</i> . AN ACT For the relief of Frank Lore and Elizabeth Vidotto	May 29, 1945	718
86	--- <i>Joseph Brunette</i> . AN ACT For the relief of Joseph Brunette	May 29, 1945	718
87	--- <i>Boyd B. Black</i> . AN ACT For the relief of Boyd B. Black	May 29, 1945	719
88	--- <i>Edward Lawrence Kunze</i> . AN ACT For the relief of Edward Lawrence Kunze	May 29, 1945	719
89	--- <i>Alexander Sawyer</i> . AN ACT For the relief of Alexander Sawyer	May 29, 1945	720
90	--- <i>Margaret J. Pow</i> . AN ACT For the relief of Margaret J. Pow	May 29, 1945	720
91	--- <i>Antonio Ruiz</i> . AN ACT For the relief of Antonio Ruiz	May 29, 1945	720
92	--- <i>Mary G. Marggraf</i> . AN ACT For the relief of Mary G. Marggraf	May 29, 1945	721
93	--- <i>Mrs. Glenn T. Boylston</i> . AN ACT For the relief of Mrs. Glenn T. Boylston	May 29, 1945	721
94	--- <i>W. C. Wornhoff and Josephine Wornhoff</i> . AN ACT For the relief of W. C. Wornhoff and Josephine Wornhoff	May 29, 1945	722
95	--- <i>Charles A. Straka, estate</i> . AN ACT For the relief of the estate of Charles A. Straka	May 29, 1945	722
96	--- <i>Mrs. Freda Gullikson</i> . AN ACT For the relief of Mrs. Freda Gullikson	May 29, 1945	722
97	--- <i>Sigfried Olsen</i> . AN ACT For the relief of Sigfried Olsen, doing business as Sigfried Olsen Shipping Company	June 1, 1945	723
98	--- <i>Hattie Bowers</i> . AN ACT For the relief of Hattie Bowers	June 1, 1945	723
99	--- <i>Myles Perz, estate</i> . AN ACT For the relief of the estate of Myles Perz	June 2, 1945	724
100	--- <i>David B. Smith</i> . AN ACT For the relief of David B. Smith	June 9, 1945	724

Private Law	Date	Page
101 --- <i>Damage claims.</i> AN ACT To authorize payment of certain claims for damage to or loss or destruction of property arising prior to May 27, 1941, out of activities of the War Department or of the Army	June 11, 1945	724
102 --- <i>Katherine Smith.</i> AN ACT For the relief of Katherine Smith	June 11, 1945	725
103 --- <i>Montgomery City Lines, Inc.</i> AN ACT For the relief of Montgomery City Lines, Incorporated	June 12, 1945	726
104 --- <i>Kate E. Hamilton, estate.</i> AN ACT For the relief of Blanche H. Karsch, administratrix of the estate of Kate E. Hamilton	June 12, 1945	726
105 --- <i>Nebraska Wesleyan University and Herman Platt.</i> AN ACT For the relief of Nebraska Wesleyan University and Herman Platt	June 14, 1945	726
106 --- <i>Mr. and Mrs. Walter M. Johnson.</i> AN ACT For the relief of Mr. and Mrs. Walter M. Johnson	June 29, 1945	727
107 --- <i>Marlin-Rockwell Corporation.</i> AN ACT For the relief of Marlin-Rockwell Corporation with respect to the jurisdiction of The Tax Court of the United States to redetermine its excessive profits for its fiscal year ending December 31, 1942, subject to renegotiation under the Renegotiation Act	June 30, 1945	727
108 --- <i>Alaska Native Brotherhood.</i> AN ACT For the relief of camp numbered 1, Alaska Native Brotherhood, Sitka, Alaska	July 2, 1945	728
109 --- <i>Madeline J. MacDonald.</i> AN ACT For the relief of Madeline J. MacDonald	July 2, 1945	728
110 --- <i>Mrs. Ellen C. Burnett.</i> AN ACT For the relief of Mrs. Ellen C. Burnett	July 2, 1945	729
111 --- <i>Daniel B. Johnson.</i> AN ACT For the relief of Daniel B. Johnson	July 2, 1945	729
112 --- <i>Realty Bond and Mortgage Company and Robert W. Keith.</i> AN ACT For the relief of the Realty Bond and Mortgage Company and Robert W. Keith	July 2, 1945	729
113 --- <i>W. A. Smoot, Inc.</i> AN ACT For the relief of W. A. Smoot, Incorporated	July 2, 1945	730
114 --- <i>Leonard D. Jackson and Elsie Fowkes Jackson.</i> AN ACT For the relief of Leonard D. Jackson and Elsie Fowkes Jackson	July 2, 1945	730
115 --- <i>Harold J. Grim.</i> AN ACT For the relief of Harold J. Grim	July 2, 1945	731
116 --- <i>Mrs. C. J. Rhea, Sr.</i> AN ACT For the relief of Mrs. C. J. Rhea, Senior	July 2, 1945	731
117 --- <i>M. Elizabeth Quay.</i> AN ACT For the relief of M. Elizabeth Quay	July 2, 1945	732
118 --- <i>Mrs. Cecilia M. Tonner.</i> AN ACT For the relief of Mrs. Cecilia M. Tonner	July 2, 1945	732
119 --- <i>Edith M. Powell.</i> AN ACT For the relief of Edith M. Powell	July 2, 1945	732
120 --- <i>Samuel Wadford, guardian.</i> AN ACT For the relief of the legal guardian of Samuel Wadford	July 2, 1945	733
121 --- <i>Austin Bruce Bowen.</i> AN ACT For the relief of Austin Bruce Bowen	July 2, 1945	733
122 --- <i>Norfolk-Portsmouth Bridge, Inc.</i> AN ACT To confer jurisdiction upon the United States District Court for the Eastern District of Virginia to hear, determine, and render judgment upon the claim of Norfolk-Portsmouth Bridge, Incorporated	July 2, 1945	734
123 --- <i>Charles E. Surmont.</i> AN ACT For the relief of Charles E. Surmont	July 2, 1945	734
124 --- <i>Hugh M. Gregory.</i> AN ACT For the relief of Hugh M. Gregory	July 2, 1945	734
125 --- <i>Hires Turner Glass Company.</i> AN ACT For the relief of Hires Turner Glass Company	July 2, 1945	735
126 --- <i>Mrs. Ada Wert Illinico.</i> AN ACT For the relief of Mrs. Ada Wert Illinico	July 2, 1945	735
127 --- <i>Demetrio Caquias, estate.</i> AN ACT For the relief of the estate of the late Demetrio Caquias	July 2, 1945	736
128 --- <i>White Van Line, Inc.</i> AN ACT For the relief of the White Van Line, Incorporated, of South Bend, Indiana	July 2, 1945	736
129 --- <i>Grandview Hospital.</i> AN ACT For the relief of the Grandview Hospital	July 2, 1945	736
130 --- <i>Betty Ellen Edwards.</i> AN ACT For the relief of Betty Ellen Edwards	July 2, 1945	737
131 --- <i>Joseph Wyzynski.</i> AN ACT For the relief of Joseph Wyzynski	July 2, 1945	737
132 --- <i>Stewart Martin, Jr., guardian.</i> AN ACT For the relief of the legal guardian of Stewart Martin, Junior, a minor	July 2, 1945	738
133 --- <i>Jane Thayer.</i> AN ACT For the relief of Jane Thayer	July 2, 1945	738
134 --- <i>Alice Walker.</i> AN ACT For the relief of Alice Walker	July 2, 1945	738
135 --- <i>Tobey Hospital.</i> AN ACT For the relief of the Tobey Hospital	July 2, 1945	739
136 --- <i>Herschel Adams, estate, and Pleas Baker.</i> AN ACT For the relief of the estate of Herschel Adams, deceased, and Pleas Baker	July 2, 1945	739
137 --- <i>Mrs. Jane Strang.</i> AN ACT For the relief of Mrs. Jane Strang	July 2, 1945	740

LIST OF PRIVATE LAWS

ix

Private Law	Date	Page
138 --- <i>Nelson R. Park.</i> AN ACT For the relief of Nelson R. Park.....	July 2, 1945---	740
139 --- <i>Henry B. Tucker, heirs.</i> AN ACT For the relief of the heirs of Henry B. Tucker, deceased.....	July 2, 1945---	740
140 --- <i>Gen. Omar N. Bradley.</i> AN ACT To authorize the President to appoint General Omar N. Bradley to the office of Administrator of Veterans' Affairs, without affecting his military status and perquisites.....	July 5, 1945---	741
141 --- <i>Mrs. Harriette E. Harris.</i> AN ACT For the relief of Mrs. Harriette E. Harris.....	July 6, 1945---	741
142 --- <i>Naval personnel, reimbursement.</i> AN ACT To reimburse certain naval personnel and former naval personnel for personal property lost or damaged as a result of a fire in the bachelor officers' quarters known as Macqueripe Annex, located at the United States naval operating base, Trinidad, British West Indies, on June 11, 1944.....	July 6, 1945---	742
143 --- <i>Mrs. Sadie L. Dance.</i> AN ACT For the relief of Mrs. Sadie L. Dance.....	July 6, 1945---	742
144 --- <i>Betty Jane Ritter.</i> AN ACT For the relief of Betty Jane Ritter...	July 6, 1945---	743
145 --- <i>Mrs. Beatrice Brown Waggoner.</i> AN ACT For the relief of Mrs. Beatrice Brown Waggoner.....	July 6, 1945---	743
146 --- <i>Naval and civilian personnel, reimbursement.</i> AN ACT To provide reimbursement for personal property lost, damaged, or destroyed as the result of an explosion at the Naval Air Station, Norfolk, Virginia, on September 17, 1943.....	July 6, 1945---	743
147 --- <i>Dorothy M. Moon.</i> AN ACT For the relief of Dorothy M. Moon.....	July 6, 1945---	744
148 --- <i>Mrs. Ethel Farkas.</i> AN ACT For the relief of Mrs. Ethel Farkas.....	July 6, 1945---	744
149 --- <i>Mrs. Mary Ellen Keegan Herzog and others.</i> AN ACT For the relief of Mrs. Mary Ellen Keegan Herzog, Francis James Keegan, and Sergeant John Keegan.....	July 6, 1945---	745
150 --- <i>D. W. Key.</i> AN ACT For the relief of D. W. Key.....	July 6, 1945---	745
151 --- <i>Osborne E. McKay.</i> AN ACT For the relief of Osborne E. McKay.....	July 6, 1945---	745
152 --- <i>Harland Bartholomew and Associates.</i> AN ACT For the relief of Harland Bartholomew and Associates.....	July 6, 1945---	746
153 --- <i>Mr. and Mrs. James E. McGhee.</i> AN ACT For the relief of Mr. and Mrs. James E. McGhee.....	July 14, 1945---	746
154 --- <i>Catholic Chancery Office, Inc.</i> AN ACT For the relief of the Catholic Chancery Office, Incorporated.....	July 14, 1945---	747
155 --- <i>William B. Scott.</i> AN ACT For the relief of William B. Scott...	July 14, 1945---	747
156 --- <i>Nita Rodlun.</i> AN ACT For the relief of Nita Rodlun.....	July 14, 1945---	748
157 --- <i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in Quonset Hut occupied by Eighty-third United States Naval Construction Battalion at Camp Rosseau, Port Hueneme, California, on December 22, 1944.....	July 14, 1945---	748
158 --- <i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel for personal property lost or damaged in a fire at Naval Base Two, Rosneath, Scotland, on October 12, 1944.....	July 14, 1945---	748
159 --- <i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in Quonset hut E-172 at the amphibious training base, Camp Bradford, naval operating base, Norfolk, Virginia, on January 20, 1945.....	July 14, 1945---	749
160 --- <i>Frederick Calvert, estate.</i> AN ACT For the relief of Ruby Doris Calvert, as administratrix of the estate of Frederick Calvert, deceased.....	July 14, 1945---	749
161 --- <i>Ida E. Laurie and Zella Rickard.</i> AN ACT For the relief of Ida E. Laurie and Zella Rickard.....	July 16, 1945---	750
162 --- <i>Clifton R. Weir, guardian.</i> AN ACT For the relief of the legal guardian of Clifton R. Weir.....	July 16, 1945---	750
163 --- <i>Mr. and Mrs. Stephen E. Sanders.</i> AN ACT For the relief of Mr. and Mrs. Stephen E. Sanders.....	July 16, 1945---	751
164 --- <i>Navy personnel, reimbursement.</i> AN ACT To provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the outlying degaussing branch of the Norfolk Navy Yard, Portsmouth, Virginia, on December 4, 1942.....	July 21, 1945---	751
165 --- <i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in the United States naval hospital, Seattle, Washington, on May 10, 1944...	July 21, 1945---	751

Private Law		Date	Page
166	<i>Mr. and Mrs. Arthur R. Brooks.</i> AN ACT For the relief of Mr. and Mrs. Arthur R. Brooks.	July 21, 1945	752
167	<i>Paul T. Thompson.</i> AN ACT For the relief of Paul T. Thompson.	July 24, 1945	752
168	<i>James Arthur Wilson, estate.</i> AN ACT For the relief of the estate of James Arthur Wilson, deceased.	July 28, 1945	753
169	<i>North Jersey Utilization and Sewerage Disposal Plant, Inc.</i> AN ACT For the relief of the duly appointed receiver of North Jersey Utilization and Sewerage Disposal Plant, Incorporated, or to such other person or persons as are legally authorized to collect the assets thereof.	July 31, 1945	753
170	<i>Herman Gelb.</i> AN ACT For the relief of Herman Gelb.	July 31, 1945	754
171	<i>John F. Davis.</i> AN ACT For the relief of John F. Davis.	July 31, 1945	754
172	<i>Madeline Winter and Ethel Newton.</i> AN ACT For the relief of Madeline Winter and Ethel Newton.	July 31, 1945	754
173	<i>Sam Swan and Aily Swan.</i> AN ACT For the relief of Sam Swan and Aily Swan.	July 31, 1945	755
174	<i>Alaska D. Jennette.</i> AN ACT For the relief of Alaska D. Jennette.	July 31, 1945	755
175	<i>Sam D. Moak.</i> AN ACT For the relief of Sam D. Moak.	July 31, 1945	755
176	<i>Greenfield Payne, estate.</i> AN ACT For the relief of the estate of Greenfield Payne.	July 31, 1945	756
177	<i>Hugh P. Gunnells and Mrs. Dezaree Gunnells.</i> AN ACT For the relief of Hugh P. Gunnells and Mrs. Dezaree Gunnells.	July 31, 1945	756
178	<i>Earl J. Shows.</i> AN ACT For the relief of Earl J. Shows.	July 31, 1945	757
179	<i>Haselden and Huggins Company.</i> AN ACT For the relief of Haselden and Huggins Company.	July 31, 1945	757
180	<i>Joe Manier, estate.</i> AN ACT For the relief of Mrs. Lucile Manier, as administratrix of the estate of Joe Manier.	July 31, 1945	757
181	<i>Fred Crago.</i> AN ACT For the relief of Fred Crago.	July 31, 1945	758
182	<i>Clarence J. Spiker and Fred W. Jandrey.</i> AN ACT For the relief of Clarence J. Spiker and Fred W. Jandrey.	July 31, 1945	758
183	<i>Mrs. Mary Karalis, estate.</i> AN ACT For the relief of the estate of Mrs. Mary Karalis.	July 31, 1945	758
184	<i>L. S. Strickland.</i> AN ACT For the relief of L. S. Strickland.	Aug. 8, 1945	759
185	<i>Dr. Jabez Fenton Jackson and Mrs. Narcissa Wilmans Jackson.</i> AN ACT For the relief of Doctor Jabez Fenton Jackson and Mrs. Narcissa Wilmans Jackson.	Aug. 8, 1945	759
186	<i>Mrs. Rita Cauvin Green.</i> AN ACT For the relief of Mrs. Rita Cauvin Green.	Aug. 8, 1945	760
187	<i>Lewis E. Magwood.</i> AN ACT To confer jurisdiction upon the United States District Court for the Eastern District of South Carolina to determine the claim of Lewis E. Magwood.	Aug. 8, 1945	760
188	<i>Lily L. Carren.</i> AN ACT For the relief of Lily L. Carren.	Sept. 21, 1945	761
189	<i>Margaret Hockenberry, guardian.</i> AN ACT For the relief of the legal guardian of Margaret Hockenberry, a minor.	Sept. 21, 1945	761
190	<i>George C. Tyler and Doris M. Tyler.</i> AN ACT For the relief of George C. Tyler and Doris M. Tyler.	Sept. 21, 1945	761
191	<i>William W. Maddox and others.</i> AN ACT For the relief of William W. Maddox and the legal guardian of Donna Sue Maddox and Saddle Inez Maddox.	Sept. 21, 1945	762
192	<i>Aloysius G. Miller.</i> AN ACT For the relief of Aloysius G. Miller.	Sept. 21, 1945	762
193	<i>John Visnovec and others.</i> AN ACT For the relief of John Visnovec, Rose Visnovec, and Helen Visnovec.	Sept. 21, 1945	763
194	<i>Edna S. Danks, estate.</i> AN ACT For the relief of Edmund F. Danks, as administrator of the estate of Edna S. Danks, deceased.	Sept. 21, 1945	763
195	<i>Teresa Tine.</i> AN ACT For the relief of Teresa Tine.	Sept. 21, 1945	764
196	<i>Patricia M. Kacprzyk and Alex D. Leontire.</i> AN ACT For the relief of Patricia M. Kacprzyk and Alex D. Leontire.	Sept. 21, 1945	764
197	<i>Frank Gien.</i> AN ACT For the relief of Frank Gien.	Sept. 21, 1945	764
198	<i>Mrs. Ruby H. Hunsucker.</i> AN ACT For the relief of Mrs. Ruby H. Hunsucker.	Sept. 24, 1945	765
199	<i>Stanley E. Smallwood, estate, and others.</i> AN ACT For the relief of the estate of Stanley E. Smallwood; to the legal guardian of Frank Carter, Junior, a minor; to the legal guardian of Donald R. Keithley, a minor; to Keithley Brothers Garage.	Sept. 24, 1945	765
200	<i>R. L. Whittington and others.</i> AN ACT For the relief of R. L. Whittington, Mrs. R. L. Whittington, and Mrs. J. B. Whittington.	Sept. 24, 1945	766
201	<i>George E. Baker.</i> AN ACT For the relief of George E. Baker.	Sept. 25, 1945	766
202	<i>Canal Dredging Company.</i> AN ACT For the relief of Canal Dredging Company.	Sept. 26, 1945	767

LIST OF PRIVATE LAWS

xi

Private Law		Date	Page
203	<i>Glassell-Taylor Company, Robinson and Young.</i> AN ACT For the relief of Glassell-Taylor Company, Robinson and Young...	Sept. 30, 1945	767
204	<i>Carl Baumann.</i> AN ACT For the relief of Carl Baumann...	Oct. 11, 1945	768
205	<i>Dan C. Rodgers.</i> AN ACT For the relief of Dan C. Rodgers...	Oct. 11, 1945	768
206	<i>Ernest L. Fuhrmann.</i> AN ACT For the relief of Ernest L. Fuhrmann	Oct. 11, 1945	768
207	<i>William Andrew Evans.</i> AN ACT For the relief of William Andrew Evans	Oct. 11, 1945	769
208	<i>Ensign Elmer H. Beckmann.</i> AN ACT For the relief of Ensign Elmer H. Beckmann, United States Naval Reserve...	Oct. 11, 1945	769
209	<i>Mr. and Mrs. Everett McLendon, Sr., and others.</i> AN ACT For the relief of Everett McLendon, Senior; Mrs. Everett McLendon, Senior; Mr. and Mrs. Everett McLendon, Senior, for the benefit of their minor daughter, Nadine McLendon; and Everett McLendon, Junior	Oct. 11, 1945	770
210	<i>Oliver Jensen.</i> AN ACT For the relief of Oliver Jensen	Oct. 11, 1945	770
211	<i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in a Quonset hut at Harrowbeer Airport, Yelverton, South Devon, England, on December 26, 1944	Oct. 11, 1945	771
212	<i>Hugh Egan.</i> AN ACT For the relief of Hugh Egan	Oct. 11, 1945	771
213	<i>Henry H. Huffman and Mrs. Marie J. Huffman.</i> AN ACT For the relief of Henry H. Huffman and Mrs. Marie J. Huffman	Oct. 11, 1945	771
214	<i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires occurring at various naval shore activities	Oct. 11, 1945	772
215	<i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in administration building at the naval air station, Bunker Hill, Indiana, on December 28, 1944	Oct. 11, 1945	772
216	<i>Lt. (jg) William Augustus White.</i> AN ACT For the relief of Lieutenant (Junior Grade) William Augustus White, United States Naval Reserve	Oct. 11, 1945	773
217	<i>John R. Jennings.</i> AN ACT For the relief of John R. Jennings	Oct. 11, 1945	773
218	<i>Navy personnel, reimbursement.</i> AN ACT To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the naval auxiliary air station, Pungo, Norfolk, Virginia, on February 13, 1945	Oct. 11, 1945	774
219	<i>Oregon Caves Resort.</i> AN ACT For the relief of the Oregon Caves Resort	Oct. 13, 1945	774
220	<i>Lee D. Hoseley.</i> AN ACT For the relief of Lee D. Hoseley	Oct. 13, 1945	774
221	<i>Raymond W. Ford.</i> AN ACT For the relief of Raymond W. Ford	Oct. 13, 1945	775
222	<i>Mrs. Ruth C. Stone.</i> AN ACT For the relief of Mrs. Ruth C. Stone	Oct. 16, 1945	775
223	<i>Mrs. Laura May Ryan.</i> AN ACT For the relief of Mrs. Laura May Ryan	Oct. 16, 1945	775
224	<i>Inglis Construction Company.</i> AN ACT For the relief of Inglis Construction Company, a corporation	Oct. 16, 1945	776
225	<i>Michael C. Donatell.</i> AN ACT For the relief of Michael C. Donatell	Oct. 16, 1945	776
226	<i>Mrs. Ora R. Hutchinson.</i> AN ACT For the relief of Mrs. Ora R. Hutchinson	Oct. 16, 1945	777
227	<i>Anna Mattil and others.</i> AN ACT For the relief of Anna Mattil and others	Oct. 16, 1945	777
228	<i>L. A. Williams.</i> AN ACT For the relief of L. A. Williams	Oct. 16, 1945	778
229	<i>Mrs. Virginia M. Kiser.</i> AN ACT For the relief of Mrs. Virginia M. Kiser	Oct. 16, 1945	778
230	<i>August Svelund.</i> AN ACT For the relief of August Svelund	Oct. 16, 1945	779
231	<i>Widow of Joseph C. Akin.</i> AN ACT For the relief of the widow of Joseph C. Akin	Oct. 16, 1945	779
232	<i>Mr. and Mrs. Edward P. Standley.</i> AN ACT For the relief of Mr. and Mrs. Edward P. Standley	Oct. 16, 1945	780
233	<i>Dr. Ernest H. Stark.</i> AN ACT For the relief of Doctor Ernest H. Stark	Oct. 29, 1945	780
234	<i>Dr. James M. Hooks.</i> AN ACT For the relief of Doctor James M. Hooks	Oct. 29, 1945	780
235	<i>J. Clyde Marquis.</i> AN ACT For the relief of J. Clyde Marquis	Oct. 29, 1945	781
236	<i>N. Owen Oxley and legal guardian of Lamar Oxley.</i> AN ACT For the relief of N. Owen Oxley and the legal guardian of Lamar Oxley, a minor	Oct. 31, 1945	781
237	<i>Winfred Alexander.</i> AN ACT For the relief of Winfred Alexander	Nov. 6, 1945	781

Private Law	Date	Page
238 --- <i>J. B. Grigsby</i> . AN ACT For the relief of J. B. Grigsby-----	Nov. 6, 1945---	782
239 --- <i>John W. Farrell</i> . AN ACT For the relief of John W. Farrell---	Nov. 8, 1945---	782
240 --- <i>Mona Mae Miller, guardian</i> . AN ACT For the relief of the legal guardian of Mona Mae Miller, a minor-----	Nov. 8, 1945---	783
241 --- <i>Oscar R. Steinert</i> . AN ACT For the relief of Oscar R. Steinert---	Nov. 9, 1945---	783
242 --- <i>Mrs. Lillian Epstein, estate</i> . AN ACT For the relief of the estate of Mrs. Lillian Epstein-----	Nov. 9, 1945---	784
243 --- <i>Lubell Brothers, Inc.</i> AN ACT For the relief of Lubell Brothers, Incorporated-----	Nov. 9, 1945---	784
244 --- <i>Mrs. Minnie A. Beltz</i> . AN ACT For the relief of Mrs. Minnie A. Beltz-----	Nov. 10, 1945---	785
245 --- <i>Navy personnel, reimbursement</i> . AN ACT To provide for the reimbursement of certain Navy personnel and former Navy personnel for personal property lost or destroyed as the result of a fire which occurred on the naval station, Tutuila, Ameri- can Samoa, on October 20, 1943-----	Nov. 10, 1945---	785
246 --- <i>Navy personnel, reimbursement</i> . AN ACT To reimburse certain Navy personnel and former Navy personnel for personal prop- erty lost or damaged as the result of a fire at the United States naval convalescent hospital, Banning, California, on March 5, 1945-----	Nov. 10, 1945---	785
247 --- <i>Navy personnel, reimbursement</i> . AN ACT To reimburse certain Navy personnel and former Navy personnel for personal prop- erty lost or damaged as the result of a fire in Quonset hut numbered 2, Hamoaze House, Plymouth, Devon, England, on December 31, 1944-----	Nov. 10, 1945---	786
248 --- <i>First Lt. Jack Sanders</i> . AN ACT For the relief of First Lieuten- ant Jack Sanders, United States Marine Corps Reserve, for the value of personal property destroyed as the result of an explosion at Camp Lejeune, North Carolina, on January 22, 1945-----	Nov. 10, 1945---	786
249 --- <i>Navy personnel, reimbursement</i> . AN ACT To reimburse certain Navy personnel and former Navy personnel for personal prop- erty lost or damaged as the result of a fire in building numbered 146 at the naval operating base, Bermuda, on April 26, 1945---	Nov. 10, 1945---	787
250 --- <i>Navy and Marine Corps personnel, reimbursement</i> . AN ACT To reimburse certain Navy and Marine Corps personnel and for- mer Navy and Marine Corps personnel for personal property lost or damaged as the result of a fire in buildings 102 and 102-A in Utulei, Tutuila, American Samoa, on August 17, 1944-----	Nov. 10, 1945---	787
251 --- <i>William F. Bacon and others, estates</i> . AN ACT For the relief of the estates of William F. Bacon, Myrtle Jackson, Catherine Smith, and Tibbie Spencer-----	Nov. 14, 1945---	788
252 --- <i>Daniel Boardman, land claim</i> . AN ACT To quiet title and pos- session with respect to that certain unconfirmed and located private land claim known as claim of Daniel Boardman, C. No. 13, in Cosby and Skipwith's Report of 1820, certificate 749, and being designated as section 44, township 7 south, range 3 east, Greensburg Land District, Livingston Parish, Louisiana, on the official plat of said township-----	Nov. 14, 1945---	788
253 --- <i>George J. Ross, estate</i> . AN ACT For the relief of the estate of George J. Ross-----	Nov. 14, 1945---	789
254 --- <i>Charlie Tyson</i> . AN ACT For the relief of Charlie Tyson-----	Nov. 14, 1945---	789
255 --- <i>Mr. and Mrs. Edmond J. Saint Amant, Jr.</i> AN ACT For the relief of Mr. and Mrs. Edmond J. Saint Amant, Junior-----	Nov. 14, 1945---	789
256 --- <i>Central Leaf Tobacco Company, Inc.</i> AN ACT For the relief of the Central Leaf Tobacco Company, Incorporated-----	Nov. 14, 1945---	790
257 --- <i>Mr. and Mrs. Ernest L. Barlow</i> . AN ACT For the relief of Mr. and Mrs. Ernest L. Barlow-----	Nov. 14, 1945---	790
258 --- <i>Mrs. Hibernia I. Connors</i> . AN ACT For the relief of Mrs. Hibernia I. Connors-----	Nov. 14, 1945---	791
259 --- <i>Damage claims</i> . AN ACT To authorize payment of certain claims for damage to or loss or destruction of property arising from activities of the War Department or of the Army-----	Nov. 14, 1945---	791
260 --- <i>L. W. Freeman</i> . AN ACT Conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon any claim arising out of the death of L. W. Freeman-----	Nov. 15, 1945---	792
261 --- <i>Klau-Van Pietersom-Dunlap Associates, Inc.</i> AN ACT For the relief of Klau-Van Pietersom-Dunlap Associates, Incor- porated-----	Nov. 17, 1945---	792
262 --- <i>G. H. Moore and Mr. and Mrs. A. J. Moore</i> . AN ACT For the relief of G. H. Moore and Mr. and Mrs. A. J. Moore-----	Nov. 20, 1945---	793

LIST OF PRIVATE LAWS

xiii

Private Law		Date	Page
263	<i>Donald Rhone, estate.</i> AN ACT For the relief of the estate of Donald Rhone	Nov. 20, 1945	793
264	<i>Mr. and Mrs. John T. Webb, Sr.</i> AN ACT For the relief of Mr. and Mrs. John T. Webb, Senior	Nov. 21, 1945	794
265	<i>Mrs. Catherine Driggers and her minor children.</i> AN ACT For the relief of Mrs. Catherine Driggers and her minor children	Nov. 30, 1945	794
266	<i>Francis A. Hanley.</i> AN ACT For the relief of Francis A. Hanley	Nov. 30, 1945	794
267	<i>Alexander McLean, estate.</i> AN ACT For the relief of the estate of Alexander McLean, deceased	Nov. 30, 1945	795
268	<i>Florence Zimmerman.</i> AN ACT For the relief of Florence Zimmerman	Nov. 30, 1945	795
269	<i>James A. Brady.</i> AN ACT For the relief of James A. Brady	Nov. 30, 1945	796
270	<i>Leslie O. Allen.</i> AN ACT For relief of Leslie O. Allen	Nov. 30, 1945	796
271	<i>G. F. Allen.</i> AN ACT For the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes	Nov. 30, 1945	796
272	<i>Rolla Duncan.</i> AN ACT For the relief of Rolla Duncan	Nov. 30, 1945	797
273	<i>Marine Corps personnel, reimbursement.</i> AN ACT To reimburse certain Marine Corps personnel and former Marine Corps personnel for personal property lost in the disaster to the S. S. Maasdam on June 26, 1941	Dec. 3, 1945	797
274	<i>Sybil Georgette Townsend.</i> AN ACT For the relief of Sybil Georgette Townsend	Dec. 3, 1945	798
275	<i>Nannie Bass.</i> AN ACT For the relief of Nannie Bass	Dec. 3, 1945	798
276	<i>John August Johnson.</i> AN ACT For the relief of John August Johnson	Dec. 3, 1945	799
277	<i>Carl Lewis.</i> AN ACT For the relief of Carl Lewis	Dec. 3, 1945	799
278	<i>Mattie Lee Brown, estate.</i> AN ACT For the relief of the estate of Mattie Lee Brown, deceased	Dec. 3, 1945	799
279	<i>O. M. Minatree.</i> AN ACT For the relief of O. M. Minatree	Dec. 3, 1945	800
280	<i>Candler Cobb.</i> AN ACT For the relief of Candler Cobb	Dec. 3, 1945	800
281	<i>Annie M. Lannon.</i> AN ACT For the relief of Annie M. Lannon	Dec. 3, 1945	800
282	<i>Alfred Lewis Cosson, estate, and others.</i> AN ACT For the relief of the estate of Alfred Lewis Cosson, deceased, and others	Dec. 3, 1945	801
283	<i>Florentine H. Keeler and others.</i> AN ACT For the relief of Florentine H. Keeler, Harold S. Keeler, and Genevieve M. Keeler	Dec. 3, 1945	801
284	<i>Wesley J. Stewart.</i> AN ACT For the relief of Wesley J. Stewart	Dec. 3, 1945	802
285	<i>John J. Gall.</i> AN ACT For the relief of John J. Gall	Dec. 3, 1945	802
286	<i>Franz Tillman, estate.</i> AN ACT For the relief of the estate of Franz Tillman, deceased	Dec. 3, 1945	803
287	<i>Clifford E. Craig.</i> AN ACT For the relief of Clifford E. Craig	Dec. 3, 1945	803
288	<i>Cleo E. Baker.</i> AN ACT For the relief of Cleo E. Baker	Dec. 3, 1945	803
289	<i>Mary Galipeau.</i> AN ACT For the relief of Mary Galipeau	Dec. 3, 1945	804
290	<i>John R. Blackmore, estate, and Louise D. Blackmore.</i> AN ACT For the relief of the estate of John R. Blackmore and Louise D. Blackmore	Dec. 3, 1945	804
291	<i>Arlethia Rosser.</i> AN ACT For the relief of Arlethia Rosser	Dec. 3, 1945	804
292	<i>Mrs. Ruth Cox.</i> AN ACT For the relief of Mrs. Ruth Cox	Dec. 3, 1945	805
293	<i>Capt. Werner Holtz.</i> AN ACT For the relief of Captain Werner Holtz	Dec. 3, 1945	805
294	<i>Ed Edmondson, estate.</i> AN ACT For the relief of the estate of Ed Edmondson, deceased	Dec. 3, 1945	806
295	<i>Helen Alton and Edwin Alton.</i> AN ACT For the relief of Helen Alton and Edwin Alton	Dec. 3, 1945	806
296	<i>Patrick A. Kelly.</i> AN ACT For the relief of Patrick A. Kelly	Dec. 3, 1945	806
297	<i>Mrs. Evelyn Johnson.</i> AN ACT For the relief of Mrs. Evelyn Johnson	Dec. 3, 1945	807
298	<i>Ben Greenwood and Dovie Greenwood.</i> AN ACT For the relief of Ben Greenwood and Dovie Greenwood	Dec. 3, 1945	807
299	<i>Mrs. Stuart B. Riley.</i> AN ACT For the relief of Mrs. Stuart B. Riley	Dec. 3, 1945	808
300	<i>Angelo Gianquitti and George Gianquitti.</i> AN ACT For the relief of Angelo Gianquitti and George Gianquitti	Dec. 3, 1945	808
301	<i>Harper Theodore Duke, Jr., estate.</i> AN ACT For the relief of the estate of Harper Theodore Duke, Junior	Dec. 3, 1945	809
302	<i>John Hames.</i> AN ACT For the relief of John Hames	Dec. 3, 1945	809
303	<i>Mrs. Addie S. Lewis.</i> AN ACT For the relief of Mrs. Addie S. Lewis	Dec. 3, 1945	809
304	<i>Sue Flippin Bratton, guardian.</i> AN ACT For the relief of the legal guardian of Sue Flippin Bratton, a minor	Dec. 3, 1945	810
305	<i>Stanley J. Lilly.</i> AN ACT For the relief of Stanley J. Lilly	Dec. 3, 1945	810
306	<i>Christian H. Kreusler.</i> AN ACT For the relief of Christian H. Kreusler	Dec. 3, 1945	811

Private Law	Date	Page
307 --- <i>Genevieve Lund.</i> AN ACT For the relief of Genevieve Lund....	Dec. 3, 1945...	811
308 --- <i>Robert A. Hudson.</i> AN ACT For the relief of Robert A. Hudson..	Dec. 3, 1945...	811
309 --- <i>Jay H. McCleary.</i> AN ACT For the relief of Jay H. McCleary...	Dec. 3, 1945...	812
310 --- <i>Ida M. Raney.</i> AN ACT For the relief of Ida M. Raney.....	Dec. 11, 1945...	812
311 --- <i>Mrs. Alan Sells and estate of Alan Sells.</i> AN ACT For the relief of Mrs. Alan Sells and the estate of Alan Sells.....	Dec. 11, 1945...	813
312 --- <i>Joseph A. Hannon and Eleanore M. Hannon.</i> AN ACT For the relief of Joseph A. Hannon and Eleanore M. Hannon.....	Dec. 11, 1945...	813
313 --- <i>Gregory Stelmak.</i> AN ACT For the relief of Gregory Stelmak...	Dec. 11, 1945...	813
314 --- <i>Charlie B. Rouse and Mrs. Louette Rouse.</i> AN ACT For the relief of Charlie B. Rouse and Mrs. Louette Rouse.....	Dec. 11, 1945...	814
315 --- <i>Charles Bryan.</i> AN ACT For the relief of Charles Bryan.....	Dec. 11, 1945...	814
316 --- <i>Thomas McGarroll, estate.</i> AN ACT For the relief of the estate of Thomas McGarroll.....	Dec. 11, 1945...	815
317 --- <i>Robert Woods Bliss and Mildred B. Bliss.</i> AN ACT To authorize the Secretary of the Navy to convey Casa Dorinda Estate in Santa Barbara County, California, to Robert Woods Bliss and Mildred B. Bliss.....	Dec. 11, 1945...	815
318 --- <i>Charles Rex Marchant and others.</i> JOINT RESOLUTION Granting permission to Charles Rex Marchant, Lorne E. Sasseen, and Jack Veniss Bassett to accept certain medals tendered them by the Government of Canada in the name of His Britannic Majesty, King George VI.....	Dec. 12, 1945...	816
319 --- <i>Harry Leon Black, estate.</i> AN ACT For the relief of the estate of Harry Leon Black.....	Dec. 19, 1945...	816
320 --- <i>Settlers in Ketchum, Idaho.</i> AN ACT To amend the Act entitled "An Act for the relief of certain settlers in the town site of Ketchum, Idaho", approved July 11, 1940, so as to extend for three years the time for making application for benefits thereunder.....	Dec. 21, 1945...	817
321 --- <i>Edgar Kaigler.</i> AN ACT For the relief of Edgar Kaigler.....	Dec. 28, 1945...	817
322 --- <i>Virginia Packard.</i> AN ACT For the relief of Virginia Packard..	Dec. 28, 1945...	817
323 --- <i>Fairview School District Numbered 90.</i> AN ACT For the relief of Fairview School District Numbered 90, Pratt County, Kansas.....	Dec. 28, 1945...	818
324 --- <i>Gladys Elvira Maurer.</i> AN ACT For the relief of Gladys Elvira Maurer.....	Dec. 28, 1945...	818
325 --- <i>John Nisselson.</i> AN ACT For the relief of John Nisselson, of Brooklyn, New York.....	Dec. 28, 1945...	818
326 --- <i>Matthew Mattas.</i> AN ACT For the relief of Matthew Mattas..	Dec. 28, 1945...	819
327 --- <i>Percy Allen.</i> AN ACT For the relief of Percy Allen.....	Dec. 28, 1945...	819
328 --- <i>Roy S. Councilman.</i> AN ACT For the relief of Roy S. Council- man.....	Dec. 28, 1945...	819
329 --- <i>Irvine Company.</i> AN ACT For the relief of the Irvine Com- pany.....	Dec. 28, 1945...	820
330 --- <i>Gordon T. Gorham, estate, and others.</i> AN ACT For the relief of estate of Gordon T. Gorham, and others.....	Dec. 28, 1945...	820
331 --- <i>Mr. and Mrs. J. L. Lamb.</i> AN ACT For the relief of Mr. and Mrs. J. L. Lamb.....	Dec. 28, 1945...	822
332 --- <i>W. F. Smothers, estate.</i> AN ACT For the relief of the estate of W. F. Smothers.....	Dec. 28, 1945...	822
333 --- <i>Viola Theriaque.</i> AN ACT For the relief of Viola Theriaque..	Dec. 28, 1945...	822
334 --- <i>Reverend Neal Deweese and others.</i> AN ACT For the relief of Reverend Neal Deweese, Mrs. Minnie Deweese, Raymond Deweese, and the estate of Lon Thurman, deceased.....	Dec. 28, 1945...	823
335 --- <i>Ohio Brass Company.</i> AN ACT For the relief of the Ohio Brass Company.....	Dec. 28, 1945...	823
336 --- <i>Rastus L. Davis.</i> AN ACT For the relief of Rastus L. Davis..	Dec. 28, 1945...	824
337 --- <i>Harry Goldstein and Joseph Mallardi.</i> AN ACT For the relief of Harry Goldstein and Joseph Mallardi.....	Dec. 28, 1945...	824
338 --- <i>John W. Magee and Florence V. Magee.</i> AN ACT For the relief of John W. Magee and Florence V. Magee.....	Dec. 28, 1945...	825
339 --- <i>Charles W. Anderson, Roy Jefferds, and Gus Klockenkemper.</i> AN ACT For the relief of Charles W. Anderson, Roy Jefferds, and Gus Klockenkemper.....	Dec. 28, 1945...	825
340 --- <i>Henry P. King and G. B. Morgan, Sr.</i> AN ACT For the relief of Henry P. King and G. B. Morgan, Senior.....	Dec. 28, 1945...	825
341 --- <i>Albemarle Hospital and others.</i> AN ACT For the relief of Albe- marle Hospital, Doctor Z. D. Owens, Doctor W. W. Johnston, Evans Funeral Home, Esther Pendleton, legal guardian of Lloyd Pendleton, Duke Hospital, and Ephriam Daniels.....	Dec. 28, 1945...	826
342 --- <i>Hannah Hidde and Doris Hidde.</i> AN ACT For the relief of Hannah Hidde and Doris Hidde.....	Dec. 28, 1945...	826

LIST OF PRIVATE LAWS

XV

Private Law		Date	Page
343	--- <i>Mrs. Eugenie U. Bolstad.</i> AN ACT For the relief of Mrs. Eugenie U. Bolstad.....	Dec. 28, 1945....	827
344	--- <i>A. F. Fitzpatrick.</i> AN ACT For the relief of A. F. Fitzpatrick..	Dec. 28, 1945....	827
345	--- <i>Rufus A. Hancock.</i> AN ACT For the relief of Rufus A. Hancock.....	Dec. 28, 1945....	828
346	--- <i>Eli Richmond.</i> AN ACT For the relief of Eli Richmond.....	Dec. 28, 1945....	828
347	--- <i>Oscar N. McLean.</i> AN ACT For the relief of Oscar N. McLean.....	Dec. 28, 1945....	828
348	--- <i>Annarae Weiss.</i> AN ACT For the relief of Annarae Weiss.....	Dec. 28, 1945....	829
349	--- <i>Mrs. Bessie M. Campbell and Charles J. Campbell.</i> AN ACT For the relief of Mrs. Bessie M. Campbell and Charles J. Campbell.....	Dec. 28, 1945....	829
350	--- <i>Mary Elizabeth Montague.</i> AN ACT For the relief of Mary Elizabeth Montague.....	Dec. 28, 1945....	830
351	--- <i>Finck Cigar Company.</i> AN ACT For the relief of Finck Cigar Company.....	Dec. 28, 1945....	830
352	--- <i>Mrs. Gisella Sante.</i> AN ACT For the relief of Mrs. Gisella Sante.....	Dec. 28, 1945....	830
353	--- <i>Eric Fischer and Else Fischer.</i> AN ACT For the relief of Eric Fischer and Else Fischer.....	Dec. 28, 1945....	831
354	--- <i>Mrs. Katie Sanders.</i> AN ACT For the relief of Mrs. Katie Sanders.....	Dec. 28, 1945....	831
355	--- <i>A. M. Strauss.</i> AN ACT For the relief of A. M. Strauss.....	Dec. 28, 1945....	832
356	--- <i>Hugo Effinger.</i> AN ACT For the relief of Hugo Effinger, in behalf of his minor son, William L. Effinger.....	Dec. 28, 1945....	832
357	--- <i>Miss Jacqueline Friedrich.</i> AN ACT For the relief of Miss Jacqueline Friedrich.....	Dec. 28, 1945....	832
358	--- <i>Mrs. Eunice C. Hardage.</i> AN ACT For the relief of Mrs. Eunice C. Hardage.....	Dec. 28, 1945....	833
359	--- <i>Myrtle C. Radabaugh.</i> AN ACT For the relief of Myrtle C. Radabaugh.....	Dec. 28, 1945....	833
360	--- <i>M. R. Stone.</i> AN ACT For the relief of M. R. Stone.....	Dec. 28, 1945....	834
361	--- <i>Franklin P. Radcliffe.</i> AN ACT For the relief of Franklin P. Radcliffe.....	Dec. 28, 1945....	834
362	--- <i>Mrs. Bessie S. Edmonds.</i> AN ACT For the relief of Mrs. Bessie S. Edmonds.....	Dec. 29, 1945....	834
363	--- <i>Chanslor-Canfield Midway Oil Company.</i> AN ACT To authorize the Secretary of War to quitclaim to Chanslor-Canfield Midway Oil Company subsurface mineral and water rights in two hundred and eleven and thirty-six one-hundredths acres of land in the county of Los Angeles, California.....	Dec. 29, 1945....	835
364	--- <i>Springfield Co-operative Bank.</i> AN ACT For the relief of the Springfield Co-operative Bank.....	Dec. 29, 1945....	835
365	--- <i>Flood claimants.</i> AN ACT For the relief of certain claimants who suffered loss by flood in, at, or near Bean Lake in Platte County, in the State of Missouri, during the month of March 1934.....	Dec. 29, 1945....	836
366	--- <i>George O'Hara, estate.</i> AN ACT For the relief of the estate of George O'Hara.....	Jan. 19, 1946....	836

LIST OF CONCURRENT RESOLUTIONS

CONTAINED IN THIS VOLUME

THE SEVENTY-NINTH CONGRESS OF THE UNITED STATES FIRST SESSION, 1945

	Date	Page
<i>Electoral votes.</i> Ascertainment and counting.....	Jan. 3, 1945...	839
<i>Congress.</i> Joint meeting.....	Jan. 6, 1945...	839
<i>Congress.</i> Joint committee on organization.....	Feb. 19, 1945...	839
<i>Congress.</i> Joint meeting.....	Feb. 28, 1945...	841
<i>Crimes and Criminal Procedures.</i> Printing of additional copies of bill and report.....	Mar. 19, 1945...	841
<i>Postwar plans for agriculture.</i> Printing of additional copies of House committee hearings.....	Mar. 19, 1945...	841
<i>Making of treaties.</i> Printing of additional copies of House committee hearings.....	Mar. 26, 1945...	841
<i>Handbook for Servicemen, etc.</i> Printing of additional copies of House document.....	Mar. 29, 1945...	842
<i>Veterans and their dependents.</i> Printing of historical statement as a House document.....	Mar. 29, 1945...	842
<i>Congress.</i> Joint meeting.....	Apr. 16, 1945...	842
<i>Further Prosecution of the War.</i> Printing of additional copies of House document.....	Apr. 19, 1945...	842
<i>Concentration camps in Germany, report.</i> Printing of additional copies of Senate document.....	May 21, 1945...	843
<i>Survey of fishery resources.</i> Printing of report as a Senate document.....	May 24, 1945...	843
<i>Railroad Retirement Act, etc.</i> Printing of additional copies of House committee hearings.....	May 28, 1945...	843
<i>Our American Government, etc.</i> Printing of revised edition as a public document.....	June 1, 1945...	843
<i>Postwar disposition of merchant vessels.</i> Printing of additional copies of House committee hearings.....	June 8, 1945...	844
<i>Food shortages.</i> Printing of additional copies of House committee hearings.....	June 18, 1945...	844
<i>Oil and gas wells.</i> Approval of certain regulations regarding tax deductions for intangible drilling and development costs.....	July 21, 1945...	844
<i>Congress.</i> Adjournment.....	July 21, 1945...	844
<i>Pearl Harbor attack.</i> Joint committee on investigation.....	Sept. 11, 1945...	845
<i>Highway-construction program, postwar.</i> Procedure under Federal-Aid Highway Act of 1944.....	Oct. 2, 1945...	846
<i>Financial problems of small business.</i> Printing of additional copies of House committee hearings.....	Oct. 5, 1945...	846
<i>Missouri Valley Authority.</i> Printing of additional copies of Senate committee hearings.....	Oct. 10, 1945...	846
<i>Congress.</i> Joint meeting.....	Oct. 18, 1945...	846
<i>Universal military training.</i> Printing of additional copies of House committee hearings.....	Nov. 1, 1945...	846
<i>President of the United States.</i> Printing of address as a House document.....	Nov. 1, 1945...	847
<i>L. W. Freeman.</i> Signing of bill rescinded; reenrollment.....	Nov. 8, 1945...	847
<i>Federal income tax law, armed forces.</i> Printing of manuscript as a public document.....	Nov. 19, 1945...	847
<i>Questions and Answers on Revenue Act of 1945.</i> Printing of manuscript as a House document.....	Dec. 7, 1945...	847
<i>United Nations Organization site.</i> Location.....	Dec. 11, 1945...	848
<i>Full Employment Act of 1945.</i> Printing of additional copies of House committee hearings.....	Dec. 15, 1945...	848
<i>Physically handicapped, aid.</i> Printing of additional copies of House committee hearings.....	Dec. 15, 1945...	848
<i>Free entry of Jews into Palestine.</i> Expression of desire of Congress.....	Dec. 19, 1945...	848
<i>Pearl Harbor attack.</i> Extension of time for report.....	Dec. 20, 1945...	849
<i>Congress.</i> Adjournment sine die.....	Dec. 21, 1945...	849
<i>Congress.</i> Signing of enrolled bills, etc.....	Dec. 21, 1945...	849
<i>Pearl Harbor attack.</i> Extension of time for report.....	Dec. 21, 1945...	850

LIST OF PROCLAMATIONS

CONTAINED IN THIS VOLUME

No.	Date	Page
2635 Plumas National Forest, Calif., enlargement.....	Jan. 13, 1945....	853
2636 Eldorado National Forest, Calif., enlargement.....	Jan. 13, 1945....	854
2637 Red Cross Month, 1945.....	Jan. 19, 1945....	855
2638 Emergency Board, Kentucky & Indiana Terminal Railroad— Employees.....	Feb. 6, 1945....	856
2639 Emergency Board, Central of Georgia Railway Company—Em- ployees.....	Feb. 8, 1945....	857
2640 Emergency Board, Des Moines and Central Iowa Railroad—Em- ployees.....	Mar. 7, 1945....	858
2641 Emergency Board, Denver & Rio Grande Western Railroad Com- pany—Employees.....	Mar. 8, 1945....	859
2642 Army Day, 1945.....	Mar. 12, 1945....	860
2643 "I Am An American Day", 1945.....	Mar. 14, 1945....	860
2644 Cancer Control Month, 1945.....	Mar. 24, 1945....	861
2645 National Maritime Day, 1945.....	Apr. 4, 1945....	862
2646 Emergency Board, Missouri Pacific Railroad Company—Em- ployees.....	Apr. 5, 1945....	863
2647 Child Health Day, 1945.....	Apr. 7, 1945....	864
2648 President Franklin Delano Roosevelt, day of mourning and prayer..	Apr. 13, 1945....	864
2649 Mother's Day, 1945.....	Apr. 17, 1945....	865
2650 National Rehabilitation Week.....	May 5, 1945....	866
2651 Day of Prayer, May 13, 1945.....	May 8, 1945....	867
2652 National Farm-Safety Week, 1945.....	May 9, 1945....	867
2653 Emergency Board, Colorado & Wyoming Railway Company— Employees.....	May 16, 1945....	868
2654 Flag Day, 1945.....	May 28, 1945....	869
2655 Alien enemies, removal.....	July 14, 1945....	870
2656 Air Force Day.....	July 20, 1945....	871
2657 National defense pipe line—The Texas—Empire Pipe Line Com- pany.....	July 20, 1945....	872
2658 Migratory birds and certain game mammals, regulations relating to..	July 31, 1945....	873
2659 Santa Rosa Island National Monument, elimination of certain lands.	Aug. 13, 1945....	877
2660 Day of Prayer, August 19, 1945.....	Aug. 16, 1945....	878
2661 Fire Prevention Week, 1945.....	Aug. 22, 1945....	879
2662 Alien enemies, removal.....	Sept. 8, 1945....	880
2663 Casco Bay, Portsmouth, N. H., Boston, Cape Hatteras, and Key West Maritime Control Areas, discontinuance.....	Sept. 11, 1945....	881
2664 National Employ the Physically Handicapped Week, 1945.....	Sept. 21, 1945....	881
2665 Columbus Day, 1945.....	Sept. 28, 1945....	882
2666 Immigration quotas for Austria and Germany.....	Sept. 28, 1945....	883
2667 Natural resources of the subsoil and sea bed of the continental shelf, policy.....	Sept. 28, 1945....	884
2668 Coastal fisheries in certain areas of the high seas, policy.....	Sept. 28, 1945....	885
2669 National defense, emergency facilities.....	Sept. 29, 1945....	886
2670 General Pulaski's Memorial Day.....	Oct. 11, 1945....	886
2671 Woman's Enfranchisement Day.....	Oct. 31, 1945....	887
2672 Armistice Day, 1945.....	Nov. 5, 1945....	888
2673 Thanksgiving Day, 1945.....	Nov. 12, 1945....	888
2674 Alien enemies, revocation of certain regulations.....	Dec. 7, 1945....	889
2675 International Load Lines Convention, revocation of proclamation suspending.....	Dec. 21, 1945....	890

LIST OF TREATIES¹

CONTAINED IN THIS VOLUME

Treaty Series	Page
988 <i>French Republic</i> . Double taxation. Convention and protocol: Signed at Paris July 25, 1939; proclaimed January 5, 1945.....	893
989 <i>Canada</i> . Double taxation, estate taxes and succession duties. Convention: Signed at Ottawa June 8, 1944; proclaimed March 6, 1945.....	915
990 <i>Multilateral</i> . Sugar. Agreement and protocol: Signed at London May 6, 1937; proclaimed April 20, 1945. Protocol enforcing and prolonging agreement signed at London July 22, 1942; proclaimed April 20, 1945. Additional protocol signed at London August 31, 1944; proclaimed April 20, 1945.....	922
991 <i>Multilateral</i> . Sanitary maritime navigation. Convention: Opened for signature at Washington December 15, 1944; signed for the United States of America January 5, 1945; proclaimed May 29, 1945.....	955
992 <i>Multilateral</i> . Sanitary aerial navigation. Convention: Opened for signature at Washington December 15, 1944; signed for the United States of America January 5, 1945; proclaimed May 29, 1945.....	991
993 <i>Multilateral</i> . Charter of the United Nations and Statute of the International Court of Justice. Signed at San Francisco June 26, 1945; proclaimed October 31, 1945.....	1031
994 <i>Mexico</i> . Utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande. Treaty: Signed at Washington February 3, 1944; protocol signed at Washington November 14, 1944; proclaimed November 27, 1945, subject to certain understandings.....	1219

¹ In this list are included all instruments, whether called treaties, conventions, protocols, or otherwise, entered into on the part of the United States by the President by and with the advice and consent of the Senate.

LIST OF INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

CONTAINED IN THIS VOLUME

Executive Agreement Series		Page
450	<i>Guatemala</i> . Cooperative education.....	1271
451	<i>Costa Rica</i> . Temporary migration of Costa Rican agricultural workers.....	1275
452	<i>Panama</i> . General relations.....	1289
453	<i>Haiti</i> . Health and sanitation program.....	1298
454	<i>New Zealand</i> . Jurisdiction over prizes.....	1301
455	<i>France</i> . Mutual aid.....	1304
456	<i>Multilateral</i> . Armistice with Hungary.....	1321
457	<i>Canada</i> . Air transport services.....	1353
458	<i>Multilateral</i> . European inland transport.....	1359
459	<i>Guatemala</i> . Military mission.....	1392
460	<i>Ireland</i> . Air transport services.....	1402
461	<i>Multilateral</i> . Preparatory Commission of the United Nations.....	1411
462	<i>Haiti</i> . Cooperative rubber plantation investigations.....	1458
463	<i>Iceland</i> . Air transport services.....	1464
464	<i>Guatemala</i> . Agricultural experiment station.....	1471
465	<i>Turkey</i> . Mutual aid.....	1476
466	<i>Guatemala</i> . Military aviation mission.....	1488
467	<i>Australia</i> . Certain problems of marine transportation and litigation.....	1499
468	<i>Chile</i> . Naval mission.....	1505
469	<i>Multilateral</i> . International civil aviation.....	1516
470	<i>Iraq</i> . Mutual aid.....	1535
471	<i>Norway</i> . Certain problems of marine transportation and litigation.....	1541
472	<i>Multilateral</i> . Prosecution and punishment of major war criminals of the European Axis.....	1544
473	<i>Ecuador</i> . Health and sanitation program.....	1590
474	<i>Peru</i> . Cooperative fellowship program.....	1594
475	<i>Ecuador</i> . Military service.....	1598
476	<i>Venezuela</i> . Military service.....	1602
477	<i>Peru</i> . Military service.....	1606
478	<i>Chile</i> . Military service.....	1610
479	<i>Canada</i> . Sockeye salmon fisheries.....	1614
480	<i>Netherlands</i> . Mutual aid.....	1627
481	<i>Belgium</i> . Mutual aid.....	1642
482	<i>Norway</i> . Air transport services.....	1658
483	<i>French Committee of National Liberation</i> . Mutual aid in French North and West Africa.....	1666
484	<i>Nicaragua</i> . Health and sanitation program.....	1673
485	<i>Chile</i> . Health and sanitation program.....	1678
486	<i>Costa Rica</i> . Military mission.....	1682
487	<i>Multilateral</i> . Air Services Transit Agreement.....	1693
488	<i>Multilateral</i> . Air transport.....	1701
489	<i>United Kingdom of Great Britain and Northern Ireland for India</i> . Jurisdiction over prizes.....	1709
490	<i>Multilateral</i> . Armistice with Rumania.....	1712
491	<i>United Kingdom of Great Britain and Northern Ireland</i> . Anglo-American Committee of Inquiry.....	1729
492	<i>Italy</i> . Commercial relations.....	1731
493	<i>Multilateral</i> . Surrender by Japan.....	1733
494	<i>Multilateral</i> . European Central Inland Transport Organization.....	1740
495	<i>Argentina</i> . Fuel and vegetable oil.....	1799
496	<i>Colombia</i> . Commercial relations.....	1815
497	<i>Norway</i> . Relations between armed forces in Iceland.....	1819
498	<i>Multilateral</i> . Agreement regarding Japan.....	1823
499	<i>Guatemala</i> . Parcel post.....	1827
500	<i>Portugal</i> . Air transport.....	1846
501	<i>Multilateral</i> . Provisional administration of Venezia Giulia.....	1855
502	<i>Multilateral</i> . Surrender by Germany.....	1857
503	<i>Haiti</i> . Reciprocal customs privileges.....	1868
504	<i>Panama</i> . Cooperative education.....	1871
505	<i>Union of Soviet Socialist Republics</i> . Liberated prisoners of war and civilians.....	1874
506	<i>Multilateral</i> . Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883

PRIVATE LAWS

PRIVATE LAWS

ENACTED DURING THE

FIRST SESSION OF THE SEVENTY-NINTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Wednesday, January 3, 1945, and adjourned sine die on Friday, December 21, 1945

FRANKLIN D. ROOSEVELT, President until his death, April 12, 1945; HARRY S. TRUMAN, President on and after April 12, 1945; HENRY A. WALLACE, Vice President to January 20, 1945; HARRY S. TRUMAN, Vice President from January 20, 1945, to April 12, 1945; KENNETH MCKELLAR, President of the Senate *pro tempore*; SAM RAYBURN, Speaker of the House of Representatives.

[CHAPTER 12]

AN ACT

To authorize Lewis Hobart Kenney, Charles Garner, Charles Clement Goodman, and Henry Charles Robinson to accept decorations and orders tendered them by the Government of the United States of Brazil.

February 28, 1945
[S. 221]

[Private Law 1]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lewis Hobart Kenney, Charles Garner, Charles Clement Goodman, and Henry Charles Robinson are hereby authorized to accept from the Government of the United States of Brazil such decorations, orders, medals, and emblems as have been or may be tendered them, hereby expressly granting the consent of Congress required for this purpose by clause 8 of section 9, article I, of the Constitution.

Lewis Hobart Kenney and others.
Acceptance of decorations, etc.

1 Stat. 15.
U. S. C. Vol. 1, p. XXXV.

Approved February 28, 1945.

[CHAPTER 13]

AN ACT

For the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes.

February 28, 1945
[S. 315]

[Private Law 2]

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 is authorized and directed to allow credit in the accounts of G. F. Allen, chief disbursing officer, Treasury Department, in an amount not to exceed \$709.51, for items suspended or disallowed.

G. F. Allen.
Credit in accounts.

Treasury Department.
Credit in accounts of certain former disbursing clerks.

SEC. 2. The Comptroller General is authorized and directed to allow credit in the accounts of former disbursing clerks of the Division of Disbursement, Treasury Department, for items suspended or disallowed, not to exceed the amounts stated: M. V. Bates, former disbursing clerk, Treasury Department, Lansing, Michigan, \$33,774.03; Ivan Carrico, former disbursing clerk, Treasury Department, Charleston, West Virginia, \$8,376.77; W. F. Cramer, former disbursing clerk, Treasury Department, District of Columbia, \$58.62; T. A. Dillon, former disbursing clerk, Treasury Department, Indianapolis, Indiana, \$127.50; O. Kanngiesser, former disbursing clerk, Treasury Department, Albany, New York, \$21.47; D. E. Love, former disbursing clerk, Treasury Department, Santa Fe, New Mexico, \$93.80; L. S. McCracken, former disbursing clerk, Treasury Department, San Francisco, California, \$234.70; S. S. Ogdon, former disbursing clerk, Treasury Department, Jefferson City, Missouri, \$11.48; J. W. Reynar, former disbursing clerk, Treasury Department, Raleigh, North Carolina, \$300.08; F. R. Shaw, former disbursing clerk, Treasury Department, Jefferson City, Missouri, \$55.01; L. V. Witcombe, former disbursing clerk, Treasury Department, Harrisburg, Pennsylvania, \$16,800.75.

G. F. Allen and certain former disbursing clerks.
Credit in accounts.

SEC. 3. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of G. F. Allen, chief disbursing officer, Treasury Department, and all former disbursing clerks operating under the Division of Disbursement for the amounts of all suspensions and disallowances raised and not covered by sections 1 and 2 of this Act, or which may be raised, against the said chief disbursing officer and former disbursing clerks on account of payments made in accordance with vouchers certified by duly authorized certifying officers during the period December 16, 1933, to March 31, 1942: *Provided*, That the Secretary of the Treasury shall certify that in his opinion there is no evidence of fraud on the part of the said chief disbursing officer or disbursing clerks in connection with such payments.

Certification by Secretary of the Treasury.

Relief for certifying officer.

5 U. S. C. § 132 note; Supp. IV, § 132 note.

SEC. 4. No charge shall be made against the certifying officer responsible for the certification of vouchers pursuant to the provisions of Executive Order Numbered 6166, dated June 10, 1933, and any charge heretofore made against any such officer, shall be removed, for the amount of any payment for which credit shall be allowed under sections 1, 2, and 3 of this Act, where the head of the department or establishment concerned, or his duly authorized representative, shall certify to the Comptroller General of the United States that the payment appears to have been made without fraud on the part of the certifying officer.

W. O. Woods and W. A. Julian.
Credit in accounts.

SEC. 5. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of W. O. Woods, former Treasurer of the United States, and W. A. Julian, Treasurer of the United States, for sums not to exceed \$1,164.93, and \$63,334.51, respectively, representing unavailable items in their accounts as former Treasurer and Treasurer of the United States: *Provided*, That any recoveries heretofore or hereafter made in respect of any of the foregoing items, may, in the discretion of the Comptroller General of the United States, be applied to offset unavailable items of a similar character hereafter arising in the accounts of the former Treasurer and Treasurer, respectively, upon a showing that such unavailable items have occurred without fraud on the part of the former Treasurer or Treasurer.

Application of recoveries.

Appropriation.

SEC. 6. There is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$10,224.08, of which amount (a) not to exceed the sum of \$30 shall be credited to the account of T. A. Dillon, former Treasury-State disbursing clerk, Indianapolis, Indiana, disbursing symbol 45-01-30, to the extent nec-

T. A. Dillon.

essary to adjust an overdraft resulting from an overpayment by check numbered 6,432,824, dated August 23, 1938; (b) not to exceed the sum of \$1,728.46 shall be credited to the Treasurer's account to the extent necessary to adjust unavailable items resulting from certain shortages, the amount of a check paid on a forged endorsement, the difference between the value of a stolen package of currency and the amount recovered, and the value of three checks which were lost in the Office of the Treasurer of the United States after payment; and (c) not to exceed the sum of \$8,465.62 shall be credited to the account of Edwin H. Dressel, superintendent, United States mint, Philadelphia, Pennsylvania, to the extent necessary to adjust an unavailable item representing the contents of a bag containing gold coins the absence of which from a vault in the Philadelphia, Pennsylvania, Mint, was discovered during February 1937, such coins having a face value of \$5,000, and increment of \$3,465.62 resulting from the reduction in the weight of the gold dollar.

Adjustment of certain items.

Edwin H. Dressel.

Approved February 28, 1945.

[CHAPTER 14]

AN ACT

For the relief of G. F. Allen, chief disbursing officer for the Treasury Department, and for other purposes.

February 28, 1945
 [S. 317]
 [Private Law 3]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Act of February 28, 1929 (45 Stat. 1406), as amended by the Act of April 22, 1940 (54 Stat. 148), authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work, the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the account of G. F. Allen, chief disbursing officer of the Treasury Department, for the sum of \$1,000, base pay, and \$48.30, overtime, a total of \$1,048.30, paid by him to Doctor Paul S. Taylor, of Berkeley, California, as compensation in excess of \$5,000, plus overtime, for personal services rendered during the period from July 1, 1943, to June 13, 1944, and to cancel any claims against the said Doctor Paul S. Taylor and the pay roll certifying officers of the Department of the Interior for the excess compensation so paid.

G. F. Allen.
 Credit in accounts.
 43 U. S. C. § 411b;
 Supp. IV, § 411b.

SEC. 2. The Comptroller General of the United States is further authorized and directed to allow, out of the unexpended balance of the appropriation for salaries in the Office of the Secretary, Department of the Interior, for the fiscal year ending June 30, 1944, the claim of the said Doctor Paul S. Taylor for the sum of \$375, base pay, and \$18.11, overtime, a total of \$393.11, representing the balance due him for compensation for personal services which he rendered during the period from June 14, 1944, to June 30, 1944, as a consulting economist of the Department of the Interior.

Dr. Paul S. Taylor.
 Claim.

57 Stat. 451.

Approved February 28, 1945.

[CHAPTER 17]

AN ACT

For the relief of John T. Cooper.

March 1, 1945
 [S. 76]
 [Private Law 4]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to credit the account of John T. Cooper, postmaster at Hartselle, Alabama, in the sum of \$179. Such sum represents a shortage in such account caused by the loss of such

John T. Cooper.

sum from the money-order cash drawer at such post office during the night of October 24, 1940.

Approved March 1, 1945.

[CHAPTER 18]

AN ACT

For the relief of Mrs. Amy McKnight.

March 1, 1945

[S. 335]

[Private Law 5]

Mrs. Amy McKnight.

39 Stat. 746.
5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Mrs. Amy McKnight, widow of George McKnight, a former employee of the War Department at Fort Peck, Montana, whose death on February 20, 1936, is alleged to have resulted from pneumonia contracted while in the performance of duty prior to February 12, 1936, and the United States Employees' Compensation Commission is authorized to receive and consider her claim under the remaining provisions of the said Act: *Provided*, That claim hereunder shall be filed within six months from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved March 1, 1945.

[CHAPTER 21]

AN ACT

For the relief of Ensign Frederick Matthews McCord, United States Naval Reserve.

March 10, 1945

[S. 211]

[Private Law 6]

Ensign Frederick
Matthews McCord,
U. S. N. R.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$187.90, to Ensign Frederick Matthews McCord, United States Naval Reserve, for the value of personal property destroyed as the result of a fire in officers' quarters, Ferry Inn Annex, at United States Naval Base Numbered Two, on December 14, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 10, 1945.

[CHAPTER 22]

AN ACT

To reimburse certain Navy personnel for personal property lost or damaged as the result of a fire at the naval auxiliary air facility, Astoria, Oregon, on April 2, 1944.

March 10, 1945

[S. 215]

[Private Law 7]

Navy personnel.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$780; as may be required by the Secretary of the Navy to reimburse, under such

regulations as he may prescribe, certain Navy personnel for the value of personal property lost or damaged as the result of a fire at the naval auxiliary air facility, Astoria, Oregon, on April 2, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 10, 1945.

[CHAPTER 23]

AN ACT

To provide an additional sum for the payment of a claim under the Act entitled "An Act to provide for the reimbursement of certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel and certain Federal civil employees for personal property lost or damaged as a result of the hurricane and flood at Parris Island, South Carolina, on August 11-12, 1940", approved April 23, 1941.

March 10, 1945

[S. 212]

[Private Law 8]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,333.33, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, Lieutenant Colonel Frank P. Snow, United States Marine Corps, for the value of personal property lost or damaged in the hurricane and flood at Parris Island, South Carolina, on August 11-12, 1940: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Lt. Col. Frank P.
Snow, U. S. M. C.

Approved March 10, 1945.

[CHAPTER 26]

AN ACT

To provide reimbursement for personal property lost, damaged, or destroyed as the result of an explosion at the naval mine depot, Yorktown, Virginia, on November 16, 1943.

March 13, 1945

[S. 214]

[Private Law 9]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$3,000, as may be required by the Secretary of the Navy to pay claims, including those of naval and civilian personnel of the Naval Establishment, for privately owned property lost, damaged, or destroyed as the result of an explosion at the naval mine depot, Yorktown, Virginia, on November 16, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the

Naval and civilian
personnel of the Naval
Establishment.
Reimbursement.

provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 13, 1945.

[CHAPTER 28]

AN ACT

For the relief of Oscar Griggs.

March 15, 1945
[S. 177]

[Private Law 10]

Oscar Griggs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oscar Griggs, of Lauderdale County, Tennessee, the sum of \$4,505.14, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him and for medical and hospital expenses incurred when he was shot on the night of December 29, 1943, by members of a party of soldiers of the United States Army, when, in the performance of his duties as sheriff of Lauderdale County, Tennessee, he was attempting to quiet a disturbance by such soldiers in the town of Ripley, Tennessee: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 15, 1945.

[CHAPTER 31]

AN ACT

For the relief of Ruben M. Herren.

March 23, 1945
[H. R. 242]

[Private Law 11]

Ruben M. Herren.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$500 to Ruben M. Herren, of Route 1, Smyrna, Georgia, in full settlement of all claims against the United States because of personal injuries, including the value of lost time and hospital and physicians' bills, incurred in a collision with a truck operated by and under the jurisdiction of the Corps of Engineers, War Department, on September 25, 1942, on United States Highway Numbered 41, in Cobb County, Georgia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 23, 1945.

[CHAPTER 32]

AN ACT

For the relief of Doctor Luther J. Head.

March 23, 1945

[H. R. 256]

[Private Law 12]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,285, to Doctor Luther Jerrell Head, of Penola, Virginia, in full settlement of all claims against the United States for the death of his wife, Mrs. Lucy F. Head, who was killed as the result of an accident involving an Army truck on August 11, 1944, on Highway Numbered 2 in Virginia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Dr. Luther Jerrell Head.

Approved March 23, 1945.

[CHAPTER 33]

AN ACT

For the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war conditions.

March 23, 1945

[H. R. 687]

[Private Law 13]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following sums of money, which sums represent the value of reasonable and necessary personal property lost by the claimant as a result of war conditions:

Foreign Service.
Relief of certain personnel.

Mary Ann Braswell, \$42.50; John A. Bywater, \$625; Frank C. Lee, \$1,369; George R. Canty, \$313.05; Eugene A. Masuret, \$204; J. Dawson Kiernan, \$2,250; Frank A. Keller, \$3,000; Harry M. Donaldson, \$3,276; Hooker A. Doolittle, \$8,106; John W. Burnett, \$338.76; Samuel Sokobin, \$550; Leland C. Altaffer, \$487.50; Myrl S. Myers, \$252; Walter Smith, \$1,210; Kenneth C. Krentz, \$2,566; Frank P. Lockhart, \$675; Frederick D. Hunt, \$790; H. Lawrence Groves, \$1,120; Carl O. Hawthorne, \$2,504.35; Harry Kushner, \$250; Richard H. Davis, \$1,200; Robert W. Rinden, \$781.50; Fong Chuck, \$750; Addison Southard, \$3,000; Robert S. Ward, \$1,164; Marjory Mills, \$2,100; Eleanor M. Shields, \$500; Thomas A. Hicock, \$3,500; C. Porter Kuykendall, \$45; Charles H. Whitaker, \$1,816.50; George M. Abbott, \$100; Paul P. Steintorf, \$2,880; Peter K. Constan, \$120; Frances Whitney, \$536; Karl L. Rankin, \$800; J. Holbrook Chapman, \$215; Robert S. Streeper, \$4,811.35; Harold D. Robison, \$8,800; Charles O. Thompson, \$4,500; Jesse F. Van Wickel, \$1,088; Thomas S. Horn, \$1,432; John B. Ketcham, \$6,550; R. Borden Reams, \$120; Elizabeth Deegan, \$509.50; Raymond Bastianello, \$1,000; Candide R. DuBeau, \$242.50; Wilbur J. Keblinger, \$662; Paul J. Reveley, \$3,250; Richard B. Haven, \$325; Edwin S. Coleman, \$1,196.65; John J. Meily, \$179.85; W. Garland Richardson, \$3,800; Paul W. Meyer, \$1,000; Robert P. Chalker, \$90; John Mundt, Junior, \$650; Rudolph E. Zetterstrand, \$439.70; and Hortense Uhlrich, \$47.70.

Approved March 23, 1945.

[CHAPTER 34]

AN ACT

For the relief of the New England Telephone and Telegraph Company.

March 23, 1945
[H. R. 987]

[Private Law 14]

New England Telephone and Telegraph Company.

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 hereby is, authorized and directed to settle and adjust the claim of the New England Telephone and Telegraph Company, Boston, Massachusetts, for the payment of a portion of the cost of the removal and relocation of the telephone cable lines of the said company which were located in the Shawme State Forest, Massachusetts, such removal and relocation of the cable lines being a result of the extension of the military reservation at Camp Edwards, Massachusetts, and to allow in full and final settlement of the claim the sum of not to exceed \$27,000. There is hereby appropriated the sum of \$27,000, or so much thereof as may be necessary, for the payment of the said claim: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 23, 1945.

[CHAPTER 35]

AN ACT

For the relief of Henry B. Tucker.

March 23, 1945
[H. R. 1485]

[Private Law 15]

Henry B. Tucker.

39 Stat. 746.
5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled, "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Henry B. Tucker, of Vicksburg, Mississippi, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said Act his claim on account of injury and disability alleged to have been incurred on or about April 8, 1940, while performing his duties as an employee of the United States Engineer Office, Vicksburg, Mississippi: *Provided,* That claim hereunder shall be filed within six months from the approval of this Act: *Provided further,* That no benefits shall accrue prior to the approval of this Act.

Approved March 23, 1945.

[CHAPTER 38]

AN ACT

For the relief of the estate of Doctor David O. Clements, deceased.

March 24, 1945
[H. R. 257]

[Private Law 16]

Dr. David O. Clements, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the administrator of the estate of Doctor David O. Clements, deceased, formerly of Gloucester County, Virginia, the sum of \$7,216 in full satisfaction of all claims against the United States for the value of a wharf located on the York River, approximately three miles from Gloucester Point,

Virginia, built and owned by Doctor David O. Clements and destroyed in January 1918 by ice broken by United States Navy ice-breaking tugs in clearing the York River, used at that time as the base for the Atlantic Fleet: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 24, 1945.

[CHAPTER 39]

AN ACT

For the relief of Dane D. Morgan.

March 24, 1945

[H. R. 1149]

[Private Law 17]

Dane D. Morgan.

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 hereby is, authorized and directed to settle and adjust the claim of Dane D. Morgan on account of the increased costs incurred in the performance of his architectural-engineering contract numbered WA-1197, dated February 9, 1942, with the Federal Works Agency by reason of unavoidable delays in the construction and completion of the defense housing project at Burlington, Iowa, and to allow in full and final settlement of the claim the amount of not to exceed \$8,400. There is hereby appropriated the sum of \$8,400, or so much thereof as may be necessary, for the payment of the said claim.

Approved March 24, 1945.

[CHAPTER 40]

AN ACT

For the relief of Wallace Robertson, Henry Bowker, and Edward Parisian, and for other purposes.

March 24, 1945

[S. 515]

[Private Law 18]

G. F. Allen.
Credit for certain
payments to Wallace
Robertson.

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 is hereby authorized and directed to allow credit in the accounts of G. F. Allen, chief disbursing officer, Treasury Department, for the months of August and September 1942, in the sum of \$95, representing payments made by him to Wallace Robertson in full settlement for overtime services rendered prior to July 13, 1942.

Sec. 2. The Secretary of the Interior is hereby authorized and directed to pay, out of funds applicable for road-construction activities on Indian reservations, the sum of \$188, to Henry Bowker and the sum of \$53.33 to Edward Parisian, in full settlement of claims for compensation covering overtime services rendered during July, August, and September, 1942.

Henry Bowker and
Edward Parisian.

Sec. 3. No charge shall be made against the certifying officer, nor shall any claim be made against Wallace Robertson, for the amount of any payments for which credit is allowed under section 1 of this Act: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 24, 1945.

[CHAPTER 41]

AN ACT

March 24, 1945

[S. 525]

[Private Law 19]

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the United States naval training center, Farragut, Idaho, on July 10, 1944.

Navy personnel and
former Navy per-
sonnel.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$6,763.55, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire at the United States naval training center, Farragut, Idaho, on July 10, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 24, 1945.

[CHAPTER 42]

AN ACT

March 28, 1945

[S. 77]

[Private Law 20]

For the relief of Lindon A. Long.

Lindon A. Long.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lindon A. Long, of Dothan, Alabama, the sum of \$3,000, in full satisfaction of his claim against the United States for compensation for the death of his minor son, Emile Long, who died as the result of injuries sustained by him when he was struck by a United States Army truck in Dothan, Alabama, on June 3, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved March 28, 1945.

[CHAPTER 43]

AN ACT

March 28, 1945

[S. 321]

[Private Law 21]

For the relief of James M. Hiler.

James M. Hiler.

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 is hereby authorized and directed to allow credit in the account of James M. Hiler, an employee of the Federal Public Housing Authority employed as housing manager of the Marine View Terrace housing project (project numbered CAL-4745), Eureka, Humboldt County, California, in the sum of \$162.70, together with interest thereon, public funds for which he is account-

able and which were stolen, without his fault, from a vault in the project office in the community building in said project sometime between the close of business at 5:15 o'clock postmeridian on July 22, 1944, and 9 o'clock antemeridian on July 23, 1944: *Provided*, That the said James M. Hiler is hereby relieved of pecuniary responsibility for the loss of said public funds.

Approved March 28, 1945.

[CHAPTER 49]

AN ACT

For the relief of F. L. Gause and the legal guardian of Rosalind and Helen Gause, minors.

March 31, 1945
[H. R. 1360]
[Private Law 22]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$7,120.65 to F. L. Gause, of Galveston, Texas, for property damage, personal injuries, and permanent disability to himself; and medical and hospital expenses incurred for himself and his two minor daughters; to pay the sum of \$12,500 to the legal guardian of Rosalind Gause, a minor, for personal injuries and permanent disability; and to pay the sum of \$1,500 to the legal guardian of Helen Gause, a minor, for personal injuries and permanent disability, as a result of a United States Army airplane crashing into the automobile in which they were riding on West Beach Road, Galveston Island, Galveston County, Texas, on February 21, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

F. L. Gause.

Guardian of Rosalind Gause.

Guardian of Helen Gause.

Approved March 31, 1945.

[CHAPTER 50]

AN ACT

For the relief of Perkins Gins, formerly Perkins Oil Company, of Memphis, Tennessee.

March 31, 1945
[S. 167]
[Private Law 23]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the statutes of limitation, so far as they bar the cotton linter claim of Perkins Gins, a corporation of Memphis, Tennessee, formerly the claim of Perkins Oil Company, also a corporation of Memphis, Tennessee, arising out of purchase contract numbered 3418, entered into by the said Perkins Oil Company, of Memphis, Tennessee, predecessor of said Perkins Gins, of Memphis, Tennessee, on September 16, 1918, with the United States of America be, and the same are hereby, waived and revoked.

Perkins Gins, formerly Perkins Oil Co. Claim.

SEC. 2. That the said claimant is hereby authorized to file within one year after the date of the enactment of this Act its said claim and have the same adjudicated by the Court of Claims of the United States.

Adjudication.

Approved March 31, 1945.

[CHAPTER 53]

AN ACT

For the relief of Mrs. Mae E. Sutton.

April 5, 1945
[S. 411]

[Private Law 24]

Mrs. Mae E. Sutton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mae E. Sutton, San Francisco, California, the sum of \$6,570.89, in full settlement of all claims of the said Mrs. Mae E. Sutton against the United States for injuries sustained when the automobile which she was driving was struck by an Army truck near Ord Village, California, on November 15, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 5, 1945.

[CHAPTER 55]

AN ACT

For the relief of the Dempsey Industrial Furnace Corporation.

April 16, 1945
[H. R. 201]

[Private Law 25]

Dempsey Industrial
Furnace Corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Dempsey Industrial Furnace Corporation, Springfield, Massachusetts, the sum of \$1,035. Such sum represents the cost to such corporation of furnishing salt as part of the equipment of a gas-fired salt bath type furnace supplied to the United States naval air station, Pensacola, Florida, pursuant to a contract dated May 13, 1943. Through a misinterpretation of the specifications issued with the request for bids, arising out of the fact that such corporation had never supplied the salt for furnaces of this type, the cost of furnishing the salt was not included in the price quoted by such corporation in submitting its bid: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 16, 1945.

[CHAPTER 56]

AN ACT

For the relief of Saint Vincent's Infirmiry and Doctor Alvin W. Strauss.

April 16, 1945
[H. R. 206]

[Private Law 26]

Saint Vincent's In-
firmiry.Dr. Alvin W.
Strauss.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Saint Vincent's Infirmiry, of Little Rock, Arkansas, the sum of \$86.49 and to Doctor Alvin W. Strauss, of Little Rock, Arkansas, the sum of \$100, in full satisfaction of their respective claims against the

United States for services rendered Jesse L. Becker, Junior, private, first class, United States Marine Corps, from March 26, 1941, to April 3, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 16, 1945.

[CHAPTER 57]

AN ACT

For the relief of the Southern Bitumen Company, of Ensley, Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of the Federal Works Agency is hereby authorized and directed to relieve the Southern Bitumen Company, of Ensley, Alabama, of all claims of the Federal Works Agency, amounting to \$13,500, covering liquidated damages for delays due to unusual labor shortages, low priorities, failure to obtain rights-of-way, and exceptional inclement weather conditions, in connection with the completion of work under a contract entered into between the Federal Works Agency and the Southern Bitumen Company for the construction of an outfall sewer at Anniston, Alabama, project numbered Ala. 1-160 (F).

Approved April 16, 1945.

April 16, 1945
[H. R. 266]
[Private Law 27]
Southern Bitumen
Company.

[CHAPTER 58]

AN ACT

To provide for the reimbursement of certain civilian personnel for personal property lost as a result of the Japanese occupation of Hong Kong and Manila.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$5,079, as may be required to reimburse, under such regulations as he may prescribe, Arthur J. Campbell, James J. Saxon, and Kenneth Q. N. Wong, each employed or formerly employed by the Treasury Department, and William Henry Taylor, formerly alternate American member of the Stabilization Board of China, for the value of personal property lost or destroyed at their posts of duty as a result of the Japanese occupation of Hong Kong and Manila: *Provided*, That the reimbursement on account of any item of said property shall not exceed the purchase price of the particular item less such amount as may be considered appropriate on account of its depreciated value at the time of its destruction or loss: *Provided further*, That if any of the beneficiaries under this Act shall have died before the payment herein authorized is made to him, said payment shall be made to his estate: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 16, 1945.

April 16, 1945
[H. R. 990]
[Private Law 28]
Arthur J. Campbell
and others.
Reimbursement.

Limitation.

[CHAPTER 59]

AN ACT

For the relief of the Jay Taylor Cattle Company, Amarillo, Texas.

April 16, 1945

[H. R. 1094]

[Private Law 29]

Jay Taylor Cattle
Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, to the Jay Taylor Cattle Company, Amarillo, Texas, out of any money in the Treasury not otherwise appropriated, the sum of \$2,814.50. Such sum represents the value of thirty-three grade Hereford steer yearlings, the property of such company, which died during March 1943 as the result of arsenic poisoning suffered from grazing on land upon which arsenic was used in connection with the mesquite eradication project conducted by the Soil Conservation Service of the Department of Agriculture, and medical expense incurred in the attempt to save the lives of such steer yearlings: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 16, 1945.

[CHAPTER 60]

AN ACT

For the relief of George Webb.

April 16, 1945

[H. R. 1344]

[Private Law 30]

George Webb.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Webb, the sum of \$79.20, in full settlement of all claims against the United States for services rendered by him as an employee of the Bonneville Power Administration from July 14, 1942, to July 28, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 16, 1945.

[CHAPTER 63]

AN ACT

For the relief of Angelina Bourbeau.

April 17, 1945

[H. R. 202]

[Private Law 31]

Angelina Bourbeau.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Angelina Bourbeau, of Springfield, Hampden County, Massachusetts, out of any money in the Treasury not otherwise appropriated, the sum of \$1,681.95, in full settlement of all claims against the United States arising from personal injuries suffered when the car in which she was a passenger was struck by a Government motor vehicle operated in connection with the United States Army at Westover Field, Chicopee Falls, Massachusetts, at Lyman and Chestnut Streets, Springfield, Massachusetts, on January 16, 1944: *Provided,* That no part of the

amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 17, 1945.

[CHAPTER 64]

AN ACT

For the relief of Murray B. Latimer.

April 17, 1945
[H. R. 787]

[Private Law 32]

Murray B. Latimer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Murray B. Latimer, Hobbs, New Mexico, the sum of \$884.91. The payment of such sum shall be in full settlement of all claims of the said Murray B. Latimer against the United States on account of the destruction by fire of household goods, clothing, and other personal property while in transit from Roswell, New Mexico, to Fort Sumner, New Mexico. The said Murray B. Latimer, an aircraft sheet-metal worker employed by the War Department, was transferred on September 24, 1942, from the Roswell Army Flying School to the Fort Sumner subdepot. The War Department, which arranged for the shipping of such property, placed such a low valuation thereon that the said Murray B. Latimer sustained such loss of \$884.91: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved April 17, 1945.

[CHAPTER 65]

AN ACT

For the relief of H. J. Blehrud estate.

April 17, 1945
[H. R. 791]

[Private Law 33]

H. J. Blehrud estate.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. J. Blehrud estate, of Caledonia, Minnesota, the sum of \$108.15, in full satisfaction of its claim against the United States for cost of replacing a damaged plate glass window which was destroyed on April 9, 1941, in a building described as the ground floor of number 120 East Main Street, Caledonia, Minnesota, said premises being under lease to the United States of America for the exclusive occupancy, for office and storage space, of the Houston County Selective Service Local Board: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Approved April 17, 1945.

[CHAPTER 66]

AN ACT

For the relief of Mrs. Wilma Louise Townsend.

April 17, 1945

[H. R. 807]

[Private Law 34]

Mrs. Wilma Louise
Townsend.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Wilma Louise Townsend, Gilmer, Texas, the sum of \$300. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained by the said Wilma Louise Townsend and minor child, when the automobile in which they were riding was struck on March 6, 1943, in Jasper, Texas, by a United States Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 17, 1945.

[CHAPTER 67]

AN ACT

For the relief of Margaret G. Potts.

April 17, 1945

[H. R. 933]

[Private Law 35]

Margaret G. Potts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret G. Potts, of 503 South Holmes Street, Scotia 2, New York, the sum of \$46.08, in full settlement of all claims against the United States for reimbursement of the cost of travel from Schenectady, New York, to Sweetwater, Texas, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas, as a result of administrative action based on recommendations by Members of the House of Representatives: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 17, 1945.

[CHAPTER 68]

AN ACT

For the relief of Fred Clouse and Mrs. Emily G. Clouse.

April 17, 1945

[H. R. 945]

[Private Law 36]

Fred Clouse and
Mrs. Emily G. Clouse.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred Clouse and Mrs. Emily G. Clouse, Harrisburg, Pennsylvania, the sum of \$5,690. The payment of such sum shall be in full settlement of all claims against the United States for the death of their son, Charles Clouse, and for

expenses incurred in connection with such death, which resulted when the motorcycle on which the said Charles Clouse was riding along Highway Route Numbered 307 near Scranton, Pennsylvania, was struck on August 18, 1943, by a United States Army truck being operated by an enlisted man in the United States Army: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 17, 1945.

[CHAPTER 69]

AN ACT

For the relief of A. P. Scarborough and J. D. Ethridge.

April 17, 1945
[H. R. 1012]
[Private Law 37]

A. P. Scarborough
and J. D. Ethridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. P. Scarborough, of Chauncey, Dodge County, Georgia, the sum of \$509, and to J. D. Ethridge, of Chauncey, Dodge County, Georgia, the sum of \$906. The payment of such sums shall be in full settlement of all claims against the United States arising out of the injury of A. P. Scarborough and J. D. Ethridge, who were burned on September 13, 1943, while attempting to rescue a pilot from a fallen United States airplane on the farm of J. D. Ethridge near Chauncey, Georgia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 17, 1945.

[CHAPTER 70]

AN ACT

For the relief of Ray L. Smith.

April 17, 1945
[H. R. 1079]
[Private Law 38]

Ray L. Smith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Ray L. Smith, who allegedly was disabled as the result of a head injury received as the result of a fall during April 1937, while employed by the United States mint at San Francisco as a guard, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than six months after the date of enactment of this Act: *Provided*, That no benefits hereunder shall accrue prior to the approval of this Act.

Approved April 17, 1945.

39 Stat. 746.
5 U. S. C. §§ 765-770.

[CHAPTER 71]

AN ACT

For the relief of Gus A. Vance.

April 17, 1945
[H. R. 1136]

[Private Law 39]

Gus A. Vance.

39 Stat. 746.
5 U. S. O. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Gus A. Vance, of Elizabethtown, Kentucky, who allegedly was injured while working for the Civilian Conservation Corps in California during 1933, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than six months after the date of enactment of this Act: *Provided*, That no benefits hereunder shall accrue prior to the approval of this Act.

Approved April 17, 1945.

[CHAPTER 72]

AN ACT

For the relief of Leo Edward Day and Phillip Tamborello.

April 17, 1945
[H. R. 1324]

[Private Law 40]

Leo Edward Day
and Phillip Tam-
borello.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the judgment entered in the District Court of the United States for the Southern District of Florida against Leo Edward Day and Phillip Tamborello for the sum of \$5,000 and costs on a bail bond which was forfeited on July 26, 1940, in a criminal proceeding against one Donald Fox in the said court is hereby reduced to the sum of \$1,000 and costs.

Approved April 17, 1945.

[CHAPTER 73]

AN ACT

For the relief of Anne Loacker.

April 17, 1945
[H. R. 1396]

[Private Law 41]

Anne Loacker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Civil Service Commission is authorized and directed to pay, out of any money in the Civil Service Retirement and Disability Fund, to Anne Loacker, of Spokane, Washington, the widow of Leo G. Loacker, formerly a railway-mail clerk, an annuity equal in amount to the annuity which she would have been entitled to receive had the retirement of the said Leo G. Loacker become effective on November 1, 1941, and had he elected in writing, at the time of such retirement, to receive a reduced annuity equal to such reduced annuity payable after his death to the said Anne Loacker, as surviving beneficiary.

Approved April 17, 1945.

[CHAPTER 74]

AN ACT

For the relief of Mrs. W. V. Justice.

April 17, 1945
[H. R. 1483]

[Private Law 42]

Mrs. W. V. Justice.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. W. V. Justice, of Jackson, Mississippi, the sum of \$1,000, in full settlement of all claims against the United States on account of personal

injuries received by her on September 6, 1940, when the car which she was driving collided with a United States mail truck, at Jackson, Mississippi: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 17, 1945.

[CHAPTER 75]

AN ACT

For the relief of Florence J. Sybert, administratrix of the estate of Leona Connor Childers.

April 17, 1945
[H. R. 1492]
[Private Law 43]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Florence J. Sybert, of Kansas City, Missouri, as administratrix of the estate of Leona Connor Childers, deceased, the sum of \$3,000, in full settlement of all claims against the United States of the said estate for the death of Leona Connor Childers, which occurred as the result of an accident involving an Army airplane on February 27, 1943, at the Municipal Air Terminal at Kansas City, Missouri: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Leona Connor
Childers, estate.

Approved April 17, 1945.

[CHAPTER 76]

AN ACT

For the relief of Doctor David R. Barglow.

April 17, 1945
[H. R. 1539]
[Private Law 44]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor David R. Barglow, of Trinidad, Colorado, the sum of \$32. The payment of such sum shall be in full settlement of all claims which the said Doctor David R. Barglow has against the United States for and on account of professional services rendered during the month of October 1942 in making physical examinations of Government employees engaged in the construction of the Trinidad Prisoner of War Camp at Trinidad, Colorado, which examinations were made under the orders and direction of the United States Army engineers who were in charge of said project: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and that the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Dr. David R. Barglow.

Approved April 17, 1945.

[CHAPTER 77]

AN ACT

For the relief of Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased.

April 17, 1945

[H. R. 1716]

[Private Law 45]

Clyde Bowen, es-
tate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$78.65 to Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased, of Pocatello, Idaho, in full settlement of all claims against the United States for services rendered by Clyde Bowen as United States Commissioner for the United States District Court for the District of Idaho, for the period ended May 31, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 17, 1945.

[CHAPTER 81]

AN ACT

For the relief of Charles H. Dougherty, Senior.

April 19, 1945

[H. R. 934]

[Private Law 46]

Charles H. Dough-
erty, Sr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$135.62 to Charles H. Dougherty, Senior, of Ozone Park, Queens County, New York, being in full settlement of all claims against the United States by reason of extra labor above the legal day of eight hours performed by Charles H. Dougherty, Senior, between the 8th day of March 1878 and the 20th day of September 1878, while employed at the Brooklyn Navy Yard: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 19, 1945.

[CHAPTER 82]

AN ACT

For the relief of Mrs. Mildred Ring.

April 19, 1945

[H. R. 949]

[Private Law 47]

Mrs. Mildred Ring.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Mrs. Mildred Ring, who is alleged to have sustained injuries from undue exposures to low temperature weather and to have sustained injuries to her back while en route between Reno and Pyramid Lake, Nevada, during the winter

39 Stat. 746.

5 U. S. C. §§ 765-770.

months of 1927-1928, in line of her duties while employed as a field matron in the Indian Service, Department of the Interior, and her claim for compensation on account of all resultant, currently existing disabilities considered and acted upon under the remaining provisions of such Act, as amended, if she files such claim with the United States Compensation Commission not later than sixty days after the date of enactment of this Act.

SEC. 2. Any monthly compensation which the said Mrs. Mildred Ring may be found to be entitled to receive by reason of the enactment of this Act shall commence on the first day of the month during which this Act is enacted, or such earlier date as the Commission, upon evidence submitted, may determine Mrs. Mildred Ring to be otherwise entitled to receive such compensation.

Approved April 19, 1945.

Commencement of
monthly compensa-
tion.

[CHAPTER 83]

AN ACT

For the relief of Mrs. Rose Schiffer.

April 19, 1945
[H. R. 1325]
[Private Law 48]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Rose Schiffer, of Brooklyn, New York, the sum of \$500, in full settlement of all claims against the United States for the refund of a bail bond posted for Frieda Schiffer, an alien, same being forfeited on March 13, 1940, when she failed to appear for deportation: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Rose Schiffer.

Approved April 19, 1945.

[CHAPTER 84]

AN ACT

For the relief of J. P. Harris.

April 19, 1945
[H. R. 1353]
[Private Law 49]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. P. Harris, Mystic, Iowa, the sum of \$2,000, in full settlement of all claims against the United States for damages sustained by the said J. P. Harris as the result of personal injuries received when struck by a Federal Civil Works Administration truck on December 20, 1933, in Mystic, Appanoose County, Iowa: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

J. P. Harris.

Approved April 19, 1945.

[CHAPTER 85]

AN ACT

For the relief of the estate of Ralph A. Stowell.

April 19, 1945
[H. R. 1669]

[Private Law 50]

Ralph A. Stowell,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Ralph A. Stowell, of Bruning, Nebraska, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of Ralph A. Stowell, who was killed on November 19, 1943, when his automobile was struck by a United States Army ambulance near Bruning, Nebraska: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 19, 1945.

[CHAPTER 86]

AN ACT

For the relief of Murray W. and Elsie P. Moran.

April 19, 1945

[H. R. 1707]

[Private Law 51]

Murray W. and
Elsie P. Moran.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Murray W. and Elsie P. Moran, route 1, Box 21-C, Spring Hill, Alabama, the sum of \$2,055. The payment of such sum shall be in full settlement of all claims of the said Murray W. and Elsie P. Moran against the United States on account of the loss of their minor son, Milton Moran, who was struck and killed by a United States Army truck on October 13, 1943, while he was crossing the highway leading from Spring Hill, Alabama, to the State of Mississippi, at a point approximately two miles west of Spring Hill: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 19, 1945.

[CHAPTER 87]

AN ACT

For the relief of the Daniel Baker Company, of Manchester, Kentucky.

April 20, 1945

[H. R. 1676]

[Private Law 52]

Daniel Baker Com-
pany.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Daniel Baker Company, Manchester, Clay County, Kentucky, the sum of \$525.10,

which sum represents the balance due the Daniel Baker Company and is being withheld by the Government of the United States as part of the excess cost alleged to have been incurred by the United States by reason of the failure of the said Daniel Baker Company to perform under contract numbered Tps-40640, entered into on May 28, 1941, with the Procurement Division of the Treasury Department to furnish gasoline to certain governmental agencies during the period between July 1 through September 30, 1941.

It is further authorized and directed that the Daniel Baker Company shall not be held liable or responsible on the claim of the United States against the said company in the amount of \$101.21, or any part of it, which is alleged by the Comptroller General of the United States to be due the United States from the said company by reason of the alleged excess cost incurred by the United States due to the failure of the said company to perform under contract numbered Tps-40640.

The said Daniel Baker Company entered into contract numbered Tps-40640, through its president, with the Procurement Division of the Treasury Department on May 28, 1941, with the mistaken impression that said contract only called for deliveries of gasoline to the governmental agencies included in said contract in Clay County, Kentucky, where the said company had a franchise from the Shell Oil Company, Incorporated, to sell and deliver their gasoline, and that the said company was unable at all times, including the contract period, to furnish gasoline elsewhere to fulfill the orders of the governmental agencies included in contract numbered Tps-40640: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 20, 1945.

[CHAPTER 88]

AN ACT

For the relief of Benjamin D. Lewis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 767 and 770) are hereby waived in favor of Benjamin D. Lewis, who is alleged to have contracted tuberculosis while employed at the Normoyle Quartermaster Motor Base, San Antonio, Texas, prior to 1942, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than sixty days after the date of the enactment of this Act: *Provided*, That no benefits hereunder shall accrue prior to the approval of this Act.

Approved April 20, 1945.

April 20, 1945
[H. R. 1983]
[Private Law 53]

Benjamin D. Lewis.

39 Stat. 746.
5 U. S. C. §§ 765-770.

[CHAPTER 91]

AN ACT

For the relief of the Lawrence Motor Company, Incorporated.

April 23, 1945
[S. 288]

[Private Law 54]

Lawrence Motor
Company, Inc.

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 hereby is, authorized and directed to settle and adjust the claim of the Lawrence Motor Company, Incorporated, Richmond, Virginia, for the payment of rental for passenger cars furnished to the Office of Price Administration, Richmond, Virginia, during the period June 1, 1943, to January 4, 1944, inclusive, for use in transporting officials of said agency throughout the State of Virginia in connection with the performance of their duties, and to allow in full and final settlement of the claim the sum of not to exceed \$5,391.30. There is hereby appropriated the sum of \$5,391.30, or so much thereof as may be necessary, for the payment of said claim.

Approved April 23, 1945.

[CHAPTER 93]

AN ACT

For the relief of the Baldwin Brothers Paving Company.

April 24, 1945
[S. 514]

[Private Law 55]

Baldwin Brothers
Paving Company.

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 hereby is, authorized and directed to settle and adjust the claim of the Baldwin Brothers Paving Company, Cleveland, Ohio, on account of increased costs incurred in the performance of the said company's contract numbered ER-T23ps-67338, dated March 17, 1942, with the Procurement Division, Treasury Department, by reason of unavoidable delays on the part of the Work Projects Administration in preparing the runways at the Erie Airport, Erie, Pennsylvania, for the application of the asphalt covered by the contract and to allow in full and final settlement of the claim the amount of not to exceed \$12,000. There is hereby appropriated the sum of \$12,000, or so much thereof as may be necessary, for the payment of the said claim: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved April 24, 1945.

[CHAPTER 96]

AN ACT

To grant the honorary rank of colonel to Edward J. Kelly, major and superintendent of the Metropolitan Police force of the District of Columbia.

April 27, 1945
[H. R. 2687]

[Private Law 56]

Edward J. Kelly.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in appreciation and recognition of Edward J. Kelly's thirty-nine years of devoted service to the District of Columbia and its residents, that he shall have the honorary rank of colonel during the remaining period of his incumbency in such office.

Approved April 27, 1945.

[CHAPTER 104]

AN ACT

To confirm the claim of Charles Gaudet.

April 30, 1945
[H. R. 1719]
[Private Law 57]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in and to section 18, township 11 south, range 5 east, containing forty-four and thirty-four one-hundredths acres, and section 21, township 12 south, range 5 east, Saint Helena meridian, Saint James Parish, Louisiana, containing one hundred and thirty-eight and fifty one-hundredths acres, together with all accretion, covered by the private claims of Charles Gaudet based upon a Spanish patent be, and the same is hereby, granted, released, relinquished, and conveyed in fee simple by the United States to the respective owners of the equitable titles thereto, and to their respective heirs and assigns forever, as fully and completely, in every respect whatever, as could be done by patents issued therefor according to law.

Charles Gaudet.
Confirmation of
land claim.

SEC. 2. That nothing contained in this Act shall in any manner abridge, divest, impair, injure, or prejudice any right, title, or interest of any person or persons in or to any portion or part of the lands mentioned in said first section, the true intent of this Act being to relinquish and abandon, grant, give, and concede, any and all right, interest, and estate, in law or equity, which the United States is or is supposed to be entitled to in said lands, in favor of all persons, estates, firms, or corporations, who, had the claim heretofore been confirmed, would be the equitable or true and lawful owners of the same by reason of long continuous possession under color of title with claim of ownership, or otherwise, under the laws of Louisiana, including the laws of prescription and limitation, in the absence of the said interest, title, and estate of the United States.

Rights, etc., not
abridged.

Intent of this Act.

Approved April 30, 1945.

[CHAPTER 111]

AN ACT

Granting a franking privilege to Anna Eleanor Roosevelt.

May 7, 1945
[S. 906]
[Private Law 58]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all mail matter sent by the post by Anna Eleanor Roosevelt, widow of the late Franklin Delano Roosevelt, under her written autograph signature or facsimile thereof, be conveyed free of postage during her natural life.

Anna Eleanor
Roosevelt.
Franking privilege.

Approved May 7, 1945.

[CHAPTER 113]

AN ACT

For the relief of Maria Manriquez Ruiz.

May 15, 1945
[S. 70]
[Private Law 59]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maria Manriquez Ruiz, of Phoenix, Arizona, the sum of \$3,000, in full satisfaction of her claim against the United States for compensation for injuries sustained by her when a United States Army airplane crashed into her home in Phoenix, Arizona, on April 22, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent

Maria Manriquez
Ruiz.

or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 15, 1945.

[CHAPTER 114]

AN ACT

For the relief of the legal guardian of Estella Ruiz.

May 15, 1945

[S. 71]

[Private Law 60]

Guardian of Estella
Ruiz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Estella Ruiz, a minor, of Phoenix, Arizona, the sum of \$1,350, in full satisfaction of all claims against the United States for compensation for the personal injuries sustained by the said Estella Ruiz, and medical expenses incurred for her treatment, as the result of an accident involving an Army airplane which occurred in Phoenix, Arizona, on April 22, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 15, 1945.

[CHAPTER 115]

AN ACT

For the relief of June I. Gradijan.

May 15, 1945

[S. 316]

[Private Law 61]

June I. Gradijan.

56 Stat. 702.

Refund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding provisions contained in the Department of Agriculture Appropriation Act, 1943, Public Law Numbered 674, Seventy-seventh Congress, second session (56 Stat. 664), prohibiting the payment of compensation therefrom to officers or employees who are not citizens of the United States, the Comptroller General of the United States is hereby authorized and directed to allow credit in the settlement of disbursing officers' accounts, and relieve certifying officers of liability for such payment for services rendered by June I. Gradijan, while employed in the Department of Agriculture during the fiscal year 1943, as are otherwise correct and legal.

SEC. 2. June I. Gradijan shall not be required to refund the compensation received for such services; and any amounts which have been collected or paid as a refund of such compensation shall be repaid to the person making the payment.

Approved May 15, 1945.

[CHAPTER 116]

AN ACT

For the relief of James A. Kelly.

May 15, 1945
[S. 328]

[Private Law 62]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of James A. Kelly, who is alleged to have sustained an injury on October 8, 1940, while employed as a laborer at the United States Navy Yard, Portsmouth, New Hampshire, and his case is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files a notice of such disability and claim for compensation with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act: *Provided,* That any benefits that may be awarded shall not accrue prior to the date of enactment of this Act.

Approved May 15, 1945.

James A. Kelly.
39 Stat. 746.
5 U. S. C. §§ 765-770.

[CHAPTER 117]

AN ACT

For the relief of Mrs. Ellen McCormack.

May 15, 1945
[S. 359]

[Private Law 63]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ellen McCormack, of Saugus, Massachusetts, the sum of \$549.52, in full satisfaction of her claims against the United States (1) for reimbursement of medical and other expenses incurred because of personal injuries sustained by her, and (2) for compensation for personal property lost or damaged, as a result of an accident which occurred when she was struck by a United States Army vehicle, near the intersection of Broadway and Essex Street, in Saugus, Massachusetts, on May 6, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 15, 1945.

Mrs. Ellen Mc-
Cormack.

[CHAPTER 118]

AN ACT

For the relief of Pierce William Van Doren and Elmer J. Coates.

May 15, 1945
[S. 407]

[Private Law 64]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pierce William Van Doren the sum of \$3,500, and to Elmer J. Coates the sum of \$3,500, in full satisfaction of their respective claims against the United States for compensation for loss of time, pain and suffering, and permanent injuries sustained by them as the result of an accident which occurred when the automobile in which they were riding was struck by a United

Pierce William Van
Doren and Elmer J.
Coates.

States Army vehicle in San Fernando, California, on March 24, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 15, 1945.

[CHAPTER 119]

AN ACT

For the relief of Major Malcolm K. Beyer.

May 15, 1945
[S. 467]

[Private Law 65]

Maj. Malcolm K.
Beyer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Major Malcolm K. Beyer, the sum of \$1,076, in full settlement of all claims against the Government by him for the loss of clothing and personal effects destroyed by fire at the officers' quarters at Civilian Conservation Corps Camp Breeze Hill, Wawayanda, New York, on April 3, 1937.

Approved May 15, 1945.

[CHAPTER 120]

AN ACT

To reimburse certain Marine Corps personnel and former Marine Corps personnel for personal property lost or damaged as the result of a fire in the training building at the Marine Corps air station, Cherry Point, North Carolina, on June 3, 1944.

May 15, 1945
[S. 569]

[Private Law 66]

Marine Corps per-
sonnel and former
Marine Corps per-
sonnel.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,451.65, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Marine Corps personnel and former Marine Corps personnel for the value of personal property lost or damaged as the result of a fire in the training building at the Marine Corps air station, Cherry Point, North Carolina, on June 3, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 15, 1945.

[CHAPTER 121]

AN ACT

For the relief of Chesley Brazil.

May 15, 1945
[S. 591]

[Private Law 67]

Chesley Brazil.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding provisions contained in the several appropriations Acts for the fiscal years 1940, 1941, 1942, and 1943 prohibiting

the payment of compensation to officers or employees who are not citizens of the United States, the Comptroller General of the United States is hereby authorized and directed to allow credit in the settlement of disbursing officers' accounts, and relieve certifying officers of liability for payments for services rendered by, and for annual and sick leave granted to, Chesley Brazil, of Eugene, Oregon, as an employee of the Bonneville Power Administration, where such payments are otherwise correct and legal.

SEC. 2. If credit is allowed in disbursing officers' accounts in accordance with section 1 of this Act, said Chesley Brazil shall not be required to refund the amount thereof.

Refund.

SEC. 3. Notwithstanding any provisions contained in the civil-service laws, rules, or regulations relating to the admission to examination or appointment of aliens, said Chesley Brazil's appointment as an employee of the Bonneville Power Administration is hereby ratified and confirmed and his appointment and period of service shall be treated for all purposes as if he had been at all times a citizen of the United States.

Appointment.

Approved May 15, 1945.

[CHAPTER 125]

AN ACT

For the relief of Mary Martha Withers, as trustee; Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased; and Mary Martha Withers, individually.

May 15, 1945
[S. 174]

[Private Law 68]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Mary Martha Withers, as trustee for herself and Myrtle Withers Figgatt and Lochie Withers Giddings under an indenture executed by Beatrice Withers bearing the date of July 14, 1942, the sum of \$4,425, in full satisfaction of the claim of such trustee against the United States for compensation for the loss of a building at number 322 North Claybrook Street, Memphis, Tennessee, which was destroyed by fire when a United States Army airplane crashed into such building on April 29, 1944; (2) to Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased, the sum of \$3,791.93 in full satisfaction of the claim of such estate for compensation for the loss of personal property belonging to the said Beatrice Withers, which was destroyed in such fire; and the sum of \$5,000 in full satisfaction of all claims arising out of the death of the said Beatrice Withers as a result of such fire; and (3) to Mary Martha Withers, of Memphis, Tennessee, individually, the sum of \$1,734.04, in full satisfaction of her claim against the United States for compensation for the loss of personal property belonging to her, which was destroyed in such fire: *Provided,* That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mary Martha
Withers.

Approved May 15, 1945.

[CHAPTER 139]

AN ACT

For the relief of Adell Brown and Alice Brown.

May 29, 1945
[H. R. 244]

[Private Law 69]

Adell Brown and
Alice Brown.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sums of \$500 to Adell Brown and \$300 to Alice Brown, in full payment for all damages for personal injuries sustained by them while passengers in a Chevrolet sedan automobile when struck by an Army vehicle on November 7, 1943, on United States Highway Numbered 41 immediately south of the city of Dalton, Georgia: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 140]

AN ACT

For the relief of the legal guardian of Vonnie Jones, a minor.

May 29, 1945
[H. R. 780]

[Private Law 70]

Guardian of Vonnie
Jones.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Vonnie Jones, of Hornbeck, Louisiana, a minor, the sum of \$2,000, in full settlement of all claims against the United States on account of personal injuries received by the minor, Vonnie Jones, in an accident caused by a United States Army vehicle, near the town of Hornbeck, in the Parish of Sabine, State of Louisiana, on February 5, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 141]

AN ACT

For the relief of Frances Biewer.

May 29, 1945
[H. R. 856]

[Private Law 71]

Frances Biewer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frances Biewer, of Chicago, Illinois, the sum of \$206, in full settlement of all claims against the United States for personal injuries sustained by her and expenses incident thereto, as a result of her

being struck and injured by a Government vehicle which was driven by an employee of the Navy Department on September 6, 1944, in Chicago, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of any services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 142]

AN ACT

For the relief of Ed Williams.

May 29, 1945
[H. R. 879]

[Private Law 72]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$775, to Ed Williams, of 1442 Forty-third Street, Des Moines, Iowa, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, loss of wages, and property damage sustained as the result of the automobile which he, Ed Williams, was driving being struck by a United States Army jeep numbered U. S. A. 2069073, on August 20, 1942, in Des Moines, Iowa: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Ed Williams.

Approved May 29, 1945.

[CHAPTER 143]

AN ACT

For the relief of Fred A. Lower.

May 29, 1945
[H. R. 904]

[Private Law 73]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred A. Lower, of Wichita Falls, Texas, the sum of \$10,000, in full settlement of all claims against the United States on account of property damage and personal injuries resulting from the flow of sewage waters from Sheppard Field, Texas, into a certain creek, which runs through the land of the said Fred A. Lower: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Fred A. Lower.

Approved May 29, 1945.

[CHAPTER 144]

AN ACT

For the relief of Mrs. Gladys Stout.

May 29, 1945
[H. R. 980]

[Private Law 74]

Mrs. Gladys Stout.

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 is hereby authorized and directed to remove from the records of his office the debt which has been raised therein against Mrs. Gladys Stout, cashier-bookkeeper for the Baltimore defense housing project, Middle River, Maryland, in the sum of \$264, together with interest due thereon from date of loss of the public funds for which she is accountable and which were stolen from the safe in the defense housing project office, Middle River, Maryland, without her fault, sometime between Saturday, March 28, 1942, and Monday, March 30, 1942.

SEC. 2. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$85 to be paid by the Secretary of the Treasury to Mrs. Gladys Stout: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 145]

AN ACT

For the relief of Mrs. Mary Karalis.

May 29, 1945
[H. R. 1054]

[Private Law 75]

Mrs. Mary Karalis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary Karalis, Minneapolis, Minnesota, the sum of \$240 in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses, sustained as the result of a collision between the automobile in which she was a passenger, and a United States Army truck on United States Route Numbered 12, near Baraboo, Wisconsin, on May 2, 1940: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 146]

AN ACT

For the relief of Sidney B. Walton.

May 29, 1945
[H. R. 1089]

[Private Law 76]

Sidney B. Walton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,000, to Sidney B. Walton, of Irrigon, Oregon, in full settle-

ment of all claims against the United States for personal injuries and damages sustained by him when he was struck by an Army vehicle at the Umatilla Ordnance Depot, Hermiston, Oregon, on November 23, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 147]

AN ACT

For the relief of Margaret M. Meersman.

May 29, 1945
[H. R. 1241]
[Private Law 77]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret M. Meersman, Moline, Illinois, the sum of \$60. The payment of such sum shall be in full settlement of all claims of the said Margaret M. Meersman against the United States for reimbursement of the cost of travel from Moline, Illinois, to Sweetwater, Texas, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas, as a result of administrative action: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Margaret M. Meersman.

Approved May 29, 1945.

[CHAPTER 148]

AN ACT

For the relief of Lee Graham.

May 29, 1945
[H. R. 1347]
[Private Law 78]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lee Graham, Elizabeth City, North Carolina, the sum of \$1,170. The payment of such sum shall be in full settlement of all claims of the said Lee Graham against the United States on account of personal injuries sustained by him on July 23, 1943, when the bicycle on which he was riding in Elizabeth City, North Carolina, was struck by a United States Navy truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Lee Graham.

Approved May 29, 1945.

[CHAPTER 149]

AN ACT

For the relief of Mrs. Alma Mallette and Ansel Adkins.

May 29, 1945
[H. R. 1558]
[Private Law 79]

Mrs. Alma Mallette
and Ansel Adkins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Alma Mallette, of Quincy, Missouri, the sum of \$4,000, and to Ansel Adkins, the sum of \$1,000, in full settlement of all claims against the United States for personal injuries to Ansel Adkins, and as compensation to Mrs. Alma Mallette for the death of her son Harry Stewart who was killed as a result of an accident involving an Army truck at Fort Leonard Wood, Missouri, on or about March 11, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 150]

AN ACT

For the relief of the legal guardian of Louis Ciniglio.

May 29, 1945
[H. R. 1561]
[Private Law 80]

Guardian of Louis
Ciniglio.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Louis Ciniglio, a minor, of 227 East Ruby Avenue, Palisades Park, New Jersey, the sum of \$3,500, in full settlement of all claims against the United States for injuries, medical, and hospital expenses sustained as the result of being struck by a United States Army Ford sedan numbered 115702, on June 19, 1943, on State Highway Route Numbered 6 in Palisades Park, New Jersey: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 151]

AN ACT

For the relief of Mrs. Bessie I. Clay.

May 29, 1945
[H. R. 1598]
[Private Law 81]

Mrs. Bessie I. Clay.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Bessie I. Clay, of Pueblo, Colorado, the sum of \$353, in full settlement of all claims against the United States for damages sustained to her automobile as a result of a collision between her car and an Army jeep from Goffes, an Army post near Needles, California,

in the service of the United States, on October 10, 1943, near Fontana Junction in the vicinity of San Bernardino, California: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 152]

AN ACT

For the relief of Robert Lee Slade.

May 29, 1945
[H. R. 1602]

[Private Law 82]

Robert Lee Slade.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert Lee Slade, Dendron, Virginia, the sum of \$3,625.35. The payment of such sum shall be in full settlement of all claims of the said Robert Lee Slade against the United States for personal injuries and property damage sustained on December 5, 1943, when the automobile owned and driven by him was struck by a United States Army truck at the intersection of State Route 31 and State Route 460, near Wakefield, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 153]

AN ACT

For the relief of Domenico Strangio.

May 29, 1945
[H. R. 1845]

[Private Law 83]

Domenico Strangio.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$39.62 to Domenico Strangio, of Sacramento, California, in full settlement of all claims against the United States for services rendered as an employee at the Sacramento Post Office during the holidays in December 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 154]

AN ACT

For the relief of Francis X. Servaites.

May 29, 1945
[H. R. 1847]

[Private Law 84]

Francis X. Servaites.

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 is hereby authorized and directed to allow credit in the account of Francis X. Servaites, an employee of the Federal Public Housing Authority employed as housing manager of the Willow Court housing project (project numbered MICH-20059), Willow Run Village housing project (project numbered MICH-20060), and Willow Park housing project (project numbered MICH-20113), Ypsilanti Township, Washtenaw County, Michigan, in the sum of \$4,762.97, together with interest thereon, public funds for which he is accountable, and which were stolen, without his fault, from a safe in the Administration Building of the Willow Court housing project sometime between the close of business at 5:15 post-meridian on October 4, 1943, and the opening of business at 8:45 antemeridian on October 5, 1943: *Provided,* That the said Francis X. Servaites is hereby relieved of pecuniary responsibility for the loss of said public funds.

Approved May 29, 1945.

[CHAPTER 155]

AN ACT

For the relief of Frank Lore and Elizabeth Vidotto.

May 29, 1945
[H. R. 1910]

[Private Law 85]

Frank Lore and
Elizabeth Vidotto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Lore, the sum of \$1,000; to pay the sum of \$1,000 to Elizabeth Vidotto, both of Washington, District of Columbia, in full satisfaction of all claims against the United States for compensation for personal injuries, medical and hospital expenses sustained, resulting from being struck by a motorcycle owned by the Economic Warfare Commission and driven by one Walter Williams, an employee of the said Commission, the said accident having occurred at the intersection of New York Avenue and Ninth Street, Northwest, Washington, District of Columbia, on the morning of November 8, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 156]

AN ACT

For the relief of Joseph Brunette.

May 29, 1945
[H. R. 1952]

[Private Law 86]

Joseph Brunette.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (39 Stat. 742), as

amended, the United States Employees' Compensation Commission is authorized and directed to receive and consider, as though filed on time, the claim of Joseph Brunette, of Beaulieu, Minnesota, for compensation for disability alleged to have resulted from injuries sustained by him on February 15, 1940, while working on project CCC-ID, Naytahwaush, Minnesota, as an enrollee of the Civilian Conservation Corps at Twin Lakes, Minnesota. Such claim shall be filed within sixty days after the effective date of this Act, and no benefits shall accrue prior to such effective date.

Approved May 29, 1945.

[CHAPTER 157]

AN ACT

For the relief of Boyd B. Black.

May 29, 1945
[H. R. 2006]
[Private Law 87]

Boyd B. Black.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Boyd B. Black, of Jasper, Texas, the sum of \$6,000, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses incurred as a result of being struck by a United States Army truck on May 24, 1943, as Jasper, Texas: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by an agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 158]

AN ACT

For the relief of Edward Lawrence Kunze.

May 29, 1945
[H. R. 2129]
[Private Law 88]

Edward Lawrence
Kunze.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, to Edward Lawrence Kunze, of Leonardville, Kansas, in full settlement of all claims against the United States for permanent injury received in an accident on Highway 77 between Junction City and Riley, Kansas, on July 16, 1943, when the gasoline trailer-truck which he was driving was struck by a Government vehicle driven by a WAC, said vehicle having pulled from a long convoy of Army vehicles directly in front of vehicle which claimant was driving, resulting in his permanent personal injury: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 159]

AN ACT

For the relief of Alexander Sawyer.

May 29, 1945

[H. R. 2361]

[Private Law 89]

Alexander Sawyer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander Sawyer, of 17 Donald Road, Dorchester, Massachusetts, the sum of \$5,000, in full satisfaction of all claims against the United States for personal injuries, medical and hospital expenses, and loss of income sustained by him as the result of an accident when an Army ambulance struck him on Blue Hill Avenue, Dorchester, Massachusetts, on January 16, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 160]

AN ACT

For the relief of Margaret J. Pow.

May 29, 1945

[H. R. 2701]

[Private Law 90]

Margaret J. Pow.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Margaret J. Pow, on account of the death of her husband, Alexander Simpson Pow, which is alleged to have resulted August 10, 1936, from exposure while on duty as a certifying engineer of the Smithfield Court housing project at Birmingham, Alabama, and her claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if she files such claim with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act.

Approved May 29, 1945.

[CHAPTER 161]

AN ACT

For the relief of Antonio Ruiz.

May 29, 1945

[S. 72]

[Private Law 91]

Antonio Ruiz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Antonio Ruiz, of Phoenix, Arizona, the sum of \$5,000, in full satisfaction of his claim against the United States for compensation for the death of his two minor children, the late Samuel Ruiz and the late Rosalie Ruiz, who died as a result of personal injuries sustained by them when a United

States Army airplane crashed into their home in Phoenix, Arizona, on April 22, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 162]

AN ACT

For the relief of Mary G. Marggraf.

May 29, 1945
[S. 93]
[Private Law 92]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary G. Marggraf, of Chicago, Illinois, the sum of \$1,900, in full satisfaction of all claims against the United States for compensation for personal injuries sustained by her when she was struck by a United States mail truck at Cicero Avenue and Gladys Avenue, Chicago, Illinois, on December 17, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mary G. Marggraf.

Approved May 29, 1945.

[CHAPTER 163]

AN ACT

For the relief of Mrs. Glenn T. Boylston.

May 29, 1945
[S. 194]
[Private Law 93]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Glenn T. Boylston, of North Charleston, South Carolina, the sum of \$5,000, in full satisfaction of her claim against the United States for compensation on account of the death of her husband, Glenn T. Boylston, who died as a result of injuries sustained by him when he was struck by a United States Army truck at Charleston, South Carolina, on July 2, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Glenn T. Boylston.

Approved May 29, 1945.

[CHAPTER 164]

AN ACT

For the relief of W. C. Wornhoff and Josephine Wornhoff.

May 29, 1945
[S. 498]
[Private Law 94]

W. C. Wornhoff.

Josephine Wornhoff.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to W. C. Wornhoff, of Forest Park, Illinois, the sum of \$1,100, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him, for reimbursement of medical expenses incurred by him, and loss of earnings as the result of an accident which occurred when the automobile which he was driving was struck by a United States mail truck, in Riverside, Illinois, on July 4, 1943; and (2) to Josephine Wornhoff, of Forest Park, Illinois, the sum of \$1,000, in full satisfaction of her claims against the United States for compensation for personal injuries sustained by her as a passenger in such automobile, and for reimbursement of medical, hospital, and other expenses incurred by her, as a result of such accident: *Provided,* That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved May 29, 1945.

[CHAPTER 165]

AN ACT

For the relief of the estate of Charles A. Straka.

May 29, 1945
[S. 519]
[Private Law 95]

Charles A. Straka,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to credit the accounts of the late Charles A. Straka, former postmaster at Milledgeville, Illinois, with the sum of \$1,149.35, representing the total of the amounts claimed by him in his quarterly reports as compensation for the period May 1, 1940, to December 5, 1940, but disallowed by the General Accounting Office.

Approved May 29, 1945.

[CHAPTER 166]

AN ACT

For the relief of Mrs. Freda Gullikson.

May 29, 1945
[S. 567]
[Private Law 96]

Mrs. Freda Gullikson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of Frederick H. Gullikson, formerly employed by the United States Indian Irrigation Service as a drag-line operator at the Fort Belknap Indian Agency, who died as a result of an injury alleged to have been sustained by him on May 18, 1940, in the course of such employment; and the United States Employees' Compensation Commission is authorized and directed to consider and act

39 Stat. 746.
5 U. S. C. §§ 765-770.

upon any claim filed with the Commission within one year after the date of enactment of this Act, by or on behalf of Mrs. Freda Gullikson, widow of the said Frederick H. Gullikson, for compensation or other benefits under the provisions of such Act of September 7, 1916, as amended, on account of such death: *Provided*, That no benefits hereunder shall accrue prior to the approval of this Act.

Approved May 29, 1945.

[CHAPTER 169]

AN ACT

For the relief of Sigfried Olsen, doing business as Sigfried Olsen Shipping Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sigfried Olsen, doing business as Sigfried Olsen Shipping Company, his heirs or assigns, the sum of \$32,287.39, in full settlement of all claims against the United States on account of alleged losses in the operation of the vessels Stanley Griffith, James Griffith, and Lake Frances to South America and Panama Canal Zone and return in the summer and fall of 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 1, 1945.

June 1, 1945
[H. R. 1566]
[Private Law 97]

Sigfried Olsen.

[CHAPTER 170]

AN ACT

For the relief of Hattie Bowers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hattie Bowers, of Modesto, California, the sum of \$4,000. The payment of such sum shall be in full settlement of all claims of the said Hattie Bowers for property damage, personal injuries, medical and hospital expenses sustained by her, as the result of an accident on April 5, 1943, when the automobile she was driving on United States Highway Numbered 99, approximately six miles north of Bakersfield, California, was struck by a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 1, 1945.

June 1, 1945
[H. R. 2007]
[Private Law 98]

Hattie Bowers.

[CHAPTER 171]

AN ACT

For the relief of the estate of Myles Perz.

June 2, 1945

[H. R. 903]

[Private Law 99]

Myles Perz, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Myles Perz, the sum of \$5,861.85, in full settlement of all claims against the United States on account of the injury and death of Myles Perz as the result of an accident which occurred on January 29, 1944, at the intersection of Kedzie Avenue and Fillmore Street in Chicago, Illinois, when the said Myles Perz was struck by a United States Army vehicle: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 2, 1945.

[CHAPTER 179]

AN ACT

For the relief of David B. Smith.

June 9, 1945

[H. R. 209]

[Private Law 100]

David B. Smith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to David B. Smith, of Edgewater, Florida, the sum of \$2,667.10, in full satisfaction of his claims against the United States for personal injuries, hospital and medical expenses, loss of earnings, and other expenses, sustained by David B. Smith when he was struck by a United States Navy truck numbered 42445, on February 18, 1944, on the highway, Edgewater, Florida: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 9, 1945.

[CHAPTER 182]

AN ACT

To authorize payment of certain claims for damage to or loss or destruction of property arising prior to May 27, 1941, out of activities of the War Department or of the Army.

June 11, 1945

[H. R. 981]

[Private Law 101]

Payment of claims for damages incident to activities of War Department or Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mayburg Chemical Company, \$870.46; Roland C. McNaughten, \$37.25; Daniel Ossa, \$9.43; Antoinette Labas, \$41.22; C. C. Hatcher, \$15; American Central Insurance Company, \$179.79; Imperial Assurance Company, \$343.95; Mrs. Ethel L. Harrington, \$97.90; Service Fire Insurance Company of New York, \$152.29; Carl E. Stonebarger, \$691;

Andrew Svets, \$25; Motors Insurance Corporation, \$102.57; Agostini Brothers Building Corporation, \$253.83; George C. Scheetz, \$146.50; Jessie S. Pugh, \$50.50; American Automobile Insurance Company, \$52.53; Edwin R. Chantler, \$25; Home Insurance Company, \$23.16; Hilde Christensen, \$356.03; J. C. Tune, \$85; William J. T. Yancey, \$136; Fred H. Merrill, \$121.50; Chicago, Milwaukee, Saint Paul and Pacific Railroad Company, \$12.50; Central Vermont Railway, Incorporated, \$15.62; David W. Barry, \$75; Allemannia Fire Insurance Company, \$63.30; Francis Best, \$87.13; Benjamin Allen Albro, \$197.75; George E. Townshend, \$536.75; Alfredo Sicon, \$136.50; Sinforoso L. Ordon, \$48.25; Alihio B. Ayuban, \$71.50; Feli S. Abarca, \$341.75; Eulogio Sevilla, \$131; Salvador A. Caballero, \$286; Hans Buhman, \$93.75; Aurelle Proul, \$292; Christino Magasi, \$188; Vernon Lams, \$137.50; Ralph V. Reese, \$201.70; Domingo Dalman, \$124; William J. Hellstrand, \$128.50; Alfred Kirlew, \$327.50; Alejo Estigoy, \$75.50; Isabelo F. Elison, \$121.50; Crispin B. Arevalo, \$79; Stanley Robert Scott, \$153.25; Lyman J. Crockenberg, \$153.90; John T. McDonough, \$166; Juan M. Isturis, \$173.50; Ruth P. Dennis, \$25; United Mutual Fire Insurance Company, \$59.80; Wisconsin Telephone Company, \$110.88; General Exchange Insurance Corporation, \$182.29; M. R. Stephenson, \$25; Earl L. Hutchinson, \$150; Mary A. Marlett, \$12; State Automobile Insurance Association, \$79.49; John Wesley and Hazel Wesley, \$500; Samuel Olmedo, \$112.50; Wheeler and Dusenberry, a partnership, \$321.50; James M. Noel, \$400; in full settlement of their respective claims against the United States for damage to or loss or destruction of property incident to noncombat activities of the War Department or of the Army, determined by the Secretary of War to be meritorious, which by reason of having arisen prior to May 27, 1941, are not payable under the provisions of the Act approved July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of personal property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army", which repealed or rendered inapplicable to the War Department various statutes under the provisions of which such claims could have been paid: *Provided*, That prior to receiving payment each of the said claimants shall file with the Secretary of War, in such form as he shall prescribe, an agreement to accept the sum so to be paid in full satisfaction and final settlement of his claim.

Approved June 11, 1945.

31 U. S. C., Supp.
IV, § 223b.

Condition.

[CHAPTER 183]

AN ACT

For the relief of Katherine Smith.

June 11, 1945

[H. R. 1567]

[Private Law 102]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Katherine Smith, of Pleasant Street, Marion, Massachusetts, the sum of \$4,272, in full settlement of all claims against the United States on account of personal injuries of a permanent nature suffered by her on April 20, 1942, when the automobile in which she was riding was struck by Government vehicle numbered W-427233, belonging to the War Department and operated by a private of said Department on Route Numbered 28 in the town of Wareham, Massachusetts: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with

Katherine Smith.

this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 11, 1945.

[CHAPTER 187]

AN ACT

For the relief of Montgomery City Lines, Incorporated.

June 12, 1945

[H. R. 1307]

[Private Law 103]

Montgomery City
Lines, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of money in the Treasury not otherwise appropriated, to Montgomery City Lines, Incorporated, Montgomery, Alabama, the sum of \$266.49, in full settlement of all claims against the United States for compensation for property damage sustained by it as the result of a collision involving one of its vehicles and a United States Army truck in the city of Montgomery, Alabama, on September 30, 1940: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1945.

[CHAPTER 188]

AN ACT

For the relief of Blanche H. Karsch, administratrix of the estate of Kate E. Hamilton.

June 12, 1945

[H. R. 1711]

[Private Law 104]

Kate E. Hamilton,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Blanche H. Karsch, of Memphis, Tennessee, as administratrix of the estate of Kate E. Hamilton, the sum of \$7,025.60, in full satisfaction of the claim of such estate against the United States for refund of the taxes erroneously paid upon a portion of such estate which was not subject to tax: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved June 12, 1945.

[CHAPTER 191]

AN ACT

For the relief of Nebraska Wesleyan University and Herman Platt.

June 14, 1945

[S. 392]

[Private Law 106]

Nebraska Wesleyan
University.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nebraska Wesleyan

University, of Lincoln, Nebraska, the sum of \$16,000, in full settlement of all claims against the United States as compensation for damage to its real estate described as west half of section 12, township 13, range 13, in Sarpy County, Nebraska, consisting of approximately three hundred and twenty acres, more or less; to pay to Nebraska Wesleyan University, of Lincoln, Nebraska, and its tenant, Herman Platt, of Fort Crook, Nebraska, the sum of \$5,727.70, in full settlement of all claims against the United States as compensation for crop damage in the years 1941 and 1942 respectively; all of which damages were caused by changes in the topography of land in connection with the construction of the Fort Crook aircraft assembly plant and testing field on the Fort Crook Military Reservation resulting in collection and discharge of water upon the university's land and payment for which damages has been refused by the United States and its agent: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Herman Platt.

Approved June 14, 1945.

[CHAPTER 202]

AN ACT

For the relief of Mr. and Mrs. Walter M. Johnson.

June 29, 1945

[S. 426]

[Private Law 106]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500, to Mr. and Mrs. Walter M. Johnson, of Redwood Falls, Minnesota, in full settlement of all claims against the United States for the death of their minor daughter, Myrna Arline Johnson, who was struck by an Army vehicle at the Redwood Falls fairgrounds on August 16, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. and Mrs. Walter M. Johnson.

Approved June 29, 1945.

[CHAPTER 216]

AN ACT

For the relief of Marlin-Rockwell Corporation with respect to the jurisdiction of The Tax Court of the United States to redetermine its excessive profits for its fiscal year ending December 31, 1942, subject to renegotiation under the Renegotiation Act.

June 30, 1945

[H. R. 1044]

[Private Law 107]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time within which a petition may be filed with The Tax Court of the United States, by Marlin-Rockwell Corporation, a corporation organized under the laws of Delaware, having its principal place of business in Jamestown, New York, for a redetermination under the Renegotiation Act of its excessive profits for its fiscal year ending December 31, 1942, as determined by the Under Secretary of War under date

Marlin-Rockwell Corp.

Redetermination of excessive profits.
56 Stat. 245.
50 U. S. C., Supp. IV, app. § 1191.

of April 26, 1944, be, and the same is hereby, extended to and including July 27, 1944, and jurisdiction is hereby conferred upon The Tax Court of the United States, and it is hereby authorized and directed to hear and determine on the merits under the Renegotiation Act, such petition as heretofore filed or as hereafter amended, any finding, determination, judgment, rule of law, or statute to the contrary notwithstanding.

Approved June 30, 1945.

[CHAPTER 229]

AN ACT

For the relief of camp numbered 1, Alaska Native Brotherhood, Sitka, Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to camp numbered 1, Alaska Native Brotherhood, of Sitka, Alaska, the sum of \$6,000, in full settlement of all claims against the Government of the United States for compensation for damages sustained by said organization on account of the destruction of the Alaska Native Brotherhood Hall by fire on January 13, 1943, occasioned by the negligence of agents of the United States Army who were in possession of the hall: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 230]

AN ACT

For the relief of Madeline J. MacDonald.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Madeline J. MacDonald, 310 West Ten Mile Road, Royal Oak, Michigan, the sum of \$78.95, in full settlement of all claims against the United States for reimbursement of the cost of travel from Royal Oak, Michigan, to Sweetwater, Texas, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas, as a result of administrative action based on recommendations by Members of the House of Representatives: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

July 2, 1945

[H. R. 802]

[Private Law 108]

Alaska Native
Brotherhood, Camp
No. 1.

July 2, 1945

[H. R. 892]

[Private Law 109]

Madeline J. Mac-
Donald.

[CHAPTER 231]

AN ACT

For the relief of Mrs. Ellen C. Burnett.

July 2, 1945

[H. R. 993]

[Private Law 110]

Mrs. Ellen C.
Burnett.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ellen C. Burnett, 2122 California Street Northwest, Washington, District of Columbia, the sum of \$393.60, in full settlement of all claims against the United States for loss of certain personal property owned by her husband, Lieutenant Colonel Frank C. Burnett, United States Army, now deceased, which disappeared from an Army warehouse at the Presidio of San Francisco, California, where it was stored for the convenience of the Government and while Colonel Burnett was on duty with the United States Army in France: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 232]

AN ACT

For the relief of Daniel B. Johnson.

July 2, 1945

[H. R. 1038]

[Private Law 111]

Daniel B. Johnson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Daniel B. Johnson, of Toledo, Ohio, the sum of \$2,500, in full satisfaction of all claims against the United States for compensation for personal injuries and property damage sustained by him when he was struck by a car operated by one William Grote, an employee of the Post Office Department of the United States Government while on business of the Post Office Department, on Monroe Street, near the intersection of Grasser Street, Toledo, Ohio, on December 24, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 233]

AN ACT

For the relief of the Realty Bond and Mortgage Company and Robert W. Keith.

July 2, 1945

[H. R. 1055]

[Private Law 112]

Realty Bond and
Mortgage Co. and
Robert W. Keith.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Realty Bond and Mortgage Company and Robert W. Keith, both of Battle Creek, Michigan, the sum of \$3,000. The payment of such sum shall be in

full settlement of all claims of the said Realty Bond and Mortgage Company and the said Robert W. Keith against the United States for services rendered under a contract with the United States in connection with procuring options on certain real property in Calhoun and Klamazoo Counties adjacent to Fort Custer, Michigan: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 234]

AN ACT

For the relief of W. A. Smoot, Incorporated.

July 2, 1945
[H. R. 1058]
[Private Law 113]

W. A. Smoot, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. A. Smoot, Incorporated, Alexandria, Virginia, the sum of \$2,397.19. The payment of such sum shall be in full settlement of all claims of the said W. A. Smoot, Incorporated, against the United States for damages caused to its lumber and millwork plant located at Cameron and Union Streets, Alexandria, Virginia, as the result of an explosion on March 2, 1944, in a nearby building used and occupied by the Records Division of The Adjutant General's Office of the Department of War: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 235]

AN ACT

For the relief of Leonard D. Jackson and Elsie Fowkes Jackson.

July 2, 1945
[H. R. 1059]
[Private Law 114]

Leonard D. Jackson
and Elsie Fowkes
Jackson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Leonard D. Jackson, Alexandria, Virginia, the sum of \$750, and to Elsie Fowkes Jackson, Alexandria, Virginia, the sum of \$6,350. The payment of such sums shall be in full settlement of all claims of the said Leonard D. Jackson and Elsie Fowkes Jackson against the United States for damages for personal injuries sustained by them on January 14, 1944, when the vehicle in which they were riding was struck, at the intersection of Fourteenth Street and Constitution Avenue, Washington, District of Columbia, by a vehicle in the service of the United States Navy: *Provided*, That no part of the amount appropriated in this Act in

excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 236]

AN ACT

For the relief of Harold J. Grim.

July 2, 1945
[H. R. 1091]
[Private Law 115]

Harold J. Grim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harold J. Grim, Upper Darby, Pennsylvania, the sum of \$2,087.40. The payment of such sum shall be in full settlement of all claims against the United States for property damage resulting from the destruction of the Piper coupe airplane NC-37977, on May 21, 1944, when it was struck where it was parked on Wing's Field, Ambler, Pennsylvania, by a landing United States Navy airplane, model F-4U-1, bureau number 02438: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 237]

AN ACT

For the relief of Mrs. C. J. Rhea, Senior.

July 2, 1945
[H. R. 1243]
[Private Law 116]

Mrs. C. J. Rhea, Sr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. C. J. Rhea, Senior, of Windsor, North Carolina, the sum of \$700, in full settlement of all claims against the United States for compensation for property damage sustained by her as the result of the demolition of her automobile which occurred when the automobile, parked at the curb within legal lines in front of her dwelling, was struck by a United States Army command car at Windsor, North Carolina, on October 24, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 238]

AN ACT

For the relief of M. Elizabeth Quay.

July 2, 1945
[H. R. 1320]
[Private Law 117]

M. Elizabeth Quay.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to M. Elizabeth Quay, the sum of \$205, in full settlement of all claims against the United States by reason of expenses incurred upon being instructed by the War Department to report for WASP training at Sweetwater, Texas, and upon arrival, having said instructions terminated by Act of Congress, forcing her to return to her home, Lakeland, Florida: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 239]

AN ACT

For the relief of Mrs. Cecilia M. Tonner.

July 2, 1945
[H. R. 1328]
[Private Law 118]

Mrs. Cecilia M. Tonner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Cecilia M. Tonner, the sum of \$1,792.80, in full settlement of all claims against the United States for personal injuries and medical and hospital expenses, resulting from the injuries sustained by Mrs. Tonner, on January 18, 1944, when hit by a United States mail truck at Old Tappan, New Jersey: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 240]

AN ACT

For the relief of Edith M. Powell.

July 2, 1945
[H. R. 1453]
[Private Law 119]

Edith M. Powell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith M. Powell the sum of \$1,000, in full compensation and settlement for all claims and demands of Edith M. Powell growing out of, or arising from, injuries suffered in an accident on Government property near Newport in Lincoln County, Oregon, on or about August 2, 1926: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or

delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 241]

AN ACT

For the relief of the legal guardian of Samuel Wadford.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Samuel Wadford, of Vicksburg, Mississippi, the sum of \$10,000, in full settlement of all claims against the United States for injuries received by him on April 17, 1943, when a freight car of the Yazoo and Mississippi Valley Railroad Company, containing war materials, exploded in the railroad yards at Vicksburg, Mississippi, said car being under the supervision of officers of the United States Army at the time: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with said claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

July 2, 1945
[H. R. 1482]
[Private Law 120]

Guardian of Samuel
Wadford.

[CHAPTER 242]

AN ACT

For the relief of Austin Bruce Bowen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Austin Bruce Bowen, of Sarasota, Florida, the sum of \$2,000. The payment of such sum shall be in full settlement of all claims of the said Austin Bruce Bowen against the United States on account of personal injuries sustained on September 22, 1942, on Highway Numbered 41 (Tamiami Trail), when the truck which he was driving was struck by a Government vehicle in convoy en route to Venice Army Air Base, Venice, Florida: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

July 2, 1945
[H. R. 1488]
[Private Law 121]

Austin Bruce
Bowen.

[CHAPTER 243]

AN ACT

To confer jurisdiction upon the United States District Court for the Eastern District of Virginia to hear, determine, and render judgment upon the claim of Norfolk-Portsmouth Bridge, Incorporated.

July 2, 1945

[H. R. 1599]

[Private Law 122]

Norfolk-Portsmouth
Bridge, Inc.
Claim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of Virginia to hear, determine, and render judgment upon the claim of Norfolk-Portsmouth Bridge, Incorporated, a corporation, its successors and assigns, against the United States for damages sustained by it or them, and resulting from alleged negligent operation of the steamship John M. Moorehead, causing the said steamship to collide with the Norfolk-Portsmouth Bridge over the southern branch of the Elizabeth River, between the City of South Norfolk, Virginia, and the County of Norfolk, Virginia. In the determination of said claim the United States shall be held liable only to the extent to which a private person would be liable under like circumstances. Proceedings for the determination of said claim shall be had in the same manner as in cases of which said court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code (36 Stat. 1093; U. S. C., title 28, sec. 41 (20)) : *Provided,* That suit hereunder shall be instituted at any time within four months after the enactment of this Act.

Approved July 2, 1945.

[CHAPTER 244]

AN ACT

For the relief of Charles E. Surmont.

July 2, 1945

[H. R. 1611]

[Private Law 123]

Charles E. Surmont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles E. Surmont, the sum of \$347.78, in full settlement of all claims against the United States for time lost from work, medical, and other expenses incident thereto, sustained on July 22, 1943, as a result of a collision on the Golden Gate Bridge, San Francisco, between the automobile in which he was riding and a car driven by William A. Gilbert, who at the time was a sergeant in the United States Army, and driving said car in the performance of duty and under orders: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 245]

AN ACT

For the relief of Hugh M. Gregory.

July 2, 1945

[H. R. 1617]

[Private Law 124]

Hugh M. Gregory.
Validation of design-
ated appointment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the status of Hugh M. Gregory, as a retired commissioned officer of the United States Army, his appointment on August 25, 1941, to the position of associate field representative in the Office of Defense

Health and Welfare Services be, and it is hereby, validated; and he shall be entitled to the whole amount of salary at the rate of \$3,000 per annum for such services performed by him during the period from August 25, 1941, to June 30, 1942, inclusive, but shall not be entitled to any retired pay for that period; that payments heretofore made to him as salary or traveling expenses for the period from August 25, 1941, to June 30, 1942, inclusive, are hereby validated.

Salary or traveling expenses.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay to Hugh M. Gregory, out of any moneys in the Treasury not otherwise appropriated, a sum equal to the total amount of any salary withheld during the period of his employment as an associate field representative in the Office of Defense Health and Welfare Services at the rate of \$3,000 per annum and validated by section 1 of this Act.

Approved July 2, 1945.

[CHAPTER 246]

AN ACT

For the relief of Hires Turner Glass Company.

July 2, 1945

[H. R. 1677]

[Private Law 125]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hires Turner Glass Company, Washington, District of Columbia, the sum of \$405.67. The payment of such sum shall be in full settlement of all claims against the United States for damage to one of its trucks, its glass rack, and a portion of the wire Cyclone fence surrounding its property as a result of being struck by a United States Army truck, on February 15, 1943, near Arlington Ridge Road and Nineteenth Street North, Arlington County, Virginia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Hires Turner Glass Co.

Approved July 2, 1945.

[CHAPTER 247]

AN ACT

For the relief of Mrs. Ada Wert Illinico.

July 2, 1945

[H. R. 1678]

[Private Law 126]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$316.25, to Mrs. Ada Wert Illinico, 38 Coryell Avenue, Lambertville, New Jersey, in full settlement of all claims against the United States for property damage sustained as a result of a collision between the car in which she was riding and a United States Army truck on New Jersey State Highway Numbered 4, near Tuckerton, New Jersey, on September 3, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Mrs. Ada Wert Illinico.

Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 248]

AN ACT

For the relief of the estate of the late Demetrio Caquías.

July 2, 1945
[H. R. 1786]
[Private Law 127]

Demetrio Caquías,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, to the estate of the late Demetrio Caquías who was fatally injured on March 15, 1944, when struck in Ponce, Puerto Rico, by a United States jeep. The payment of such sum shall be in full settlement of all claims against the United States on account of such accident: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 249]

AN ACT

For the relief of the White Van Line, Incorporated, of South Bend, Indiana.

July 2, 1945
[H. R. 1792]
[Private Law 128]

White Van Line,
Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the White Van Line, Incorporated, of South Bend, Indiana, the sum of \$1,693.28. The payment of such sum shall be in full settlement of all claims of the said White Van Line, Incorporated, against the United States for the damages sustained by it resulting from a collision, on October 12, 1935, approximately seven miles west of Galeton, Pennsylvania, on United States Highway Numbered 6, between one of its moving vans and a vehicle in the service of the Civilian Conservation Corps: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 250]

AN ACT

For the relief of the Grandview Hospital.

July 2, 1945
[H. R. 1891]
[Private Law 129]

Grandview Hospi-
tal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Grandview Hospital, of Edinburg, Texas, the sum of \$251.40, in full satisfaction of the claims against the United States for services

rendered sixteen civilians, who were injured in an accident involving an Army vehicle which occurred on May 24, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 251]

AN ACT

For the relief of Betty Ellen Edwards.

July 2, 1945
[H. R. 2001]
[Private Law 130]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Betty Ellen Edwards, of 17 Mariners Place, Plainfield, New Jersey, the sum of \$98.73, in full settlement of all claims against the United States for reimbursement of the cost of travel from Plainfield, New Jersey, to Sweetwater, Texas, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas, as a result of administrative action based on recommendations by Members of the House of Representatives: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Betty Ellen Ed-
wards.

Approved July 2, 1945.

[CHAPTER 252]

AN ACT

For the relief of Joseph Wyzynski.

July 2, 1945
[H. R. 2002]
[Private Law 131]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Wyzynski, of 4 Harold Avenue, Clark Township, New Jersey, the sum of \$925. The payment of such sum shall be in full settlement of all claims against the United States on account of damage to real property owned by the said Joseph Wyzynski when his building located at 2137 State Highway Numbered 25, Rahway, New Jersey, was damaged on November 5, 1943, by a United States Army motor vehicle: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Joseph Wyzynski.

Approved July 2, 1945.

[CHAPTER 253]

AN ACT

For the relief of the legal guardian of Stewart Martin, Junior, a minor.

July 2, 1945
[H. R. 2003]

[Private Law 132]

Guardian of Stewart
Martin, Jr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Stewart Martin, Junior, a minor, of Union Township, New Jersey, the sum of \$3,500, in full settlement of all claims against the United States for personal injuries, medical, hospital and dental expenses, and property damage, sustained by the said Stewart Martin, Junior, in an accident in New Egypt, New Jersey, on July 3, 1943, involving an Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 254]

AN ACT

For the relief of Jane Thayer.

July 2, 1945
[H. R. 2286]

[Private Law 133]

Jane Thayer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jane Thayer, of Bellingham, Washington, the sum of \$9,478.84, in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses incident thereto as the result of an accident involving a United States Civilian Conservation Corps truck, at the intersection of Maple and Jersey Streets, Bellingham, Washington, on March 27, 1938: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 255]

AN ACT

For the relief of Alice Walker.

July 2, 1945
[H. R. 2700]

[Private Law 134]

Alice Walker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000, to Alice Walker, of 1224 Lomb Avenue, Birmingham, Alabama, in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses and loss of wages as a result of being struck by a United States Army truck in

Birmingham, Alabama, on June 3, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 256]

AN ACT

For the relief of the Tobey Hospital.

July 2, 1945
[H. R. 2721]
[Private Law 136]

Tobey Hospital.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Tobey Hospital, Wareham, Massachusetts, the sum of \$427.25. The payment of such sum shall be in full settlement of all claims of the said Tobey Hospital against the United States for services rendered, and supplies furnished to members of the United States Army stationed at Camp Edwards, Massachusetts, who were injured in two automobile accidents, the first of which occurred on April 25, 1941, and the second on December 7, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 257]

AN ACT

For the relief of the estate of Herschel Adams, deceased, and Pleas Baker.

July 2, 1945
[H. R. 2727]
[Private Law 136]

Herschel Adams,
estate.

Pleas Baker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the estate of Herschel Adams, deceased, and the sum of \$3,000 to Pleas Baker, of Gallatin, Tennessee, in full settlement of all claims against the United States for the death of Herschel Adams, and personal injuries, medical and hospital expenses incurred by Mr. Baker as the result of an accident involving an Army vehicle on February 9, 1944, in Gallatin, Tennessee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 258]

AN ACT

For the relief of Mrs. Jane Strang.

July 2, 1945
[H. R. 2730]

[Private Law 137]

Mrs. Jane Strang.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Jane Strang, Atlantic City, New Jersey, the sum of \$300. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries and medical expenses sustained on April 19, 1942, when the automobile in which she was riding was struck by a United States Army truck at Fort Dix, New Jersey: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 2, 1945.

[CHAPTER 259]

AN ACT

For the relief of Nelson R. Park.

July 2, 1945
[H. R. 2925]

[Private Law 138]

Nelson R. Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Nelson R. Park, American Foreign Service officer, formerly assigned as consul at Barranquilla, Colombia, is hereby relieved from accounting for 2,023 pesos, the equivalent of \$1,191.77, which were stolen from the safe in the consulate at Barranquilla during the night of June 3, 1942.

Approved July 2, 1945.

[CHAPTER 260]

AN ACT

For the relief of the heirs of Henry B. Tucker, deceased.

July 2, 1945
[H. R. 3074]

[Private Law 139]

Henry B. Tucker,
heirs.
39 Stat. 746.
5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations in time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of the heirs of Henry B. Tucker, deceased, of Vicksburg, Mississippi, and the Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said Act their claim on account of injury and disability alleged to have been incurred on or about April 8, 1940, while said Henry B. Tucker was performing his duties as an employee of the United States Engineer Office, Vicksburg, Mississippi: *Provided,* That claim hereunder shall be filed within six months from the approval of this Act: *Provided further,* That no benefits shall accrue prior to the approval of this Act.

Approved July 2, 1945.

[CHAPTER 272]

AN ACT

To authorize the President to appoint General Omar N. Bradley to the office of Administrator of Veterans' Affairs, without affecting his military status and perquisites.

July 5, 1945
[H. R. 3607]
[Private Law 140]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 1222 of the Revised Statutes (U. S. C., title 10, sec. 576), or any other provisions of law, the President, acting by and with the advice and consent of the Senate, is authorized to appoint General Omar N. Bradley, a general officer in the Army of the United States, to the office of Administrator of Veterans' Affairs, and General Bradley's appointment to, acceptance of, and service in that office shall in no way affect any status, office, rank, or grade he may occupy or hold in the Army of the United States or any component thereof, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade: *Provided,* That so long as he holds the office of Administrator of Veterans' Affairs, General Bradley shall retain the rank and grade of general which he now holds in the Army of the United States and he shall receive the pay and allowances (including personal money allowance) payable to an officer serving on active duty with the rank and in the grade of general in the Army of the United States, or any component thereof; and in the event the salary prescribed by law for the office of Administrator of Veterans' Affairs exceeds such pay and allowances, General Bradley shall receive directly from Veterans' Administration the difference between such pay and allowances and such salary.

Gen. Omar N. Bradley.
Appointment as Administrator of Veterans' Affairs.

Military status.

Rank and grade;
pay and allowances.

SEC. 2. In the performance of his duties as Administrator of Veterans' Affairs, General Bradley shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were in no way connected with the War Department, the Military Establishment, or the Army of the United States, or any component thereof.

Supervision, etc.,
(military or otherwise).

SEC. 3. The appropriations of the Veterans' Administration shall be available for reimbursement to the War Department of all pay and allowances received by General Bradley from the War Department or its agencies while he is serving in the office of Administrator of Veterans' Affairs.

Approved July 5, 1945.

[CHAPTER 276]

AN ACT

For the relief of Mrs. Harriette E. Harris.

July 6, 1945
[H. R. 1008]
[Private Law 141]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Harriette E. Harris, Pacific Grove, California, the sum of \$3,062. The payment of such sum shall be in full settlement of all claims of the said Mrs. Harriette E. Harris against the United States for damage to trees, driveway, and other property in Pacific Grove, California, caused by the crash of a United States Navy airplane on March 8, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or

Mrs. Harriette E. Harris.

received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

[CHAPTER 277]

AN ACT

To reimburse certain naval personnel and former naval personnel for personal property lost or damaged as a result of a fire in the bachelor officers' quarters known as Macqueripe Annex, located at the United States naval operating base, Trinidad, British West Indies, on June 11, 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$3,643.56, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain naval personnel and former naval personnel for the value of personal property lost or damaged as the result of a fire in the bachelor officers' quarters known as Macqueripe Annex, located at the United States naval operating base, Trinidad, British West Indies, on June 11, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

[CHAPTER 285]

AN ACT

For the relief of Mrs. Sadie L. Dance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Sadie L. Dance, of South Boston, Virginia, the sum of \$982 for compensation for damages (not covered by insurance) to her fence, driveway, rose garden, shrubbery, and lawn, as the result of a United States Navy airplane crashing on her property in South Boston, Virginia, on June 18, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

July 6, 1945

[H. R. 2685]

[Private Law 142]

Naval personnel
and former naval
personnel.
Reimbursement.

July 6, 1945

[H. R. 842]

[Private Law 143]

Mrs. Sadie L.
Dance.

[CHAPTER 286]

AN ACT

For the relief of Betty Jane Ritter.

July 6, 1945
[H. R. 852]
[Private Law 144]

Betty Jane Ritter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Betty Jane Ritter, 3347 Wilder Street, Skokie, Illinois, the sum of \$60.85, in full settlement of all claims against the United States for reimbursement of the cost of travel from Skokie, Illinois, to Sweetwater, Texas, and expenses incident thereto, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas, as a result of administrative action: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

[CHAPTER 287]

AN ACT

For the relief of Mrs. Beatrice Brown Waggoner.

July 6, 1945
[H. R. 1007]
[Private Law 145]

Mrs. Beatrice Brown Waggoner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Beatrice Brown Waggoner, Ojai, California, the sum of \$3,882.30. The payment of such sum shall be in full settlement of all claims of the said Mrs. Beatrice Brown Waggoner against the United States on account of personal injuries, medical and hospital expenses sustained on December 9, 1941, when a United States Army truck skidded into the automobile in which she was a passenger on Maricopa Highway, near Ojai, Ventura County, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

[CHAPTER 288]

AN ACT

To provide reimbursement for personal property lost, damaged, or destroyed as the result of an explosion at the Naval Air Station, Norfolk, Virginia, on September 17, 1943.

July 6, 1945
[H. R. 1309]
[Private Law 146]

Naval and civilian
personnel of Naval
Establishment.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$23,000, as may be required by the Secretary of the Navy to satisfy claims of naval and

civilian personnel of the Naval Establishment, for privately owned property lost, damaged, or destroyed as the result of an explosion at the Naval Air Station, Norfolk, Virginia, on September 17, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

[CHAPTER 289]

AN ACT

For the relief of Dorothy M. Moon.

July 6, 1945
[H. R. 1601]
[Private Law 147]

Dorothy M. Moon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dorothy M. Moon, Detroit, Michigan, the sum of \$83.91, in full settlement of all claims against the United States for reimbursement of the cost of travel from Detroit, Michigan, to Sweetwater, Texas, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas, as a result of administrative action based on recommendations by Members of the House of Representatives: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

[CHAPTER 290]

AN ACT

For the relief of Mrs. Ethel Farkas.

July 6, 1945
[H. R. 1606]
[Private Law 148]

Mrs. Ethel Farkas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,500.97 to Mrs. Ethel Farkas, of New Hyde Park, Nassau County, New York, in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses, incurred as the result of a collision between the car in which she was riding and a United States Army vehicle at the intersection of East Williston Avenue and Roslyn Road, East Williston, New York, on May 19, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

[CHAPTER 291]

AN ACT

For the relief of Mrs. Mary Ellen Keegan Herzog, Francis James Keegan, and Sergeant John Keegan.

July 6, 1945
[H. R. 1668]
[Private Law 149]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary Ellen Keegan Herzog the sum of \$2,500; to pay Francis James Keegan the sum of \$2,500; to pay Sergeant John Keegan the sum of \$2,500, all of Savanna, Illinois, in full settlement of all claims against the United States on account of the death of John C. Keegan, and the death of his daughter, Ann K. Keegan, as a result of being struck by a Civilian Conservation Corps truck under the jurisdiction of the National Park Service, Department of Interior, on December 17, 1938, near Oregon, Illinois: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Mary Ellen
Keegan Herzog.

Francis James
Keegan.
Sgt. John Keegan.

Approved July 6, 1945.

[CHAPTER 292]

AN ACT

For the relief of D. W. Key.

July 6, 1945
[H. R. 2060]
[Private Law 150]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to D. W. Key, Gause, Texas, the sum of \$258.40. The payment of such sum shall be in full settlement of all claims against the United States for property damages sustained on May 13, 1943, when a United States Army vehicle, driven by Private Harvey E. Lee, struck the automobile of D. W. Key, as he was making mail delivery, at an angle corner of the U. P. Smith pasture about four miles northeast of Gause, Texas: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

D. W. Key.

Approved July 6, 1945.

[CHAPTER 293]

AN ACT

For the relief of Osborne E. McKay.

July 6, 1945
[H. R. 2336]
[Private Law 151]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Osborne E. McKay, lieutenant commander, United States Naval Reserve, retired, Saga-

Osborne E. McKay.

more, Massachusetts, the sum of \$1,000. The payment of such sum shall be in full settlement of all claims of the said Osborne E. McKay and his wife against the United States on account of property damage sustained by them as the result of a fire which occurred in the hold of the United States Army transport James Parker at pier 6, Cristobal, Canal Zone, on November 10, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

[CHAPTER 294]

AN ACT

For the relief of Harland Bartholomew and Associates.

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 hereby is, authorized and directed to settle and adjust the claim of Harland Bartholomew and Associates, Saint Louis, Missouri, on account of increased costs incurred by the said firm in the performance of its contract numbered WA-1216, dated January 5, 1942, with the Federal Works Agency, by reason of unavoidable delays on the part of other contractors and the Government in the construction and completion of certain defense housing projects at or near Norfolk, Virginia, and to allow in full and final settlement of the claim the amount of, not to exceed, \$58,700. There is hereby appropriated the sum of \$58,700, or so much thereof as may be necessary, for the payment of the said claim: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 6, 1945.

[CHAPTER 304]

AN ACT

For the relief of Mr. and Mrs. James E. McGhee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. James E. McGhee, of Jacksonville, Florida, the sum of \$5,760, in full satisfaction of their claim against the United States for compensation for the death of their son, Millard E. McGhee, who was killed when he was struck by the motor falling from a United States Army aircraft which crashed at Jacksonville, Florida, on July 20, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating

July 6, 1945
[H. R. 2515]

[Private Law 152]

Harland Bartholomew and Associates.

July 14, 1945
[S. 301]

[Private Law 153]

Mr. and Mrs. James E. McGhee.

the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 14, 1945.

[CHAPTER 305]

AN ACT

For the relief of the Catholic Chancery Office, Incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Catholic Chancery Office, Incorporated, of Sioux Falls, South Dakota, the sum of \$11,980.33, in full satisfaction of its claims against the United States (1) for compensation for the use by the War Department of a building owned by it, possession of which was taken by the War Department under an option to purchase which the War Department subsequently failed to exercise, and for losses sustained by it as a result of the occupancy of such building by the War Department, and (2) for reimbursement of expenses incurred by it in vacating and making such building available for use by the War Department: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 14, 1945.

[CHAPTER 306]

AN ACT

For the relief of William B. Scott.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Civil Aeronautics is authorized and directed to provide for the transportation from Norfolk, Virginia, to Jacksonville, Florida, of the furniture and other household effects of William B. Scott, which were transported by the Navy Department to Norfolk, Virginia, from the naval operating base at Guantanamo Bay, Cuba, where the said William B. Scott was formerly stationed as an employee of the Civil Aeronautics Administration, and (1) to pay the cost of transporting such furniture and other household effects from Norfolk, Virginia, to Jacksonville, Florida, and (2) to reimburse the said William B. Scott for expenses incurred by him in providing for the storage of such furniture and other household effects from the date of arrival thereof in Norfolk, Virginia, to the date of transportation thereof to Jacksonville, Florida, as herein provided, from any appropriation available for paying traveling expenses of employees of the Civil Aeronautics Administration.

Approved July 14, 1945.

July 14, 1945

[S. 501]

[Private Law 154]

Catholic Chancery
Office, Inc.

July 14, 1945

[S. 712]

[Private Law 155]

William B. Scott.

[CHAPTER 307]

AN ACT

For the relief of Nita Rodlun.

July 14, 1945
[S. 748]

[Private Law 156]

Nita Rodlun.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nita Rodlun, of Portland, Oregon, the sum of \$83.48, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her when the automobile in which she was riding collided with a United States Army vehicle at the intersection of Southwest Sixteenth Avenue and Southwest Morrison Street, in Portland, Oregon, on September 26, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 14, 1945.

[CHAPTER 308]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in Quonset Hut occupied by Eighty-third United States Naval Construction Battalion at Camp Rosseau, Port Hueneme, California, on December 22, 1944.

July 14, 1945
[S. 761]

[Private Law 157]

Navy personnel and
former Navy person-
nel.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$365, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire in Quonset Hut occupied by the Eighty-third United States Naval Construction Battalion at Camp Rosseau, Port Hueneme, California, on December 22, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 14, 1945.

[CHAPTER 309]

AN ACT

To reimburse certain Navy personnel for personal property lost or damaged in a fire at Naval Base Two, Rosneath, Scotland, on October 12, 1944.

July 14, 1945
[S. 822]

[Private Law 158]

Navy personnel.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$426.65, as

may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel for the value of personal property lost or damaged as the result of a fire at Naval Base Two, Rosneath, Scotland, on October 12, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 14, 1945.

[CHAPTER 310]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in Quonset hut E-172 at the amphibious training base, Camp Bradford, naval operating base, Norfolk, Virginia, on January 20, 1945.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting to, in the aggregate, not to exceed \$981.30, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire in Quonset hut E-172 at the amphibious training base, Camp Bradford, naval operating base, Norfolk, Virginia, on January 20, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 14, 1945.

[CHAPTER 311]

AN ACT

For the relief of Ruby Doris Calvert, as administratrix of the estate of Frederick Calvert, deceased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ruby Doris Calvert, as administratrix of the estate of Frederick Calvert, deceased, the sum of \$2,421, in full settlement of all claims against the United States on account of the death of the said Frederick Calvert as the result of an accident involving a vehicle of the United States Army in Reykjavik, Iceland, on November 14, 1942: *Provided*, That the claimant accepts such sum in full settlement of all claims against the United States on account of the death of the said Frederick Calvert: *And provided further*, That no part of the amount appropriated in this Act in excess of 10 per centum

July 14, 1945
[S. 824]
[Private Law 160]

Navy personnel and
former Navy person-
nel.
Reimbursement.

July 14, 1945
[S. 867]
[Private Law 160]

Frederick Calvert,
estate.

thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 14, 1945.

[CHAPTER 315]

AN ACT

For the relief of Ida E. Laurie and Zella Rickard.

July 16, 1945

[S. 134]

[Private Law 161]

Ida E. Laurie and
Zella Rickard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida E. Laurie, of Marshfield, Oregon, the sum of \$1,000, in full satisfaction of her claims against the United States, and to Zella Rickard, of Marshfield, Oregon, the sum of \$250, in full satisfaction of her claims against the United States, for compensation for personal injuries sustained by them as a result of an accident which occurred when the Army vehicle in which they were riding as passengers collided with another Army vehicle near Marshfield, Oregon, on May 8, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 16, 1945.

[CHAPTER 316]

AN ACT

For the relief of the legal guardian of Clifton R. Weir.

July 16, 1945

[S. 672]

[Private Law 162]

Guardian of Clifton
R. Weir.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Clifton R. Weir, a minor, the sum of \$1,000, in full settlement of all claims against the United States for compensation for personal injuries sustained by said Clifton R. Weir, on May 24, 1944, at Brunswick, Georgia, when he dropped an unexploded rifle grenade which had been found outside a United States Army rifle range and had come into the possession of said Clifton R. Weir: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 16, 1945.

[CHAPTER 317]

AN ACT

For the relief of Mr. and Mrs. Stephen E. Sanders.

July 16, 1945
[S. 956]
[Private Law 163]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Mrs. Stephen E. Sanders, of Kittery Point, Maine, the sum of \$677, in full satisfaction of her claim against the United States for compensation for personal injuries sustained and for medical and hospital expenses incurred by her as the result of an accident which occurred when the automobile which she was driving was struck by a United States Army vehicle in Kittery Point, Maine, on September 3, 1942, and (2) to Stephen E. Sanders, of Kittery Point, Maine, the sum of \$50, in full satisfaction of his claim against the United States for compensation for damages to his automobile not covered by insurance as a result of such accident: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Stephen E.
Sanders.

Stephen E. Sanders.

Approved July 16, 1945.

[CHAPTER 323]

AN ACT

To provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the outlying degaussing branch of the Norfolk Navy Yard, Portsmouth, Virginia, on December 4, 1942.

July 21, 1945
[H. R. 2615]
[Private Law 164]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,884.69, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged in a fire at the outlying degaussing branch of the Norfolk Navy Yard, Portsmouth, Virginia, on December 4, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy personnel and
former Navy person-
nel.
Reimbursement.

Approved July 21, 1945.

[CHAPTER 324]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in the United States naval hospital, Seattle, Washington, on May 10, 1944.

July 21, 1945
[H. R. 2653]
[Private Law 165]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay,

Navy personnel and
former Navy person-
nel.
Reimbursement.

out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,381.45, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire in the United States naval hospital, Seattle, Washington, on May 10, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 21, 1945.

[CHAPTER 325]

AN ACT

For the relief of Mr. and Mrs. Arthur R. Brooks.

July 21, 1945
[S. 512]

[Private Law 166]

Arthur R. Brooks
and Sara H. Brooks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur R. Brooks, of Hampton, New Hampshire, the sum of \$827, and to Sara H. Brooks, of Hampton, New Hampshire, the sum of \$4,579, in full satisfaction of their respective claims against the United States for compensation for personal injuries and property damage sustained by them, and for reimbursement of medical, hospital, and other expenses incurred by them, as a result of an accident which occurred when they were struck by a United States Army vehicle while crossing a street in North Hampton Beach, New Hampshire, on September 22, 1942: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 21, 1945.

[CHAPTER 327]

AN ACT

For the relief of Paul T. Thompson.

July 24, 1945
[H. R. 908]

[Private Law 167]

Paul T. Thompson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000 to Paul T. Thompson, Saint Jo, Texas, in full settlement of all claims against the United States for personal injuries and medical and hospital expenses and property damage incident to and sustained as a result of a collision between the farm tractor on which he was riding and a United States Army automobile on Highway Numbered 82 near Nocona, Texas, on July 1, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the

contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 24, 1945.

[CHAPTER 331]

AN ACT

For the relief of the estate of James Arthur Wilson, deceased.

July 28, 1945

[S. 592]

[Private Law 168]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of James Arthur Wilson, deceased, the sum of \$6,000, in full settlement of all claims against the United States on account of the death of the said James Arthur Wilson, which resulted from an accident involving an Army truck in Greensboro, North Carolina, on July 20, 1944: *Provided,* That no part of the amount appropriated by this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

James Arthur Wilson, estate.

Approved July 28, 1945.

[CHAPTER 344]

AN ACT

For the relief of the duly appointed receiver of North Jersey Utilization and Sewerage Disposal Plant, Incorporated, or to such other person or persons as are legally authorized to collect the assets thereof.

July 31, 1945

[H. R. 795]

[Private Law 169]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$9,000 to the duly appointed receiver of North Jersey Utilization and Sewerage Disposal Plant, Incorporated, or to such other person or persons as are legally authorized to collect the assets thereof, in full settlement of all claims against the United States arising out of a contract with the War Department dated October 2, 1917, for the rental and restoration of certain lands in Palisade Township, Bergen County, New Jersey, leased to and utilized by the United States Government during the First World War as a site for the sewage disposal plant at Camp Merritt, New Jersey: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

North Jersey Utilization and Sewerage Disposal Plant, Inc.

Approved July 31, 1945.

[CHAPTER 345]

AN ACT

For the relief of Herman Gelb.

July 31, 1945

[H. R. 838]

[Private Law 170]

Herman Gelb.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman Gelb, of New York City, New York, the sum of \$200, in full settlement of all claims against the United States by said Herman Gelb on account of the injuries sustained by him when the automobile in which he was a passenger was struck by a War Department jeep on October 15, 1943, in Jersey City, New Jersey: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 346]

AN ACT

For the relief of John F. Davis.

July 31, 1945

[H. R. 1245]

[Private Law 171]

John F. Davis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of any laws or orders, regulations or rulings, made thereunder by any department, agency, or officer of the United States, John F. Davis, principal fiscal accounting clerk, naval air station, Tillamook, Oregon, is hereby released from any indebtedness to the United States arising from the claim of the United States for the cost of transportation of household effects of said John F. Davis from Palo Alto, California, to Tillamook, Oregon; it being the intent of this Act that the cost of such transportation shall be borne by the United States.

Approved July 31, 1945.

[CHAPTER 347]

AN ACT

For the relief of Madeline Winter and Ethel Newton.

July 31, 1945

[H. R. 1301]

[Private Law 172]

Madeline Winter.

Ethel Newton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Madeline Winter, the sum of \$8,340; to pay to Ethel Newton the sum of \$5,160, both of Caribou, Maine, in full settlement of all claims against the United States for the deaths of Alfred Winter, Senior, Alfred Winter, Junior, and Elouise May Newton, who were killed on June 26, 1943, by a United States Army airplane while in a field at Caribou, Maine: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 348]

AN ACT

For the relief of Sam Swan and Aily Swan.

July 31, 1945
[H. R. 1308]
[Private Law 173]

Sam Swan and Aily
Swan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Swan and Aily Swan, of Williamson, West Virginia, the sum of \$2,000. The payment of such sum shall be in full settlement of all claims of the said Sam Swan and Aily Swan against the United States on account of damage to their home, owned jointly by them, caused by an explosion on October 13, 1941, in a stone quarry where blasting operations were being conducted by the Work Projects Administration: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 349]

AN ACT

For the relief of Alaska D. Jennette.

July 31, 1945
[H. R. 1346]
[Private Law 174]

Alaska D. Jennette.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alaska D. Jennette, of Buxton, North Carolina, the sum of \$480.06, in full satisfaction of all claims against the United States for loss of personal property sustained by him in the fire of the lighthouse station, while employed at the Cobb Point Bar Light Station, on December 7, 1939: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 350]

AN ACT

For the relief of Sam D. Moak.

July 31, 1945
[H. R. 1486]
[Private Law 175]

Sam D. Moak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam D. Moak, of Norfield, Mississippi, the sum of \$1,250, in full settlement of all claims against the United States for damages sustained by him on account of the destruction of a concrete building by the One Hundred and Thirty-fifth Engineers Combat Battalion on the 29th of May 1944; said building being destroyed by this combat battalion without any authority whatever given by the owner, Sam D. Moak:

Provided, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 351]

AN ACT

For the relief of the estate of Greenfield Payne.

July 31, 1945
[H. R. 1851]

[Private Law 176]

Greenfield Payne,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Greenfield Payne, the sum of \$5,270, in full satisfaction of all claims against the United States for compensation for the death of Greenfield Payne on September 21, 1944, when he was struck by a bomber of the United States Army north of Berry Field in Nashville, Tennessee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 352]

AN ACT

For the relief of Hugh P. Gunnells and Mrs. Dezaree Gunnells.

July 31, 1945
[H. R. 2226]

[Private Law 177]

Hugh P. Gunnells
and Mrs. Dezaree
Gunnells.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$21,000, to Hugh P. Gunnells and Mrs. Dezaree Gunnells, of Charleston, South Carolina, in full settlement of all claims against the United States for personal injuries, hospital and medical expenses incident thereto, and as compensation for the death of their daughters, Pamella Ann and Patricia Joyce Gunnells, as the result of being struck by a United States Army staff car at the intersection of Meeting and Columbus Streets, Charleston, South Carolina, on February 13, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 353]

AN ACT

For the relief of Earl J. Shows.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Earl J. Shows, who allegedly was disabled as the result of a back injury received while lifting a panel to a prefabricated building during February 1943, while employed by the Laurel Army Air Base, Laurel, Mississippi, as a road helper, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than six months after the date of enactment of this Act: *Provided*, That no benefits hereunder shall accrue prior to the approval of this Act.

Approved July 31, 1945.

July 31, 1945
[H. R. 2529]
[Private Law 178]

Earl J. Shows.

39 Stat. 746.
5 U. S. C. §§ 765-770.

[CHAPTER 354]

AN ACT

For the relief of Haselden and Huggins Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Haselden and Huggins Company, Lake City, South Carolina, the sum of \$418. The payment of such sum shall be in full settlement of all claims against the United States on account of a collision with an Army truck from Camp Lee, Virginia, on November 1, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

July 31, 1945
[H. R. 2621]
[Private Law 179]

Haselden and Huggins Company.

[CHAPTER 355]

AN ACT

For the relief of Mrs. Lucile Manier, as administratrix of the estate of Joe Manier.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lucile Manier, of Buffalo Valley, Tennessee, as administratrix of the estate of Joe Manier, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of the said Joe Manier who was struck and instantly killed by a United States Army truck on August 7, 1943, while he was crossing United States Highway Numbered 70N, at a point approximately fourteen miles southwest of Cookeville, Tennessee: *Provided*, That no part of the amount appropriated in this Act in excess of

July 31, 1945
[H. R. 2725]
[Private Law 180]

Joe Manier, estate.

10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 356]

AN ACT

For the relief of Fred Crago.

July 31, 1945
[H. R. 2763]
[Private Law 181]

Fred Crago.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred Crago, Mount Vernon, Ohio, the sum of \$135.29. The payment of such sum shall be in full settlement of all claims of the said Fred Crago against the United States for property damage sustained in a collision between an automobile owned and driven by him and a United States Army automobile at the intersection of North Gay and Lamartine Streets in Mount Vernon, Ohio, on April 4, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 357]

AN ACT

For the relief of Clarence J. Spiker and Fred W. Jandrey.

July 31, 1945
[H. R. 3417]
[Private Law 182]

Clarence J. Spiker
and Fred W. Jandrey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$175 to reimburse Clarence J. Spiker, American consul general, for Australian £36: 12: 4, the equivalent of \$117, and Fred W. Jandrey, American consul, for Australian £18: 6: 1, the equivalent of \$58, deposited by them in the American consulate at Melbourne, Australia, in replacement of Australian £54: 18: 5, the equivalent of \$175, which disappeared from the consulate sometime between 11 o'clock antemeridian, December 23 and the morning of December 27, 1944.

Approved July 31, 1945.

[CHAPTER 358]

AN ACT

For the relief of the estate of Mrs. Mary Karalis.

July 31, 1945
[H. R. 3419]
[Private Law 183]

Mrs. Mary Karalis,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Mrs. Mary Karalis, Minneapolis, Minnesota, the sum of \$240, in full settlement of all claims against the United States for personal injuries,

medical, and hospital expenses sustained as the result of a collision between the automobile in which she was a passenger, and a United States Army truck on United States Route Numbered 12, near Baraboo, Wisconsin, on May 2, 1940: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved July 31, 1945.

[CHAPTER 359]

AN ACT

For the relief of L. S. Strickland.

August 8, 1945
[H. R. 246]
[Private Law 184]

L. S. Strickland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$120 to L. S. Strickland, of Buchanan, Georgia, in full settlement of all claims against the United States on account of damage sustained in a collision with a United States Army truck which occurred three miles south of Rome, Georgia, on United States Highway Numbered 27, on April 17, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1945.

[CHAPTER 360]

AN ACT

For the relief of Doctor Jabez Fenton Jackson and Mrs. Narcissa Wilmans Jackson.

August 8, 1945
[H. R. 2699]
[Private Law 185]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor Jabez Fenton Jackson, of Newport, Arkansas, the sum of \$50; and to Mrs. Narcissa Wilmans Jackson, of Newport, Arkansas, the sum of \$3,500, in full satisfaction of all claims against the United States for property damage and personal injuries sustained by them in the collision of an automobile, owned and operated by them, and a United States Army command car in Columbus, Georgia, on April 2, 1942: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum shall be paid to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact or collect, withhold, or receive any sum of the amounts appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection

Dr. Jabez Fenton
Jackson and Mrs. Nar-
cissa Wilmans Jack-
son.

with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved August 8, 1945.

[CHAPTER 361]

AN ACT

For the relief of Mrs. Rita Cauvin Green.

August 8, 1945
[H. R. 2366]
[Private Law 186]

Rita Cauvin Green.

39 Stat. 742.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (5 U. S. C. 751-791), Rita Cauvin Green shall be deemed to be the widow of George Washington Green, who died on December 22, 1942, as the result of an accident which occurred while he was operating a crane for the Navy Department at the United States naval station, New Orleans, Louisiana, notwithstanding any finding to the contrary which may have been made under such Act with respect to her marital status: *Provided*, That claim for compensation for death by reason of this Act shall be filed within one year from the approval of this Act: *Provided further*, That no benefits shall accrue by reason of this Act prior to the date of approval hereof.

Approved August 8, 1945.

[CHAPTER 362]

AN ACT

To confer jurisdiction upon the United States District Court for the Eastern District of South Carolina to determine the claim of Lewis E. Magwood.

August 8, 1945
[H. R. 3175]
[Private Law 187]

Lewis E. Magwood,
claim.

Payment of judgment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of South Carolina to hear and determine, and to render judgment, as if the United States were suable in tort, on the claim of Lewis E. Magwood, of Charleston, South Carolina, to recover damages for personal injuries sustained and expenses incurred by the said Lewis E. Magwood on account of a wound received while he was on duty on the tug Mars, which was towing targets during target practice of the Two Hundred and Fifty-second Coast Artillery, North Carolina National Guard, under the guidance and instruction of United States Army personnel, near Fort Moultrie, South Carolina, on August 3, 1932, if such suit is brought within one year after the enactment of this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the judgment, if any, rendered as the result of such suit, upon proper certification from the said United States District Court for the Eastern District of South Carolina.

Approved August 8, 1945.

[CHAPTER 370]

AN ACT

For the relief of Lily L. Carren.

September 21, 1945

[H. R. 999]

[Private Law 188]

Lily L. Carren.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lily L. Carren, Hayward, California, the sum of \$3,500. The payment of such sum shall be in full settlement of all claims of the said Lily L. Carren against the United States for personal injuries and damage to personal property sustained when she was struck by a United States Navy shore patrol station wagon on November 6, 1943, while walking across the intersection of A and Castro Streets, Hayward, California: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 21, 1945.

[CHAPTER 371]

AN ACT

For the relief of the legal guardian of Margaret Hockenberry, a minor.

September 21, 1945

[H. R. 1057]

[Private Law 189]

Guardian of Margaret Hockenberry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Margaret Hockenberry, a minor, Duncannon, Pennsylvania, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained by the said Margaret Hockenberry on March 23, 1943, when she was struck in Duncannon, Pennsylvania, by a United States Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 21, 1945.

[CHAPTER 372]

AN ACT

For the relief of George C. Tyler and Doris M. Tyler.

September 21, 1945

[H. R. 1257]

[Private Law 190]

George C. Tyler
and Doris M. Tyler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George C. Tyler, and his wife, Doris M. Tyler, Garden Grove, California, the sum of \$2,280. The payment of such sum shall be in full settlement of all claims of the said George C. Tyler and the said Doris M. Tyler against the United States for damage to certain orange trees owned by them caused by the crash of a United States Navy airplane on

September 3, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 21, 1945.

[CHAPTER 373]

AN ACT

For the relief of William W. Maddox and the legal guardian of Donna Sue Maddox and Sattie Inez Maddox.

September 21, 1945
[H. R. 1564]
[Private Law 191]

William W. Maddox, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William W. Maddox, route 3, De Ridder, Louisiana, father of Joseph Harold Maddox, David LeRoy Maddox, Donna Sue Maddox, and Sattie Inez Maddox, minors, the sum of \$4,000, and to pay the sum of \$500 to the legal guardian of Donna Sue Maddox, and to pay the sum of \$2,000 to the legal guardian of Sattie Inez Maddox. Such sums are in full settlement of all claims against the United States on account of the deaths of Joseph Harold Maddox and David LeRoy Maddox, who were killed, and for personal injuries, hospital, and medical expenses for Donna Sue Maddox and Sattie Inez Maddox sustained as a result of an explosion of an antitank rocket or a rifle grenade collected from the artillery range at Camp Polk, Louisiana, on October 8, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 21, 1945.

[CHAPTER 374]

AN ACT

For the relief of Aloysius G. Miller.

September 21, 1945
[H. R. 1913]
[Private Law 192]

Aloysius G. Miller.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Aloysius G. Miller, New Orleans, Louisiana, the sum of \$175. The payment of such sum shall be in full settlement of all claims of the said Aloysius G. Miller against the United States for property damages sustained on July 14, 1944, when his car, parked on Forshey Street, New Orleans, Louisiana, was struck by a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this

claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 21, 1945.

[CHAPTER 375]

AN ACT

For the relief of John Visnovec, Rose Visnovec, and Helen Visnovec.

September 21, 1945
[H. R. 2028]
[Private Law 193]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$232.50 to John Visnovec; to pay the sum of \$139.25 to Rose Visnovec; to pay the sum of \$115 to Helen Visnovec, all of route 1, Savage, Minnesota, in full settlement of all claims against the United States for personal injuries sustained by the said John Visnovec, Rose Visnovec, and Helen Visnovec, and medical expenses and loss of time incident thereto, as a result of a collision between the car in which they were riding and a United States Coast Guard vehicle, on Highway Numbered 13, about four miles south of Mendota, Minnesota, on June 9, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

John Visnovec, Rose
Visnovec, and Helen
Visnovec.

Approved September 21, 1945.

[CHAPTER 376]

AN ACT

For the relief of Edmund F. Danks, as administrator of the estate of Edna S. Danks, deceased.

September 21, 1945
[H. R. 2080]
[Private Law 194]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edmund F. Danks, of Lynn, Massachusetts, as administrator of the estate of Edna S. Danks, deceased, the sum of \$1,000, in full settlement of all claims against the United States for personal injuries sustained, the medical and hospital expenses incurred, the consequent suffering, if any, and the death of Edna S. Danks, who was killed as a result of being struck by an Army vehicle in Boston, Massachusetts, on December 25, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Edna S. Danks,
estate.

Approved September 21, 1945.

[CHAPTER 377]

AN ACT

For the relief of Teresa Tine.

September 21, 1945
[H. R. 2163]
[Private Law 195]

Teresa Tine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Teresa Tine, Hartford, Connecticut, the sum of \$500. The payment of such sum shall be in full settlement of all claims of the said Teresa Tine against the United States for personal injuries, and medical expenses sustained by her as a result of a collision, on June 1, 1943, on Trumbull Street near its intersection with Pratt Street in Hartford, Connecticut, between the vehicle in which she was riding and a vehicle in the service of the National Youth Administration: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 21, 1945.

[CHAPTER 378]

AN ACT

For the relief of Patricia M. Kacprzyk and Alex D. Leontire.

September 21, 1945
[H. R. 2511]
[Private Law 196]

Patricia M. Kac-
przyk and Alex D.
Leontire.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Patricia M. Kacprzyk, of New Bedford, Massachusetts, the sum of \$1,465; and to Alex D. Leontire, of New Bedford, Massachusetts, the sum of \$2,500. The payment of such sums shall be in full settlement of the claims for damages of the said Patricia M. Kacprzyk and the said Alex D. Leontire against the United States on account of personal injuries suffered by them on April 12, 1944, when the automobile in which they were riding was struck by a truck belonging to the War Department and operated by a sergeant of said Department on Route Numbered 6 in the town of Marion, Massachusetts: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 21, 1945.

[CHAPTER 379]

AN ACT

For the relief of Frank Gien.

September 21, 1945
[H. R. 2641]
[Private Law 197]

Frank Gien.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Gien, of Haverstraw, New York, the sum of \$3,000, in full satisfaction of all claims

against the United States for compensation on account of personal injuries and medical and hospital and other expenses incurred by him as a result thereof, sustained by him when he was struck by a United States post-office truck at Haverstraw, New York, on March 14, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 21, 1945.

[CHAPTER 380]

AN ACT

For the relief of Mrs. Ruby H. Hunsucker.

September 24, 1945
[H. R. 241]
[Private Law 198]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, from any money in the Treasury not otherwise appropriated, to Mrs. Ruby H. Hunsucker, the sum of \$380.81, in full payment of all claims against the United States for property damage sustained as the result of collision with a truck and trailer of the United States Army which occurred on November 17, 1943, on United States Highway Numbered 41, near Dalton, Georgia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Ruby H.
Hunsucker.

Approved September 24, 1945.

[CHAPTER 381]

AN ACT

For the relief of the estate of Stanley E. Smallwood; to the legal guardian of Frank Carter, Junior, a minor; to the legal guardian of Donald R. Keithley, a minor; to Keithley Brothers Garage.

September 24, 1945
[H. R. 799]
[Private Law 199]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Stanley E. Smallwood the sum of \$5,388.50; to the legal guardian of Frank Carter, Junior, a minor, the sum of \$1,000; to the legal guardian of Donald Keithley, a minor, the sum of \$206; to the Keithley Brothers Garage the sum of \$525, in full settlement of all claims against the United States for the death of Stanley E. Smallwood, and on behalf of the said Frank Carter, Junior, and Donald R. Keithley for personal injuries sustained by them and for medical and hospital expenses incurred for treatment; and by the said Keithley Brothers Garage for the property damage sustained by them as the result of an accident involving an Army truck at the intersection of United States Highway Numbered 40 and Highway Numbered 408, near Edgewood, Maryland, on July 21, 1943.

Estate of Stanley
E. Smallwood, and
others.

Keithley Brothers
Garage.

SEC. 2. That no part of the sum appropriated under this Act to the estate of Stanley E. Smallwood shall be paid to the General

Prohibition.

Transportation Casualty and Surety Company, as subrogee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000. *

Approved September 24, 1945.

[CHAPTER 386]

AN ACT

For the relief of R. L. Whittington, Mrs. R. L. Whittington, and Mrs. J. B. Whittington.

September 24, 1945
[H. R. 1382]
[Private Law 200]

Mrs. Robert L.
Whittington and Mrs.
J. B. Whittington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Robert L. Whittington the sum of \$1,069.10, and to Mrs. J. B. Whittington, both of Gloster, Mississippi, the sum of \$793 in full settlement of all claims against the United States on account of personal injuries, medical, and hospital expenses received by them on August 19, 1944, when the car of R. L. Whittington was hit by a car of the United States Army at the intersection of Highways 48 and 24 in Amite County, Mississippi: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 24, 1945.

[CHAPTER 387]

AN ACT

For the relief of George E. Baker.

September 25, 1945
[H. R. 1456]
[Private Law 201]

George E. Baker.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George E. Baker the sum of \$360, in full compensation and settlement for all claims and demands of George E. Baker, an employee of the United States post office, Portland, Oregon, by reason of the payment by him to the United States, the sum of \$360 on or about July 22, 1943, to cover an alleged shortage of automobile stamps which were reported missing while he was absent from duty, owing to illness, and which were lost through no fault or dereliction of duty of George E. Baker: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 25, 1945.

[CHAPTER 391]

AN ACT

For the relief of Canal Dredging Company.

September 26, 1945
[H. R. 1713]
[Private Law 202]Canal Dredging
Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Canal Dredging Company the sum of \$40,000, in full settlement of all claims against the United States as the reasonable price for certain excavating work on Lake Okeechobee, Florida, performed for the Government by the said Canal Dredging Company and for which it has not been paid, as found by the Court of Claims in its decision of March 1, 1943, and heretofore reported to Congress: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the presentation of this claim to the proper committees of Congress, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 26, 1945.

[CHAPTER 392]

AN ACT

For the relief of Glassell-Taylor Company, Robinson and Young.

September 30, 1945
[H. R. 1975]
[Private Law 203]Glassell-Taylor
Company, Robinson
and Young.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$221,275.79, to Glassell-Taylor Company, Robinson and Young, in full satisfaction of their claim against the United States under contract numbered DAW-257-ENG-22, dated April 1942, entered into by Glassell-Taylor Company, Robinson and Young, with the United States Government through the United States engineers and providing for certain construction work at Karnack, Texas. Such claim arising from a change of orders, failure of the United States Government through its engineers to carry out provisions of the contract and the cancellation of agreements made with claimants: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act, having been presented to the President of the United States on Tuesday, September 18, 1945, for his approval and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

[CHAPTER 395]

AN ACT

For the relief of Carl Baumann.

October 11, 1945
[S. 451]

[Private Law 204]

Capt. Carl Bau-
mann.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl Baumann, captain, Quartermaster Corps, Army of the United States (army serial number O-278586), the sum of \$800, in full satisfaction of his claim against the United States for reimbursement of amounts collected from him in settlement of his liability for public funds which were lost or stolen from the subsistence warehouse building, Central Signal Corps School, Camp Crowder, Missouri, on or about November 3, 1943, and for which he was accountable as mess and subsistence officer: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 396]

AN ACT

For the relief of Dan C. Rodgers.

October 11, 1945
[S. 694]

[Private Law 205]

Dan C. Rodgers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dan C. Rodgers, of Coquille, Oregon, the sum of \$3,113, in full satisfaction of his claims against the United States for compensation for personal injuries sustained by him when a United States Navy airplane crashed near his residence in Coquille, Oregon, on October 15, 1944, and for reimbursement of expenses incurred by him as a result of such injuries: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 397]

AN ACT

For the relief of Ernest L. Fuhrmann.

October 11, 1945
[S. 711]

[Private Law 206]

Ernest L. Fuhr-
mann.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest L. Fuhrmann, of Bogalusa, Louisiana, the sum of \$5,000, in full satisfaction of his claims against the United States (1) for compensation for personal injuries sustained by him when he was struck by a block of ice thrown from a moving troop train, at Elton, Mississippi, on May 24,

1943; and (2) for reimbursement of medical, hospital, and other expenses incurred by him as a result of such injuries: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 398]

AN ACT

For the relief of William Andrew Evans.

October 11, 1945
[S. 729]

[Private Law 207]

William Andrew
Evans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Andrew Evans, of Wakulla County, Florida, the sum of \$3,500, in full satisfaction of all claims against the United States for compensation for personal injuries sustained by him when he was struck by a United States Army car on State Highway Numbered 10 near Sopchoppy, Wakulla County, Florida, on December 6, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and any such payment, delivery, or receipt shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 399]

AN ACT

For the relief of Ensign Elmer H. Beckmann, United States Naval Reserve.

October 11, 1945
[S. 732]

[Private Law 208]

Ensign Elmer H.
Beckmann, U. S. N. R.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$409.05 to reimburse Ensign Elmer H. Beckmann, United States Naval Reserve, for the value of personal property lost in the fire in the junior bachelor officers' quarters at the United States naval air station, Brunswick, Maine, on August 4, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 400]

AN ACT

For the relief of Everett McLendon, Senior; Mrs. Everett McLendon, Senior; Mr. and Mrs. Everett McLendon, Senior, for the benefit of their minor daughter, Nadine McLendon; and Everett McLendon, Junior.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated (1) the sum of \$446.04 to Everett McLendon, Senior, of Savannah, Georgia, in full settlement of all claims against the United States for property damage sustained by him and for the medical and hospital expenses incurred for the treatment of the personal injuries sustained by his wife, Mrs. Everett McLendon, Senior, and his minor children, Everett McLendon, Junior, and Nadine McLendon; (2) the sum of \$500 to Mrs. Everett McLendon, Senior, of Savannah, Georgia, in full settlement of all claims against the United States for the personal injuries sustained by her; (3) the sum of \$100 to Mr. and Mrs. Everett McLendon, Senior, of Savannah, Georgia, for the benefit of their minor daughter, Nadine McLendon, in full settlement of all claims against the United States for the personal injuries sustained by said Nadine McLendon; and (4) the sum of \$50 to Everett McLendon, Junior, of Savannah, Georgia, in full settlement of all claims against the United States for the personal injuries sustained by him, all as the result of an accident involving an Army vehicle which occurred on May 11, 1942, at the intersection of Harris and Lincoln Streets in Savannah, Georgia: *Provided,* That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 401]

AN ACT

For the relief of Oliver Jensen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oliver Jensen, of Ogden, Utah, the sum of \$3,000, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him as a result of an accident which occurred when the automobile which he was driving collided with a United States Army vehicle, at the intersection of Riverdale Road and Wall Avenue in Ogden, Utah, on September 19, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

October 11, 1945
[S. 762]

[Private Law 209]

Everett McLendon,
Sr.

Mrs. Everett Mc-
Lendon, Sr.

Mr. and Mrs. Ever-
ett McLendon, Sr.,
for benefit of Nadine
McLendon.

Everett McLendon,
Jr.

October 11, 1945
[S. 787]

[Private Law 210]

Oliver Jensen.

[CHAPTER 402]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in a Quonset hut at Harrowbeer Airport, Yelverton, South Devon, England, on December 26, 1944.

October 11, 1945

[S. 902]

[Private Law 211]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$272.90, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire in a Quonset hut at Harrowbeer Airport, Yelverton, South Devon, England, on December 26, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy personnel and former Navy personnel.
Reimbursement.

Approved October 11, 1945.

[CHAPTER 403]

AN ACT

For the relief of Hugh Egan.

October 11, 1945

[S. 909]

[Private Law 212]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hugh Egan, of New Bedford, Massachusetts, the sum of \$500, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him when he was struck by an Army vehicle near Fort Rodman, Massachusetts, on November 30, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Hugh Egan.

Approved October 11, 1945.

[CHAPTER 404]

AN ACT

For the relief of Henry H. Huffman and Mrs. Marie J. Huffman.

October 11, 1945

[S. 929]

[Private Law 213]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry H. Huffman and Mrs. Marie J. Huffman, of Orlando, Florida, the sum of \$1,027.66, in full settlement of all claims against the United States for damage to their dwelling house and for personal injuries sustained by the said Mrs. Marie J. Huffman and medical, hospital, and other expenses incurred incident thereto, as a result of the crash

Henry H. Huffman
and Mrs. Marie J.
Huffman.

of an Army airplane in the vicinity of said house in Orlando, Florida, on March 12, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 405]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires occurring at various naval shore activities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,823.61, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires occurring in tents occupied by the Sixty-ninth United States Naval Construction Battalion, Omaha Beach, France, on October 17, 1944; in lucky bag storage hut used for storage of officers' gear at naval operating base, Dutch Harbor, Alaska, on September 10, 1943; in storehouse known as Walter Reid Building, Brisbane, Australia, on November 5, 1944; at amphibious training base, Camp Bradford, naval operating base, Norfolk, Virginia, on January 20, 1945; at naval hospital, Memphis, Tennessee, on February 1, 1945; at naval section base, Fort Townsend, Washington, on December 27, 1942; and at base dispensary, naval base squadron, Rosneath, Scotland, on October 12, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 406]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in administration building at the naval air station, Bunker Hill, Indiana, on December 28, 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$379.20, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or

October 11, 1945

[S. 985]

[Private Law 214]

Navy personnel and former Navy personnel.
Reimbursement.

October 11, 1945

[S. 986]

[Private Law 215]

Navy personnel and former Navy personnel.
Reimbursement.

damaged as the result of a fire in administration building at the naval air station, Bunker Hill, Indiana, on December 28, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 407]

AN ACT

For the relief of Lieutenant (Junior Grade) William Augustus White, United States Naval Reserve.

October 11, 1945
[S. 996]

[Private Law 216]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$162, to reimburse Lieutenant (Junior Grade) William Augustus White, United States Naval Reserve, for the value of personal property lost in a fire in a tent occupied as quarters at the United States naval supply depot, Navy numbered 167, on November 30, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Lt. (Jg) William
Augustus White, U. S.
N. R.

Approved October 11, 1945.

[CHAPTER 408]

AN ACT

For the relief of John R. Jennings.

October 11, 1945
[S. 1265]

[Private Law 217]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John R. Jennings, South Jacksonville, Florida, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said John R. Jennings against the United States on account of personal injuries and damage to his automobile sustained on April 22, 1943, near Camp Blanding, Florida, when such automobile was struck by a United States Army vehicle: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

John R. Jennings.

Approved October 11, 1945.

[CHAPTER 411]

AN ACT

October 11, 1945

[S. 1062]

[Private Law 218]

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the naval auxiliary air station, Pungo, Norfolk, Virginia, on February 13, 1945.

Navy personnel and
former Navy person-
nel.
Reimbursement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$2,216.78, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire at the naval auxiliary air station, Pungo, Norfolk, Virginia, on February 13, 1945: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 11, 1945.

[CHAPTER 412]

AN ACT

October 13, 1945

[S. 136]

[Private Law 219]

For the relief of the Oregon Caves Resort.

Oregon Caves Re-
sort, Grants Pass,
Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Oregon Caves Resort, Grants Pass, Oregon, is hereby relieved from its liability for franchise fees for the years 1934 and 1935 under contract with the Department of Agriculture in the amount and to the extent that these fees exceed those that would have been due for the years 1934 and 1935, as determined by the Secretary of the Interior, under the terms of the renegotiated contract between the National Park Service, Department of the Interior, and the Oregon Caves Resort, dated January 1, 1936, had this latter contract been in full force and effect on January 1, 1934.

Approved October 13, 1945.

[CHAPTER 413]

AN ACT

October 13, 1945

[S. 673]

[Private Law 220]

For the relief of Lee D. Hoseley.

Lee D. Hoseley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lee D. Hoseley, of Klamath Falls, Oregon, the sum of \$5,000, in full satisfaction of his claim against the United States for compensation for injuries sustained by him on or about August 21, 1940, while he was engaged in fighting a forest fire on the Klamath Indian Reservation in the State of Oregon: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person vio-

lating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 13, 1945.

[CHAPTER 414]

AN ACT

For the relief of Raymond W. Ford.

October 13, 1945
[S. 837]
[Private Law 221]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be directed to pay from any unappropriated money in the Treasury, the sum of \$97.25, in full payment of the claim of Raymond W. Ford for articles belonging to him lost by the Navy Department in the naval hospital at Seattle, Washington: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Raymond W. Ford.

Approved October 13, 1945.

[CHAPTER 420]

AN ACT

For the relief of Mrs. Ruth C. Stone.

October 16, 1945
[H. R. 213]
[Private Law 222]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Mrs. Ruth C. Stone, of Burbank, California, in full settlement of all claims against the United States for the death of her husband, Stanley T. Stone, as the result of a United States Army plane crashing at Lake and Magnolia Streets, Burbank, California, on November 16, 1942: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Ruth C. Stone.

Approved October 16, 1945.

[CHAPTER 421]

AN ACT

For the relief of Mrs. Laura May Ryan.

October 16, 1945
[H. R. 1393]
[Private Law 223]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, to Mrs. Laura May Ryan, of Gloucester, Massachusetts, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of wages as a result of being struck by a United States Coast Guard truck on

Mrs. Laura May
Ryan.

November 8, 1943, in East Gloucester, Massachusetts: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 16, 1945.

[CHAPTER 422]

AN ACT

For the relief of Inglis Construction Company, a corporation.

October 16, 1945

[H. R. 1565]

[Private Law 224]

Inglis Construction
Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Inglis Construction Company, a corporation of the State of Florida and doing business in Louisiana, with headquarters at Leesville, Louisiana, the sum of \$1,500, in full settlement of all claims against the United States on account of destruction of machinery and supplies by the United States Army at Norco, in the parish of Saint Charles, State of Louisiana, on or about May 4, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 16, 1945.

[CHAPTER 423]

AN ACT

For the relief of Michael C. Donatell.

October 16, 1945

[H. R. 1629]

[Private Law 225]

Michael C. Donatell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Michael C. Donatell, Willmar, Minnesota, the sum of \$4,339.20. The payment of such sum shall be in full settlement of all claims of the said Michael C. Donatell against the United States on account of permanent impairment of vision caused by an injury to his left eye received on April 30, 1943, at Tintah, Minnesota, when he was struck by an egg thrown from the kitchen car of a United States Army troop train. At the time of the receipt of such injury, the said Michael C. Donatell was engaged in his employment as fireman for the Great Northern Railway Company: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person

violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 16, 1945.

[CHAPTER 424]

AN ACT

For the relief of Mrs. Ora R. Hutchinson.

October 16, 1945
[H. R. 1849]
[Private Law 226]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ora R. Hutchinson, the sum of \$3,000, in full settlement of all claims against the Government of the United States for damages for permanent injuries sustained on April 24, 1943, when a passenger bus in which she was riding collided with a United States Army vehicle near Allenhurst, Georgia: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Ora R. Hutchinson.

Approved October 16, 1945.

[CHAPTER 425]

AN ACT

For the relief of Anna Mattil and others.

October 16, 1945
[H. R. 1889]
[Private Law 227]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Anna Mattil, Rochester, New York, the sum of \$1,250; to Mildred Reed, Coldwater, New York, the sum of \$300; to John A. Mattil, Rochester, New York, the sum of \$300; to John H. Mattil, Senior, Rochester, New York, the sum of \$250; to Edward Kolb, Rochester, New York, the sum of \$300; to Anna Fritz Starr, Rochester, New York, the sum of \$300; to Deloris Clow, Rochester, New York, the sum of \$300; to Julia Valentine, Rochester, New York, the sum of \$100; to the legal guardian of Betty Jane Mosher, a minor, Rochester, New York, the sum of \$750; to the legal guardian of Mary Ann Thesing, a minor, Rochester, New York, the sum of \$500; to the legal guardian of Marjorie St. John, a minor, Rochester, New York, the sum of \$1,500; to George Mattil, Rochester, New York, the sum of \$1,000; and to the legal guardian of Susie Spier, a minor, Rochester, New York, the sum of \$750; to the legal guardian of Richard Ormsby, a minor, Rochester, New York, the sum of \$1,500; and to Richard Smith, Rochester, New York, the sum of \$250, in full settlement of all their claims against the Government of the United States for personal injuries sustained by them as the result of an explosion and fire caused by agents of the Bureau of Prohibition during a raid in the city of Rochester, New York, July 7, 1933: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney

Anna Mattil, and others.

or attorneys, to exact, collect, withhold, or receive any sum of the amounts appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 16, 1945.

[CHAPTER 426]

AN ACT

For the relief of L. A. Williams.

October 16, 1945

[H. R. 1958]

[Private Law 228]

L. A. Williams.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to L. A. Williams, of Wesson, Mississippi, the sum of \$4,000, in full settlement of all claims against the United States on account of personal injuries, medical, hospital expenses, and loss of earnings as the result of an accident on August 13, 1943, when a United States Army car at the prisoner of war camp, Clinton, Mississippi, which was braked improperly, left its parking place and ran into said L. A. Williams, thereby seriously injuring him: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 16, 1945.

[CHAPTER 427]

AN ACT

For the relief of Mrs. Virginia M. Kiser.

October 16, 1945

[H. R. 2317]

[Private Law 229]

Mrs. Virginia M.
Kiser.

39 Stat. 744.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time limitations prescribed in sections 10 and 11 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 760 and 761), shall not apply with respect to the death of James U. Kiser, of Olive Hill, Kentucky, who sustained an injury on May 5, 1936, while in the performance of his duty as an employee of the Works Progress Administration and who is alleged to have died as a result of such injury on June 26, 1943. The claim of Mrs. Virginia M. Kiser, alleged widow of the said James U. Kiser, on account of his death shall be considered and acted upon by the United States Employees' Compensation Commission under the remaining provisions of law applicable in her case as if the death of the said James U. Kiser had resulted within the time prescribed by such sections 10 and 11, but only if such claim is filed with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act.

SEC. 2. If the United States Employees' Compensation Commission should determine pursuant to section 1 of this Act that the said Mrs. Virginia M. Kiser is entitled to compensation for the death of her husband, she shall be entitled to receive within sixty days after the

39 Stat. 742.

5 U. S. C. § 751.

date of enactment of this Act, in addition to compensation payable after the date of the award to her of her death compensation, in a lump sum back compensation for the period beginning with the death of her husband and ending on the date of the award to her of death compensation.

Approved October 16, 1945.

[CHAPTER 428]

AN ACT

For the relief of August Svelund.

October 16, 1945
[H. R. 3081]

[Private Law 230]

August Svelund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to August Svelund, of Puyallup, Washington, the sum of \$2,500, in full satisfaction of all claims against the United States for personal injuries sustained and medical expenses incurred resulting from a collision on or about the 15th day of January 1932, in which the car being driven by August Svelund collided with a United States Army truck in Tacoma, Washington: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 16, 1945.

[CHAPTER 429]

AN ACT

For the relief of the widow of Joseph C. Akin.

October 16, 1945
[S. 620]

[Private Law 231]

Mrs. Joseph C.
Akin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Joseph C. Akin, of Dolores, Montezuma County, Colorado, widow of Joseph C. Akin, who, while in the discharge of his duty as a deputy United States marshal, was killed by a band of renegade Ute Indians while he was attempting to arrest one Tse-Ne-Gat, a Ute Indian charged with murder, on the 21st day of February 1915, the sum of \$1,000, in addition to the sum paid to her under the Act of March 1, 1921, on account of the murder of her said husband while in the regular discharge of his duties in the service of the Government of the United States: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

41 Stat. 1531.

Approved October 16, 1945.

[CHAPTER 430]

AN ACT

For the relief of Mr. and Mrs. Edward P. Standley.

October 16, 1945

[S. 1007]

[Private Law 232]

Mr. and Mrs. Edward P. Standley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Edward P. Standley, of Coquille, Oregon, the sum of \$3,211.92, in full satisfaction of their claim against the United States for compensation for property damage sustained by them as the result of a United States Navy airplane crash which destroyed their grocery in Coquille, Oregon, on October 15, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 16, 1945.

[CHAPTER 440]

AN ACT

For the relief of Doctor Ernest H. Stark.

October 29, 1945

[H. R. 239]

[Private Law 233]

Dr. Ernest H. Stark.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor Ernest H. Stark, Paris, Texas, the sum of \$98. Such sum represents payment for services rendered the United States during the calendar year 1942 by the said Doctor Ernest H. Stark in making physical examinations of prospective employees for positions with the United States engineer suboffice, Paris, Texas. Such medical services were rendered pursuant to the terms of a contract with the United States engineer office, Denison, Texas, but payment under such contract was disallowed by the Comptroller General of the United States on the ground that such contract had been entered into without authority of law.

Approved October 29, 1945.

[CHAPTER 441]

AN ACT

For the relief of Doctor James M. Hooks.

October 29, 1945

[H. R. 240]

[Private Law 234]

Dr. James M. Hooks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor James M. Hooks, Paris, Texas, the sum of \$766. Such sum represents payment for services rendered the United States during the calendar year 1942 by the said Doctor James M. Hooks in making physical examinations of prospective employees for positions with the United States engineer suboffice, Paris, Texas. Such medical services were rendered pursuant to the terms of a contract with the United States engineer office, Denison, Texas, but payment under such contract was disallowed by the Comptroller General of the United States on the ground that such contract had been entered into without authority of law.

Approved October 29, 1945.

[CHAPTER 442]

AN ACT

For the relief of J. Clyde Marquis.

October 29, 1945
[H. R. 2172]
[Private Law 235]

J. Clyde Marquis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Clyde Marquis, a former employee of the Department of State, the sum of \$2,075.82, in full settlement of all claims against the United States to reimburse him for the expense incident to the return of his wife and personal effects from Rome, Italy, in 1941: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 29, 1945.

[CHAPTER 445]

AN ACT

For the relief of N. Owen Oxley and the legal guardian of Lamar Oxley, a minor.

October 31, 1945
[H. R. 1563]
[Private Law 236]N. Owen Oxley, and
guardian of Lamar
Oxley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to N. Owen Oxley, of Kurthwood, Louisiana, the sum of \$301.22, and to the legal guardian of Lamar Oxley, a minor, of Kurthwood, Louisiana, the sum of \$3,169.40, the said sums to be in full settlement of all claims against the United States of the said N. Owen Oxley for expenses incurred and losses sustained by him as the result of the injury of his minor son, Lamar Oxley, and of the said Lamar Oxley for the personal injuries sustained by him on March 14, 1944, as the result of the explosion of an antitank mine fuze found by Lamar Oxley in an abandoned United States Army maneuver area near Kurthwood, Louisiana: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved October 31, 1945.

[CHAPTER 448]

AN ACT

For the relief of Winfred Alexander.

November 6, 1945
[H. R. 938]
[Private Law 237]

Winfred Alexander.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to

Winfred Alexander, of Graysville, Tennessee, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Winfred Alexander against the United States on account of personal injuries sustained by him on September 16, 1938, when the motorcycle he was driving was struck on United States Highway Numbered 27, near the intersection of such highway and Liggett Road in Sale Creek, Tennessee, by a truck in the service of the Civilian Conservation Corps.

Condition.

SEC. 2. Before payment is made under this Act, Winfred Alexander is required to cancel judgment, together with cost of court rendered against the driver of the Government truck, Hobart Wilson, in the Hamilton County Circuit Court, of the State of Tennessee, on February 22, 1940: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 6, 1945.

[CHAPTER 450]

AN ACT

For the relief of J. B. Grigsby.

November 6, 1945
[H. R. 1560]
[Private Law 238]

J. B. Grigsby.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. B. Grigsby, Dallas, Texas, the sum of \$123.44. This sum represents the amount of an overpayment made by the said J. B. Grigsby to the United States on account of an error in the calculation of the cost of certain lumber which the J. B. Grigsby Construction Company purchased during April 1921, at the Universal and Midland Bridge Shipyards near Houston, Texas, from the Emergency Fleet Corporation: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 6, 1945.

[CHAPTER 452]

AN ACT

For the relief of John W. Farrell.

November 8, 1945
[H. R. 3453]
[Private Law 239]

John W. Farrell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John W. Farrell, of New York, New York, the sum of \$1,000, in full settlement of all claims against the Government of the United States for damages received to an automobile truck owned by the said John W. Farrell on the 6th day of June 1938, when the said truck was completely damaged as a result of the careless and negligent manner in which the Works Progress Administration was construct-

ing and repairing the roadway on Summit Avenue, between One Hundred and Sixty-second and One Hundred and Sixty-third Streets, in the Borough of the Bronx, city and State of New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per centum thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 8, 1945.

[CHAPTER 455]

AN ACT

For the relief of the legal guardian of Mona Mae Miller, a minor.

November 8, 1945
[H. R. 1857]
[Private Law 240]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Mona Mae Miller, a minor, Houston, Texas, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained, medical, hospital, and other expenses by the said Mona Mae Miller on June 20, 1944, when she was struck while crossing Bellaire Boulevard near its intersection with Annapolis Street, in or near the city of Houston, Texas, by a motor vehicle in the service of the United States Navy: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Guardian of Mona
Mae Miller.

Approved November 8, 1945.

[CHAPTER 457]

AN ACT

For the relief of Oscar R. Steinert.

November 9, 1945
[H. R. 851]
[Private Law 241]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Oscar R. Steinert, of Chicago, Illinois, the sum of \$4,000, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, loss of earnings, and property damage sustained as the result of an accident involving a United States post-office vehicle, on June 25, 1943, in Chicago, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this Act in excess of 10 per

Oscar R. Steinert.

centum thereof on account of any services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 9, 1945.

[CHAPTER 458]

AN ACT

For the relief of the estate of Mrs. Lillian Epstein.

November 9, 1945
[S. 979]
[Private Law 242]

Mrs. Lillian Ep-
stein, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Mrs. Lillian Epstein, the sum of \$5,000, in full settlement of all claims against the United States on account of the injury and death of Mrs. Lillian Epstein as the result of an accident which occurred on September 26, 1944, on Wadsworth Avenue, forty feet south of One Hundred and Seventy-ninth Street, New York City, New York, when the said Mrs. Lillian Epstein was struck by a United States mail truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$1,000.

Approved November 9, 1945.

[CHAPTER 459]

AN ACT

For the relief of Lubell Brothers, Incorporated.

November 9, 1945
[H. R. 1630]
[Private Law 243]

Lubell Brothers,
Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lubell Brothers, Incorporated, 806 Broadway, New York City, New York, the sum of \$104,511.12. Such sum represents liquidated damages for delay in deliveries of certain shirts under contracts between the said Lubell Brothers, Incorporated, and the United States of America (contracts numbered W-669-QM-10585, W-669-QM-10618, W-669-QM-10697, W-669-QM-10759, W-669-QM-10787, and W-669-QM-10980) entered into between January 6 and February 11, 1941. Such delay in deliveries resulted in no loss or damage to the United States, and on March 3, 1944, the Quartermaster General recommended to the General Accounting Office the allowance of this claim. Such allowance cannot be made by the General Accounting Office under existing provisions of law: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 9, 1945.

[CHAPTER 460]

AN ACT

For the relief of Mrs. Minnie A. Beltz.

November 10, 1945
[S. 542]
[Private Law 244]Mrs. Minnie A.
Beltz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Minnie A. Beltz, Seattle, Washington, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Minnie A. Beltz against the United States on account of personal injuries sustained on August 18, 1944, when she was struck while crossing Aurora Avenue at the intersection of Halladay Street, Seattle, Washington, by a United States Navy station wagon: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 10, 1945.

[CHAPTER 461]

AN ACT

To provide for the reimbursement of certain Navy personnel and former Navy personnel for personal property lost or destroyed as the result of a fire which occurred on the naval station, Tutuila, American Samoa, on October 20, 1943.

November 10, 1945
[S. 1076]
[Private Law 245]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$4,000, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or destroyed as the result of a fire which occurred on the naval station, Tutuila, American Samoa, on October 20, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy personnel and
former Navy person-
nel.
Reimbursement.

Approved November 10, 1945.

[CHAPTER 462]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the United States naval convalescent hospital, Banning, California, on March 5, 1945.

November 10, 1945
[S. 1102]
[Private Law 246]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,672.25, as may be required by the Secretary of the Navy to reimburse, under

Navy personnel and
former Navy person-
nel.
Reimbursement.

such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire at the United States naval convalescent hospital, Banning, California, on March 5, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 10, 1945.

[CHAPTER 463]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in Quonset hut numbered 2, Hamoaze House, Plymouth, Devon, England, on December 31, 1944.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$4,310.90, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire in Quonset hut numbered 2, Hamoaze House, Plymouth, Devon, England, on December 31, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 10, 1945.

[CHAPTER 464]

AN ACT

For the relief of First Lieutenant Jack Sanders, United States Marine Corps Reserve, for the value of personal property destroyed as the result of an explosion at Camp Lejeune, North Carolina, on January 22, 1945.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$71.80 to reimburse First Lieutenant Jack Sanders, United States Marine Corps Reserve, for the value of personal property destroyed by reason of a premature explosion due to a faulty detonator while engaged in a field problem in demolitions at Camp Lejeune, North Carolina, on January 22, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall

November 10, 1945
[S. 1103]
[Private Law 247]

Navy personnel and
former Navy person-
nel.
Reimbursement.

November 10, 1945
[S. 1118]
[Private Law 248]

First Lt. Jack San-
ders.

be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 10, 1945.

[CHAPTER 465]

AN ACT

To reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in building numbered 146 at the naval operating base, Bermuda, on April 26, 1945.

November 10, 1945
[S. 1119]
[Private Law 249]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$243.95, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire in building numbered 146 at the naval operating base, Bermuda, on April 26, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy personnel and former Navy personnel.
Reimbursement.

Approved November 10, 1945.

[CHAPTER 466]

AN ACT

To reimburse certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel for personal property lost or damaged as the result of a fire in buildings 102 and 102-A in Utulei, Tutuila, American Samoa, on August 17, 1944.

November 10, 1945
[S. 1134]
[Private Law 250]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$804, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel for personal property lost or damaged as the result of a fire in buildings 102 and 102-A in Utulei, Tutuila, American Samoa, on August 17, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Navy and Marine Corps personnel, etc.
Reimbursement.

Approved November 10, 1945.

[CHAPTER 473]

AN ACT

November 14, 1945
[S. 201]
[Private Law 251]

For the relief of the estates of William F. Bacon, Myrtle Jackson, Catherine Smith, and Tibbie Spencer.

William F. Bacon,
estate, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of William F. Bacon, the sum of \$3,500; to the estate of Myrtle Jackson, the sum of \$3,500; to the estate of Catherine Smith, the sum of \$3,500; and to the estate of Tibbie Spencer, the sum of \$3,500, in full satisfaction of the claims of such estates for compensation for the deaths of their respective decedents, who died as a result of personal injuries sustained by them when the passenger bus in which they were riding collided with a United States Army vehicle near Allenhurst, Georgia, on April 24, 1943: *Provided,* That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 14, 1945.

[CHAPTER 474]

AN ACT

November 14, 1945
[S. 504]
[Private Law 252]

To quiet title and possession with respect to that certain unconfirmed and located private land claim known as claim of Daniel Boardman, C. No. 13, in Cosby and Skipwith's Report of 1820, certificate 749, and being designated as section 44, township 7 south, range 3 east, Greensburg Land District, Livingston Parish, Louisiana, on the official plat of said township.

Daniel Boardman,
claim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to that certain tract of land known as that located but unconfirmed private land claim of Daniel Boardman, C. No. 13 in Cosby and Skipwith's Report of 1820, certificate 749 (See: American State Papers, Gales and Seaton edition, vol. III, page 465 and the following) and being the whole of section 44, township 7 south, range 3 east, Greensburg Land District, Livingston Parish, Louisiana, as shown on the official plat of said township, approved by R. W. Boyd, surveyor general, Louisiana, July 29, 1852, shall be, and the same is hereby, directed to be granted, released, and relinquished by the United States in fee simple to the owners of the equitable title thereto, and to their heirs and assigns forever, as fully and completely in every respect whatever, as could be done by patent issued therefor according to law.

Intent of this Act.

SEC. 2. Nothing contained in this Act shall in any manner abridge, divest, impair, injure, or prejudice any valid right, title, or interest of any person or persons in or to any portion or part of the lands mentioned in said first section, the true intent of this Act being to relinquish and abandon, grant, give, and concede any and all right, interest, and estate, in law or equity, which the United States is or is supposed to be entitled to in said lands in favor of all persons, estates, firms, or corporations who would be the true and lawful owners of the same under the laws of Louisiana, including the laws of prescription, in the absence of the said interest and estate of the United States.

Issue of patent.

SEC. 3. The Department of the Interior shall cause a patent to issue for said land and such patent shall issue in the name of the

original claimant, as aforesaid, and when issued, shall be held to be for the use and benefit of the true and lawful owners as provided in sections 1 and 2 of this Act.

Approved November 14, 1945.

[CHAPTER 475]

AN ACT

For the relief of the estate of George J. Ross.

November 14, 1945

[S. 788]

[Private Law 253]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of George J. Ross, of Salt Lake City, Utah, the sum of \$5,000, in full satisfaction of the claim of such estate against the United States for compensation for the death of the said George J. Ross, as a result of personal injuries sustained by him when the automobile in which he was riding collided with a Government-owned automobile driven by an employee of the Federal Public Housing Authority in the performance of his official duties, near Farmington, Utah, on March 20, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

George J. Ross,
estate.

Approved November 14, 1945.

[CHAPTER 476]

AN ACT

For the relief of Charlie Tyson.

November 14, 1945

[S. 883]

[Private Law 254]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charlie Tyson, of Aberdeen, North Carolina, the sum of \$1,500, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him as a result of having been shot by a member of the military police force of the Army of the United States, in Aberdeen, North Carolina, on April 25, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Charlie Tyson.

Approved November 14, 1945.

[CHAPTER 477]

AN ACT

For the relief of Mr. and Mrs. Edmond J. Saint Amant, Junior.

November 14, 1945

[S. 980]

[Private Law 255]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money

Mr. and Mrs. Edmond J. Saint Amant,
Jr.

in the Treasury not otherwise appropriated, to Mr. and Mrs. Edmond J. Saint Amant, Junior, of Biloxi, Mississippi, the sum of \$3,500, in full satisfaction of their claim against the United States for compensation for the death of their daughter, Lucille Saint Amant, who died as a result of injuries sustained when she was struck by a United States Army truck in Biloxi, Mississippi, on March 17, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 14, 1945.

[CHAPTER 478]

AN ACT

For the relief of the Central Leaf Tobacco Company, Incorporated.

November 14, 1945

[S. 994]

[Private Law 256]

Central Leaf Tobacco Company, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Central Leaf Tobacco Company, Incorporated, Durham, North Carolina, the sum of \$848.60. The payment of such sum shall be in full settlement of all claims of such company against the United States for losses sustained as the result of a United States Army truck colliding on November 27, 1944, with a truck owned by such company while the latter truck was parked against the curb in front of 808 Holloway Street, Durham, North Carolina: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 14, 1945.

[CHAPTER 479]

AN ACT

For the relief of Mr. and Mrs. Ernest L. Barlow.

November 14, 1945

[S. 1023]

[Private Law 257]

Ernest L. Barlow
and Mrs. Ernest L.
Barlow.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest L. Barlow, Issaquah, Washington, the sum of \$250, and to Mrs. Ernest L. Barlow, the sum of \$250. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries sustained on November 22, 1941, by the said Ernest L. Barlow, by his wife, Dorothy M. Barlow, and by his minor child, Delores J. Barlow, when the automobile in which they were riding on Hazelwood Highway between Renton and Lake Washington Bridge, King County, Washington, was struck by a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with

this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 14, 1945.

[CHAPTER 480]

AN ACT

For the relief of Mrs. Hibernia I. Connors.

November 14, 1945
[S. 1027]
[Private Law 258]

Mrs. Hibernia I.
Connors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Hibernia I. Connors, of Memphis, Tennessee, the sum of \$3,000, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her on December 6, 1944, when the automobile in which she was riding was struck by an Army vehicle driven by a civilian employee of the War Department, at the intersection of East Parkway South and Union Avenue, in Memphis, Tennessee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 14, 1945.

[CHAPTER 481]

AN ACT

To authorize payment of certain claims for damage to or loss or destruction of property arising from activities of the War Department or of the Army.

November 14, 1945
[S. 1183]
[Private Law 259]

Crecencio L. Garcia
and others, claimants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Crecencio L. Garcia, of Jemes, New Mexico, \$5; to Oscar L. Horton, of Athol, Massachusetts, \$64.50; to Royal Insurance Company, Limited, of Seattle, Washington, \$245.25; to Robert D. Myers, of Indiana, Pennsylvania, \$37.50; to Pearl Spaulding, of Daytona Beach, Florida, \$45; to H. R. Potter, of Austin, Texas, \$49.70; to Maria W. Atwood, of Franklin, New Hampshire, \$450; to The River Lines, of San Francisco, California, \$1,000; to Corey Brothers, of Charleston, West Virginia, \$293.62; to the American Automobile Fire Insurance Company, of Detroit, Michigan, \$42.57; and to Kui T. Ching, of Honolulu, Territory of Hawaii, \$482.40. The payment of said sums shall be in full settlement of all claims of the claimants named above against the United States for damage to or loss or destruction of property caused by military personnel or civilian employees of the War Department or of the Army, or otherwise incident to noncombat activities of the War Department or of the Army, determined by the Secretary of War to be meritorious, which are not payable under the provisions of the Act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), entitled "An Act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War

31 U. S. C., Supp.
IV, § 223b.

Department or of the Army": *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum of any claim shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 14, 1945.

[CHAPTER 484]

AN ACT

November 15, 1945
[S. 1199]
[Private Law 260]

Conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon any claim arising out of the death of L. W. Freeman.

L. W. Freeman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment as if the United States were subject to suit in tort, upon any claim against the United States arising out of the death of L. W. Freeman, late of Dobson, North Carolina, who was killed January 29, 1938, near Dobson, North Carolina, when the automobile which he was driving was struck by a Civilian Conservation Corps truck operated by one Paul J. Flynn: *Provided*, That the judgment, if any, shall not exceed a total sum of \$5,000.

SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code, as amended.

SEC. 3. The Act entitled "An Act conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon the claim of Etta Houser Freeman", approved June 26, 1943, is hereby repealed.

Approved November 15, 1945.

[CHAPTER 486]

AN ACT

November 17, 1945
[S. 562]
[Private Law 261]

For the relief of Klau-Van Pietersom-Dunlap Associates, Incorporated.

Klau-Van Pietersom-Dunlap Associates, Inc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Klau-Van Pietersom-Dunlap Associates, Incorporated, of Milwaukee, Wisconsin, the sum of \$1,664.05, in full satisfaction of its claims against the United States (1) for compensation for services rendered at the request of district representatives of the War Production Board, in preparing a presentation setting forth the facilities in the State of Wisconsin for the manufacture of plywood aircraft, and in conducting the necessary research in connection therewith, and (2) for reimbursement of expenses incurred by it in the preparation of such presentation: *Provided*, That no part of the amount appropriated in this Act in

excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 17, 1945.

[CHAPTER 487]

AN ACT

For the relief of G. H. Moore and Mr. and Mrs. A. J. Moore.

November 20, 1945
[H. R. 1015]
[Private Law 262]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to G. H. Moore, the sum of \$1,081.50; (2) to Mr. A. J. Moore, the sum of \$500; and (3) to Mrs. A. J. Moore, the sum of \$500, all of Butler, Taylor County, Georgia, in full settlement of all claims against the United States arising out of the injury of G. H. Moore and Mr. and Mrs. A. J. Moore when the car in which they were riding was struck by a Government car, operated by an employee of the office of the division engineer, War Department, Atlanta, Georgia, on the night of December 4, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

G. H. Moore.
Mr. A. J. Moore.
Mrs. A. J. Moore.

Approved November 20, 1945.

[CHAPTER 488]

AN ACT

For the relief of the estate of Donald Rhone.

November 20, 1945
[H. R. 2545]
[Private Law 263]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Donald Rhone, of De Land, Florida, the sum of \$5,000, in full satisfaction of all claims against the United States for the death of the said Donald Rhone, which resulted from personal injuries received on August 26, 1941, when a United States Civilian Conservation Corps truck ran into a truck going in the opposite direction along a public street of De Land, Florida, causing it to run upon the sidewalk and to strike the said Donald Rhone: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Donald Rhone, estate.

Approved November 20, 1945.

[CHAPTER 491]

AN ACT

For the relief of Mr. and Mrs. John T. Webb, Senior.

November 21, 1945

[S. 784]

[Private Law 264]

Mr. and Mrs. John
T. Webb, Sr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. John T. Webb, Senior, of Delaware City, Delaware, the sum of \$7,019.95, in full satisfaction of their claims against the United States (1) for compensation for the deaths of their minor sons, John T. Webb, Junior, and Henry P. Webb, due to personal injuries resulting from the explosion of a rocket projectile which had come into their possession through the negligence of United States military personnel, and (2) for reimbursement of funeral expenses incurred by them on account of such deaths: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved November 21, 1945.

[CHAPTER 502]

AN ACT

For the relief of Mrs. Catherine Driggers and her minor children.

November 30, 1945

[H. R. 801]

[Private Law 265]

Mrs. Catherine
Driggers and her mi-
nor children.

39 Stat. 746.

5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled, "An Act to provide compensation for employees of the United States of America suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Mrs. Catherine Driggers and her minor children, and claim for compensation for the death of her husband, Haven L. Driggers, alleged to have occurred on February 7, 1943, in the performance of his duties while he was serving as second assistant engineer on board a vessel under charter to the War Shipping Administration, is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if claim is filed with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act.

Approved November 30, 1945.

[CHAPTER 503]

AN ACT

For the relief of Francis A. Hanley.

November 30, 1945

[H. R. 843]

[Private Law 266]

Francis A. Hanley.

39 Stat. 746.

5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed,

the claim of Francis A. Hanley for disability resulting from an injury to his leg when he is alleged to have fallen over a waste paper basket with an armful of mail in the performance of duty during employment in July, 1942, as a clerk in the Post Office Department at Albany, New York, and to determine said claim upon its merits under the remaining provisions of said Act: *Provided*, That claim for benefits shall be filed with such Commission within ninety days from the date of the approval of this Act: *And provided further*, That no benefit shall accrue under this Act prior to the date of approval thereof.

Approved November 30, 1945.

[CHAPTER 504]

AN ACT

For the relief of the estate of Alexander McLean, deceased.

November 30, 1945
[H. R. 2027]
[Private Law 267]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,639.55 to the estate of Alexander McLean, of Boston, Massachusetts, in full settlement of all claims against the United States and John W. Meyer, the driver of the Navy vehicle, for the death of Alexander McLean, deceased, as a result of being struck by a United States Navy vehicle, on Commercial Street, Boston, Massachusetts, June 18, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Alexander McLean,
estate.

Approved November 30, 1945.

[CHAPTER 505]

AN ACT

For the relief of Florence Zimmerman.

November 30, 1945
[H. R. 2244]
[Private Law 268]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Florence Zimmerman, who is alleged to have sustained injuries to her back in the line of her duties on June 23, 1942, while employed in the Navy medical supply depot, Brooklyn, New York, and her claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if she files such claim with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act.

Florence Zimmerman.
39 Stat. 746.
5 U. S. C. §§ 765-770.

SEC. 2. The monthly compensation which the said Florence Zimmerman may be entitled to receive by reason of the enactment of this Act shall commence on the first day of the month during which this Act is enacted.

Approved November 30, 1945.

[CHAPTER 506]

AN ACT

For the relief of James A. Brady.

November 30, 1945
[H. R. 2310]
[Private Law 269]

James A. Brady.
Credit in account.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General is authorized and directed to allow credit in the account of James A. Brady, acting collector of internal revenue, tenth district of Ohio, in the sum of \$91,400, representing the value of certain special tax stamp coupons unissued and remaining in book numbered 927, gaming devices for the fiscal year 1945, which have been unintentionally lost or destroyed by his office.

Approved November 30, 1945.

[CHAPTER 507]

AN ACT

For the relief of Leslie O. Allen.

November 30, 1945
[H. R. 2620]
[Private Law 270]

Leslie O. Allen.
39 Stat. 746.
5 U. S. C. §§ 765-770.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Leslie O. Allen, of Natchez, Mississippi, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said Act his claim on account of injury of his knee alleged to have been incurred in May 1939, while serving with the Civilian Conservation Corps at Meadville, Mississippi: *Provided*, That claim hereunder shall be filed within six months from the approval of this Act: *Provided further*, That no benefits shall accrue prior to the approval of this Act.

Approved November 30, 1945.

[CHAPTER 508]

AN ACT

For the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes.

November 30, 1945
[H. R. 3137]
[Private Law 271]

G. F. Allen.
Credit in accounts.

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 is authorized and directed to allow credit in the accounts of G. F. Allen, chief disbursing officer, Treasury Department, in an amount not to exceed \$212.69, for items suspended or disallowed.

Credit in accounts
of certain former Treasurers of U. S., etc.

Recoveries.

SEC. 2. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Frank White and W. O. Woods, former Treasurers of the United States, H. T. Tate, former Acting Treasurer of the United States, and W. A. Julian, Treasurer of the United States, for sums not to exceed \$1,620, \$4,718.36, \$340, and \$53,798.55, respectively, representing unavailable items in their accounts as former Treasurers, former Acting Treasurer and Treasurer of the United States: *Provided*, That any recoveries heretofore or hereafter made in respect of any of the foregoing items, may, in the discretion of the Comptroller General of the United States, be applied to offset unavailable items of a similar character hereafter arising in the accounts of the former Treasurers, former Acting Treasurer, and Treasurer, respectively, upon a showing that such

unavailable items have occurred without fraud on the part of the former Treasurers, former Acting Treasurer, or Treasurer.

SEC. 3. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of W. A. Julian, Treasurer of the United States, for a sum not to exceed \$8,236, representing unadjusted differences which occurred in the preparation of statements of disbursing officers' accounts during the period from January 1, 1940, to October 31, 1944.

W. A. Julian.
Credit in accounts.

SEC. 4. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$980.88, which shall be credited to the Treasurer's account to the extent necessary to adjust unavailable items resulting from certain shortages, five checks lost after payment, double payment upon claim of non-receipt of two original checks and six checks of which both the originals and duplicates were paid.

Appropriation.

SEC. 5. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$143.56, of which the Secretary of the Treasury is authorized and directed to pay not to exceed \$132.14 to William J. Gillin, pay-roll clerk and timekeeper, and not to exceed \$11.42 to Harold Link, certifying officer, United States mint, Philadelphia, Pennsylvania, which amounts were paid by them to satisfy charges resulting from overpayments of salary to mint employees.

Appropriation.

William J. Gillin.
Harold Link.

Approved November 30, 1945.

[CHAPTER 509]

AN ACT

For the relief of Rolla Duncan.

November 30, 1945
[H. R. 3225]
[Private Law 272]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rolla Duncan, Helena, Montana, the sum of \$36.34, in full settlement of all claims against the United States for expenses incurred by an undersheriff of Daniels County, Montana, in transporting a prisoner from Scobey, Montana, to Great Falls, Montana, in July 1933: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Rolla Duncan.

Approved November 30, 1945.

[CHAPTER 517]

AN ACT

To reimburse certain Marine Corps personnel and former Marine Corps personnel for personal property lost in the disaster to the S. S. Maasdam on June 26, 1941.

December 3, 1945
[S. 1215]
[Private Law 273]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$2,859.35, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Marine Corps personnel and former Marine Corps personnel for the value of personal property

Marine Corps personnel and former Marine Corps personnel.
Reimbursement.

lost in the sinking of the S. S. Maasdam on June 26, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 518]

AN ACT

For the relief of Sybil Georgette Townsend.

December 3, 1945

[H. R. 850]

[Private Law 274]

Sybil Georgette
Townsend.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sybil Georgette Townsend, 1605 Ainslie Street, Chicago 40, Illinois, the sum of \$59, in full settlement of all claims against the United States for reimbursement of the cost of travel from Chicago, Illinois, to Sweetwater, Texas, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas, as a result of administrative action: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 519]

AN ACT

For the relief of Nannie Bass.

December 3, 1945

[H. R. 875]

[Private Law 276]

Nannie Bass.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nannie Bass, Halls, Tennessee, the sum of \$5,295. The payment of such sum shall be in full settlement of all claims of the said Nannie Bass against the United States on account of the death of her husband, the late Sam Bass, as a result of being struck, on August 20, 1944, in his own house by machine-gun bullets fired from an airplane in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 520]

AN ACT

For the relief of John August Johnson.

December 3, 1945
[H. R. 977]
[Private Law 276]

John August Johnson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Court of Claims of the United States be, and it is hereby, given jurisdiction to hear and determine the claim of John August Johnson, of Rockford, Illinois, and to render judgment against the United States in his favor for such compensation and damage as may be found to be justly due, if any, as compensation and damage sustained by reason of the destruction by fire on October 4, 1923, of the dwelling house located on the farm lands of John August Johnson, situated near Camp Grant, Illinois, while said farm lands were occupied by the War Department.

SEC. 2. Said claim shall not be considered as barred because of any existing statute of limitations with respect to suits against the United States: *Provided*, That suit is brought within one year of the approval of this Act.

Approved December 3, 1945.

[CHAPTER 521]

AN ACT

For the relief of Carl Lewis.

December 3, 1945
[H. R. 1142]
[Private Law 277]

Carl Lewis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl Lewis, of Harkers Island, North Carolina, the sum of \$1,500, in full settlement of all claims against the Government of the United States of America, for personal injuries, medical and hospital expenses incident thereto, sustained as a result of his having been wounded by the discharge of a firearm in the hands of a soldier of the Army of the United States at Harkers Island, North Carolina, on or about August 10, 1942: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 522]

AN ACT

For the relief of the estate of Mattie Lee Brown, deceased.

December 3, 1945
[H. R. 1316]
[Private Law 278]

Mattie Lee Brown, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Mattie Lee Brown, the sum of \$3,185, in full settlement of all claims against the United States for death to said Mattie Lee Brown, who died on August 27, 1942, as the result of an Army airplane, piloted by a commissioned officer on an authorized routine training flight, crashing into dwelling house on August 27, 1942, said dwelling house being located in Mulberry, Florida, and occupied by

Matthew Brown and his wife, Charity Brown, and their sixteen-year-old daughter, Mattie Lee Brown, the deceased: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 523]

AN ACT

For the relief of O. M. Minatree.

December 3, 1945
[H. R. 1358]
[Private Law 279]

O. M. Minatree.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated the sum of \$1,104.95, to O. M. Minatree, for property damage, personal injuries, and other loss sustained when a vehicle in which he was riding was struck by a United States Army truck on Highway Numbered 87 approximately one and one-half miles south of De Costa, Victoria County, Texas, on November 6, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 524]

AN ACT

For the relief of Candler Cobb.

December 3, 1945
[H. R. 1781]
[Private Law 280]

Candler Cobb.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Candler Cobb, New York, New York, the sum of \$506.10. The payment of such sum shall reimburse the said Candler Cobb for the expenditure of a like amount in payment of hospital and nurses' bills incurred in connection with an emergency operation undergone by him during May 1943, while a member of the United States Army.

Approved December 3, 1945.

[CHAPTER 525]

AN ACT

For the relief of Annie M. Lannon.

December 3, 1945
[H. R. 1956]
[Private Law 281]

Annie M. Lannon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money not heretofore appropriated, to Annie M. Lannon the sum of \$137.64, of Jamaica Plain, Massachusetts, in full settlement of all

claims against the United States for Social Security payment on account of the death of her son, George T. Lannon, Junior, who died on December 26, 1941: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 526]

AN ACT

For the relief of the estate of Alfred Lewis Cosson, deceased, and others.

December 3, 1945
[H. R. 1960]
[Private Law 282]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to the estate of Alfred Lewis Cosson, deceased; to pay the sum of \$5,000 to the estate of James M. Cosson, deceased; to pay the sum of \$3,000 to the estate of James M. Cosson, Junior, deceased; to pay the sum of \$3,000 to the estate of Winnie Cosson, deceased; and to pay the sum of \$2,500 to Mrs. James M. Cosson; to pay the sum of \$500 to the legal guardian of Thomas Cosson; to pay the sum of \$3,000 to the legal guardian of Franklin D. Cosson; to pay the sum of \$1,000 to Mrs. Pearl Cosson; to pay the sum of \$6,000 to the legal guardian of I. D. Cosson, all of DeFuniak Springs, Florida, in full settlement of all claims against the United States for the death of Alfred Lewis Cosson, James M. Cosson, James M. Cosson, Junior, Winnie Cosson, and for personal injuries sustained by Mrs. James M. Cosson, Thomas Cosson, Franklin D. Cosson, Mrs. Pearl Cosson, and I. D. Cosson, as the result of saturation bombs being dropped in the yard and near their home by a United States Army plane operating from the Eglin Field Proving Ground, Florida, on August 11, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Alfred Lewis Cosson, estate, and others.

Approved December 3, 1945.

[CHAPTER 527]

AN ACT

For the relief of Florentine H. Keeler, Harold S. Keeler, and Genevieve M. Keeler.

December 3, 1945
[H. R. 1961]
[Private Law 283]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 to Florentine H. Keeler; to pay the sum of \$17.50 to Harold S. Keeler, both of Arcadia, California; and to pay the sum of \$1,070.90 to Genevieve M. Keeler, of Garvey, California, in full settlement of all claims against the United States for personal

Florentine H. Keeler, Harold S. Keeler, and Genevieve M. Keeler.

injuries, medical and hospital expenses, loss of earnings, and property damage sustained as the result of an airplane crash at Huntington Beach, California, on June 27, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 528]

AN ACT

For the relief of Wesley J. Stewart.

December 3, 1945
[H. R. 2029]
[Private Law 284]

Wesley J. Stewart.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wesley J. Stewart the sum of \$2,652.50, in full settlement of all claims against the United States for injury to said Wesley J. Stewart on April 15, 1943, as a result of an automobile accident caused by an Army vehicle at Avon Park, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 529]

AN ACT

For the relief of John J. Gall.

December 3, 1945
[H. R. 2160]
[Private Law 285]

John J. Gall.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John J. Gall the sum of \$603.40. The payment of such sum shall be in full settlement of all claims against the United States on account of damage to the property and business of the said John J. Gall when the building located at 2137 State Highway Numbered 25, Rahway, New Jersey, leased by him and in which he conducted his said business, was damaged on November 5, 1943, by a United States Army motor vehicle: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 530]

AN ACT

For the relief of the estate of Franz Tillman, deceased.

December 3, 1945
[H. R. 2166]
[Private Law 286]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Franz Tillman, deceased, the sum of \$5,000, in full settlement of all claims against the United States for the death of said Franz Tillman, who was killed in a collision of a civilian truck with an Army vehicle near Gandy, Louisiana, on October 7, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Franz Tillman, estate.

Approved December 3, 1945.

[CHAPTER 531]

AN ACT

For the relief of Clifford E. Craig.

December 3, 1945
[H. R. 2189]
[Private Law 287]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clifford E. Craig, of Bakersfield, California, the sum of \$326.50, in full settlement of all claims against the United States for property damage sustained as the result of his automobile having been struck by a United States Army vehicle in Bakersfield, California, on April 5, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Clifford E. Craig.

Approved December 3, 1945.

[CHAPTER 532]

AN ACT

For the relief of Cleo E. Baker.

December 3, 1945
[H. R. 2191]
[Private Law 288]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cleo E. Baker, North Hollywood, California, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Cleo E. Baker against the United States on account of the death of his wife, Margaret Mary Baker, as a result of a United States Army airplane crashing into their home at 4443 Strohm Avenue, North Hollywood, California, on June 6, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any

Cleo E. Baker.

contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 533]

AN ACT

For the relief of Mary Galipeau.

December 3, 1945
[H. R. 2290]
[Private Law 289]

Mary Galipeau.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Galipeau, of Wallace, Idaho, the sum of \$5,384.90. The payment of such sum shall be in full settlement of all claims of the said Mary Galipeau against the United States on account of the death of her husband who lost his life as a result of being struck by an Army vehicle on September 2, 1943, in Wallace, Idaho: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 534]

AN ACT

For the relief of the estate of John R. Blackmore and Louise D. Blackmore.

December 3, 1945
[H. R. 2300]
[Private Law 290]

John R. Blackmore,
estate.

Mrs. Louise D.
Blackmore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$6,000 to the estate of John R. Blackmore; to pay the sum of \$3,000 to Mrs. Louise D. Blackmore, of Buffalo, New York, in full settlement of all claims against the United States for the death of the said John R. Blackmore and for personal injuries, hospital and medical expenses of Mrs. Louise D. Blackmore, as the result of being hit by an Army truck at Hamlet, North Carolina, on November 9, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 535]

AN ACT

For the relief of Arlethia Rosser.

December 3, 1945
[H. R. 2399]
[Private Law 291]

Arlethia Rosser.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arlethia Rosser, 475 John Street, Northwest, apartment 268, Atlanta, Georgia, the sum

of \$1,000, in full settlement of all claims of the said Arlethia Rosser, against the United States as a result of having suffered a bullet wound from the pistol of a military policeman of the United States Army on July 15, 1943, while he was performing his official duties: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 536]

AN ACT

For the relief of Mrs. Ruth Cox.

December 3, 1945
[H. R. 2427]
[Private Law 292]

Mrs. Ruth Cox.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ruth Cox, of 743 Keep Street, Linden, New Jersey, the sum of \$3,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Ruth Cox against the United States on account of the death of her husband, Lonnie Cox, who was killed in a collision between the car which he was driving and a United States Army truck, part of a motor convoy, on United States Highway Route 60 between Evansville, Indiana, and Owensboro, Kentucky, on April 28, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 537]

AN ACT

For the relief of Captain Werner Holtz.

December 3, 1945
[H. R. 2479]
[Private Law 293]

Capt. Werner Holtz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Werner Holtz, Albany, New York, the sum of \$546.30. The payment of such sum shall be in full settlement of all claims of the said Captain Werner Holtz against the United States for losses sustained as the result of personal injuries suffered by his wife and damage to his automobile when such automobile was struck near Hopkinsville, Kentucky, on September 1, 1943, by a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 538]

AN ACT

For the relief of the estate of Ed Edmondson, deceased.

December 3, 1945
[H. R. 2481]
[Private Law 294]

Ed Edmondson, es-
tate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the administrator of the estate of Ed Edmondson, deceased, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of the said Ed Edmondson, who was fatally injured on September 11, 1943, when the automobile in which he was a passenger was struck by a United States Army truck on United States Highway Numbered 27, near Spring City, Tennessee.

Condition.

SEC. 2. Before payment is made under this Act, the administrator of the estate shall furnish the Secretary of the Treasury with certificate of cancellation of judgment against Cris Lee Gray in the circuit court of Rhea County, Dayton, Tennessee, rendered on January 4, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 539]

AN ACT

For the relief of Helen Alton and Edwin Alton.

December 3, 1945
[H. R. 2512]
[Private Law 295]

Helen Alton and
Edwin Alton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,178.82 to Helen Alton; to pay the sum of \$4,199.75 to Edwin Alton, of Newark, New Jersey, in full settlement of all claims against the United States for personal injuries, medical, hospital, nursing expenses, and property damage sustained as the result of a collision between the car in which they were riding and a United States Army vehicle, on Pulaski Skyway, Jersey City, New Jersey, on May 5, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 540]

AN ACT

For the relief of Patrick A. Kelly.

December 3, 1945
[H. R. 2505]
[Private Law 296]

Patrick A. Kelly.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Patrick A. Kelly, chief radio electrician, United States Naval Reserve, the sum of

\$683.50. Such sum is in full settlement of all claims against the United States for per diem and mileage allowances (less a mileage payment already made) to which the said Patrick A. Kelly would have been entitled, if his orders had been accurate and complete, for the period from October 1, 1943, to January 10, 1944, while on temporary duty at Rocky Point, New York, from his regular post of duty at Patuxent River, Maryland: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 541]

AN ACT

For the relief of Mrs. Evelyn Johnson.

December 3, 1945

[H. R. 2642]

[Private Law 297]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Evelyn Johnson, of Chipley, Georgia, unmarried widow of A. C. Johnson, deceased, the sum of \$5,000; in full satisfaction of all claims against the United States as compensation for the death of the said A. C. Johnson, who was killed when the automobile in which he was driving was involved in a collision with a United States Army truck-trailer on Troup Factory Bridge over Long Cane Creek, on United States Highway Numbered 27 approximately ten miles south of La Grange, Georgia, on or about January 24, 1945: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Evelyn Johnson.

Approved December 3, 1945.

[CHAPTER 542]

AN ACT

For the relief of Ben Greenwood and Dovie Greenwood.

December 3, 1945

[H. R. 2686]

[Private Law 298]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,200, to Ben Greenwood and \$500 to Dovie Greenwood, of Nettleton, Mississippi, in full settlement of all claims against the United States for personal injuries and losses sustained as the result of an accident involving an Army vehicle on United States Highway Numbered 45, near Nettleton, Mississippi, on March 16, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the

Ben Greenwood and Dovie Greenwood.

contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 543]

AN ACT

For the relief of Mrs. Stuart B. Riley.

December 3, 1945

[H. R. 2810]

[Private Law 299]

Mrs. Stuart B. Riley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Stuart B. Riley, of North Attleboro, Massachusetts, the sum of \$1,141.17, in full settlement of all claims against the United States for property damage and personal injuries sustained, and medical and hospital expenses incurred, as the result of an accident which occurred on August 16, 1943, involving an Army truck and an Army searchlight power plant, near the approach to the Bourne Bridge, along the south side of the Cape Cod Canal, near Bourne, Massachusetts: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 544]

AN ACT

For the relief of Angelo Gianquitti and George Gianquitti.

December 3, 1945

[H. R. 2836]

[Private Law 300]

Angelo Gianquitti
and George Gianquitti.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Angelo Gianquitti, of Syracuse, New York, the sum of \$1,032, and to George Gianquitti, of Syracuse, New York, the sum of \$2,992.25, in full settlement of all claims against the United States, for personal injuries, medical and hospital expenses, and loss of income as the result of a collision between the car in which they were riding and a United States Army vehicle, on July 1, 1943, at the intersection of Court and Wadsworth Streets, Syracuse, New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 545]

AN ACT

For the relief of the estate of Harper Theodore Duke, Junior.

December 3, 1945
[H. R. 2886]
[Private Law 301]Harper Theodore
Duke, Jr., estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$4,513 to the estate of Harper Theodore Duke, Junior, of Nashville, Tennessee, in full settlement of all claims against the United States for property damage, for the death of said Harper Theodore Duke, Junior, and for the expenses incurred in connection with his burial, resulting from the said Harper Theodore Duke, Junior, being killed in the crash of an Army airplane at the Municipal Airport at Nashville, Tennessee, on September 21, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 546]

AN ACT

For the relief of John Hames.

December 3, 1945
[H. R. 3011]
[Private Law 302]

John Hames.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Hames, Vincennes, Indiana, the sum of \$750. The payment of such sum shall be in full settlement of all claims of the said John Hames against the United States on account of the serious and permanent personal injury sustained by him on October 8, 1943, in Vincennes, Indiana, when he was struck by an Army truck, one of a convoy from Fort Knox, Kentucky: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 547]

AN ACT

For the relief of Mrs. Addie S. Lewis.

December 3, 1945
[H. R. 3135]
[Private Law 303]

Mrs. Addie S. Lewis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,744.25, to Mrs. Addie S. Lewis, of Everett, Massachusetts, in full satisfaction of all claims against the United States for compensation for the death of her husband, Chauncey D. Lewis, and for expenses incurred in connection therewith, as a result of injuries sustained by him when the automobile which he was driving was struck by a United States

Army truck, operated by Private Leslie Stewart, attached to the Second Service Command, 546 West Fifty-eighth Street, New York City, on the highway known as the Pulaski Highway in Jersey City, New Jersey, on May 5, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 548]

AN ACT

For the relief of the legal guardian of Sue Flippin Bratton, a minor.

December 3, 1945

[H. R. 3198]

[Private Law 304]

Guardian of Sue
Flippin Bratton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Sue Flippin Bratton, a minor, Lafayette, Tennessee, the sum of \$10,030. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries, medical and hospital expenses, sustained by the said Sue Flippin Bratton on February 19, 1944, when the automobile in which she was riding as a passenger on the Macon County Highway between Hartsville and Lafayette, Tennessee, struck a steel guard rail projecting over the traveled part of a one-way bridge over the middle fork of Goose Creek. Such projecting steel guard rail pierced the body of the said Sue Flippin Bratton, causing serious injuries and permanent disability. Such bridge had been damaged in January 1944, by United States Army vehicles participating in field exercises in Macon County, and, in attempting to repair such damage, military personnel left such guard rail projecting over the highway: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 549]

AN ACT

For the relief of Stanley J. Lilly.

December 3, 1945

[H. R. 3249]

[Private Law 305]

Stanley J. Lilly.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stanley J. Lilly, Allentown, Pennsylvania, the sum of \$6,000. The payment of such sum shall be in full settlement of all claims of the said Stanley J. Lilly against the United States on account of personal injuries sustained on March 21, 1942, when the automobile which he was driving was in collision with a United States Army truck on United States Route Numbered 22, west of Allentown, Pennsylvania: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum

thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 550]

AN ACT

For the relief of Christian H. Kreuzler.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Christian H. Kreuzler, the sum of \$7,500, in full settlement of all claims against the United States for injuries sustained by him when struck by an Army truck on September 6, 1942, near Selma, Texas, on United States Highway Numbered 81: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

December 3, 1945
[H. R. 3302]
[Private Law 306]

Christian H. Kreuzler.

[CHAPTER 551]

AN ACT

For the relief of Genevieve Lund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Genevieve Lund, a resident of Chicago, Illinois, the sum of \$500, in full settlement of all claims against the United States for injuries sustained on December 8, 1942, in Chicago, Illinois, when the car in which she was riding was struck by a United States Army vehicle: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

December 3, 1945
[H. R. 3790]
[Private Law 307]

Genevieve Lund.

[CHAPTER 552]

AN ACT

For the relief of Robert A. Hudson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money

December 3, 1945
[H. R. 4018]
[Private Law 308]

Robert A. Hudson.

in the Treasury not otherwise appropriated, to Robert A. Hudson, of Xenia, Ohio, the sum of \$116.79 in full settlement of all claims against the United States for reimbursement of expenses incurred in the repair of a Cadillac sedan car owned by Robert A. Hudson, which was damaged by a United States Army vehicle on December 1, 1941, at Xenia, Ohio: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 3, 1945.

[CHAPTER 553]

AN ACT

For the relief of Jay H. McCleary.

December 3, 1945
[H. R. 1978]

[Private Law 309]

Jay H. McCleary.
39 Stat. 746.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 765-770), the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Jay H. McCleary for disability alleged to be due to injuries received while he was traveling on board a railroad passenger train from Minneapolis, Minnesota, to Washington, District of Columbia, on official business in the service of the United States on January 7, 1940, and to determine said claim upon its merits under the provisions of said Act: *Provided*, That said claim shall be filed with the United States Employees' Compensation Commission not later than ninety days after the date of enactment of this Act.

Approved December 3, 1945.

[CHAPTER 565]

AN ACT

For the relief of Ida M. Raney.

December 11, 1945
[S. 684]

[Private Law 310]

Ida M. Raney.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida M. Raney, of McCrory, Arkansas, the sum of \$750, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her on January 22, 1944, when she was struck by a flying rock fragment thrown into the air by an explosion which occurred during a military demonstration at Camp Robinson, Arkansas, which she was witnessing as a guest of United States military personnel: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 11, 1945.

[CHAPTER 566]

AN ACT

For the relief of Mrs. Alan Sells and the estate of Alan Sells.

December 11, 1945
[S. 779]
[Private Law 311]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Mrs. Alan Sells, of Topeka, Kansas, the sum of \$7,745.35, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her and for reimbursement of medical, hospital, and other expenses incurred by her, as a result of an accident which occurred while she was riding as a passenger in a United States Army vehicle near the Topeka Army Air Base, on February 1, 1944, and (2) to the estate of Alan Sells, the sum of \$5,000, in full satisfaction of the claim of such estate against the United States for compensation for the death of the said Alan Sells as a result of such accident, and for funeral expenses incurred by it in connection therewith: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Alan Sells.

Alan Sells, estate.

Approved December 11, 1945.

[CHAPTER 567]

AN ACT

For the relief of Joseph A. Hannon and Eleanore M. Hannon.

December 11, 1945
[S. 801]
[Private Law 312]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph A. Hannon and Eleanore M. Hannon, of Coquille, Oregon, the sum of \$6,191.52, in full satisfaction of all claims against the United States for the destruction of their house and personal property in Coquille, Oregon, as the result of the crash of a United States Navy airplane on October 15, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Joseph A. Hannon
and Eleanore M. Hannon.

Approved December 11, 1945.

[CHAPTER 568]

AN ACT

For the relief of Gregory Stelmak.

December 11, 1945
[S. 968]
[Private Law 313]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gregory Stelmak, of Hartford, Connecticut, the sum of \$4,365.58, in full satisfaction of his claims against the United States for compensation for personal injuries sustained by him, and for reimbursement of hospital, medical,

Gregory Stelmak.

and other expenses incurred by him, as a result of an accident which occurred when he was struck by a United States Army vehicle while walking along Village Street, in Hartford, Connecticut, on October 18, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 11, 1945.

[CHAPTER 569]

AN ACT

For the relief of Charlie B. Rouse and Mrs. Louette Rouse.

December 11, 1945
[S. 1017]
[Private Law 314]

Charlie B. Rouse.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charlie B. Rouse, of Tullahoma, Tennessee, the sum of \$81.50, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained and expenses incurred by him as the result of an accident involving a United States Army reconnaissance car on Highway Numbered 41 near Tullahoma, Tennessee, on August 12, 1944; to pay to Mrs. Louette Rouse, of Tullahoma, Tennessee, the sum of \$1,500, in full settlement of all claims against the United States for personal injuries sustained and medical and hospital expenses incurred by her as a result of said accident; and to pay to Mrs. Louette Rouse, of Tullahoma, Tennessee, the sum of \$50 for the benefit of her minor daughter, Rachel Rouse, in full settlement of all claims against the United States for personal injuries sustained by the said Rachel Rouse in said accident: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Louette Rouse.

Approved December 11, 1945.

[CHAPTER 570]

AN ACT

For the relief of Charles Bryan.

December 11, 1945
[S. 1122]
[Private Law 315]

Charles Bryan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Bryan, of Lincoln, Nebraska, the sum of \$5,881.40, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him, and for reimbursement of hospital, medical, and other expenses incurred by him, as a result of an accident which occurred when he was struck by a United States Army vehicle while directing traffic, in Lincoln, Nebraska, on August 24, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof

shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 11, 1945.

[CHAPTER 571]

AN ACT

For the relief of the estate of Thomas McGarroll.

December 11, 1945
[H. R. 3390]
[Private Law 316]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Thomas McGarroll, deceased, late of Jamaica Plain, Massachusetts, the sum of \$5,571.50. The payment of such sum shall be in full settlement of all claims against the United States on account of the death, on October 23, 1944, of the said Thomas McGarroll from injuries sustained by him when he was struck, on October 20, 1944, on L Street, South Boston, Massachusetts, near the Boston Edison Company by a vehicle in the service of the Army of the United States. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Thomas McGarroll,
estate.

Approved December 11, 1945.

[CHAPTER 572]

AN ACT

To authorize the Secretary of the Navy to convey Casa Dorinda Estate in Santa Barbara County, California, to Robert Woods Bliss and Mildred B. Bliss.

December 11, 1945
[S. 1117]
[Private Law 317]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever he shall determine that such property is no longer needed for exclusively public purposes the Secretary of the Navy is authorized to convey to Robert Woods Bliss and Mildred B. Bliss without consideration (1) all right, title, and interest of the United States of America in and to the real property situated in Santa Barbara County, California, known as Casa Dorinda Estate, which is described in a certain grant deed by which said property was conveyed to the United States, dated November 23, 1942, and recorded in the official land records of Santa Barbara County, California, at page 492, book 559, (2) all right, title, and interest in and to the appurtenant sewer line and easement mentioned in said deed, and (3) all right, title, and interest of the United States of America in any of those certain articles consisting of books, furniture, and household furnishings, tools, garden equipment, and other articles of personal property conveyed by deed of gift from Mildred B. Bliss and Robert Woods Bliss to the United States of America dated November 23, 1942, and which are more fully described in exhibit A thereof: *Provided*, That the conveyance of such property as herein authorized shall be upon the condition that the grantors shall release the Government from any and all claims with respect

Robert Woods Bliss
and Mildred B. Bliss.

thereto and with respect to any personal property which may have been loaned to the Government in connection therewith: *And provided further*, That the Secretary of the Navy shall cause to be removed any improvements or alterations made to the premises at the Government's expense, if in his judgment the value thereof shall substantially exceed the cost of restoring the premises to their condition at the time of the Government's entry thereupon.

Approved December 11, 1945.

[CHAPTER 574]

JOINT RESOLUTION

December 12, 1945
[S. J. Res. 51]
[Private Law 318]

Granting permission to Charles Rex Marchant, Lorne E. Sasseen, and Jack Veniss Bassett to accept certain medals tendered them by the Government of Canada in the name of His Britannic Majesty, King George VI.

Charles Rex Marchant, and others.
Acceptance of medals.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Charles Rex Marchant, Lorne E. Sasseen, and Jack Veniss Bassett, employees of the Civil Aeronautics Administration, Department of Commerce, be authorized to accept and wear British Empire medals, Civilian Division, tendered by the Government of Canada in the name of His Britannic Majesty, King George VI, in recognition of their gallant services in rescuing four crew members from a crashed and burning Canadian bomber in September 1942, and that the Department of State is hereby authorized and permitted to deliver the above medals to Charles Rex Marchant, Lorne E. Sasseen, and Jack Veniss Bassett.

Approved December 12, 1945.

[CHAPTER 581]

AN ACT

December 19, 1945
[H. R. 2737]
[Private Law 319]

For the relief of the estate of Harry Leon Black.

Harry Leon Black, estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Harry Leon Black, of Alhambra, California, the sum of \$5,000, in full satisfaction of the claim of such estate against the United States for compensation for the death of said Harry Leon Black, as the result of personal injuries sustained by him when he was struck by a truck owned by the War Department and being operated in connection with War Department business on Highway Numbered 99, near Indio, California, on April 11, 1944, at 1:30 ante-meridian: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 19, 1945.

[CHAPTER 587]

AN ACT

To amend the Act entitled "An Act for the relief of certain settlers in the town site of Ketchum, Idaho", approved July 11, 1940, so as to extend for three years the time for making application for benefits thereunder.

December 21, 1945
[S. 862]
[Private Law 320]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act for the relief of certain settlers in the town site of Ketchum, Idaho", approved July 11, 1940, is amended by striking out the words "three years" and inserting in lieu thereof the words "six years".

Ketchum, Idaho.
54 Stat. 1335.

Approved December 21, 1945.

[CHAPTER 610]

AN ACT

For the relief of Edgar Kaigler.

December 28, 1945
[H. R. 207]
[Private Law 321]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edgar Kaigler, of Daytona Beach, Florida, the sum of \$2,713.79, in full satisfaction of all claims against the United States for the death of Lela Morris, the mother of Edgar Kaigler, the said Lela Morris having been killed on September 10, 1943, when a United States Navy airplane, SBD-4, bureau number 10371, crashed into the home of Lela Morris, on 425 Maple Street, Daytona Beach, Florida: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Edgar Kaigler.

Approved December 28, 1945.

[CHAPTER 611]

AN ACT

For the relief of Virginia Packard.

December 28, 1945
[H. R. 215]
[Private Law 322]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Virginia Packard, 931 Gainsborough Drive, Pasadena, California, the sum of \$80.33. The payment of such sum shall be in full settlement of all claims against the United States for reimbursement of the cost of travel from Pasadena, California, to Sweetwater, Texas, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas, as a result of administrative action based on recommendations by Members of the House of Representatives: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.*

Virginia Packard.

Approved December 28, 1945.

[CHAPTER 612]

AN ACT

December 28, 1945
[H. R. 915]
[Private Law 323]

For the relief of Fairview School District Numbered 90, Pratt County, Kansas.

Fairview School District
Numbered 90,
Pratt County, Kans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fairview School District Numbered 90, Pratt County, Kansas, the sum of \$2,444.40, in full satisfaction of all claims which said school district may have against the Government for the expense involved in removing and relocating the school house in said district at the request of the War Department, in order that the land previously occupied by such building might be used for an army air base: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 613]

AN ACT

December 28, 1945
[H. R. 919]
[Private Law 324]

For the relief of Gladys Elvira Maurer.

Gladys Elvira
Maurer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gladys Elvira Maurer, National City, California, the sum of \$2,500. The payment of such sum shall be in full settlement of all claims of the said Gladys Elvira Maurer against the United States on account of personal injuries sustained by her on April 18, 1942, in San Diego, California, when the automobile in which she was riding was in collision with an Army ambulance: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 614]

AN ACT

December 28, 1945
[H. R. 936]
[Private Law 325]

For the relief of John Nisselson, of Brooklyn, New York.

John Nisselson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Nisselson of 455 Crescent Street, Brooklyn, clerk in charge of contract station numbered 44 of the Brooklyn (New York) post office, New York, is relieved of all liability to refund to the United States the sum of \$166.86. Such sum represents the amount of money-order funds lost by theft on November 27, 1942. The Comptroller General is authorized and directed to credit the account of said John Nisselson in the sum of \$166.86 and the surety on the bond of said John Nisselson is released from any liability on account of such theft.

Approved December 28, 1945.

[CHAPTER 615]

AN ACT

For the relief of Matthew Mattas.

December 28, 1945

[H. R. 1031]

[Private Law 326]

Matthew Mattas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matthew Mattas, New York City, the sum of \$8,500. The payment of such sum shall be in full settlement of all claims of the said Matthew Mattas against the United States on account of severe personal injuries sustained by him on January 28, 1943, when he was struck by a United States Army truck at Amsterdam Avenue and West One Hundred and Fifty-sixth Street, New York City: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 616]

AN ACT

For the relief of Percy Allen.

December 28, 1945

[H. R. 1234]

[Private Law 327]

Percy Allen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Percy Allen, Bailey Island, Maine, the sum of \$2,112.24. The payment of such sum shall be in full settlement of all claims of the said Percy Allen against the United States for damage to his business and property resulting from activities of the United States Army at Bailey Island, from July 1942 through December 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 617]

AN ACT

For the relief of Roy S. Councilman.

December 28, 1945

[H. R. 1250]

[Private Law 328]

Roy S. Councilman.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roy S. Councilman, Corona Del Mar, California, the sum of \$894. The payment of such sum shall be in full settlement of all claims of the said Roy S. Councilman against the United States for personal injuries sustained on August 8, 1944, when two United States Navy airplanes dived so close to a fishing boat on which the said Roy S. Councilman was fishing off San Mateo, California, that their backwash threw him

from a bait box to the deck of the boat, causing him to injure both of his knees: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 618]

AN ACT

For the relief of the Irvine Company.

December 28, 1945
[H. R. 1251]

[Private Law 329]

Irvine Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Irvine Company, Tustin, California, the sum of \$2,900. The payment of such sum shall be in full settlement of all claims of the Irvine Company against the United States for the destruction of a small house and several orange trees which resulted from the crash of a United States Navy airplane on December 14, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 619]

AN ACT

For the relief of estate of Gordon T. Gorham, and others.

December 28, 1945
[H. R. 1348]

[Private Law 330]

Gordon T. Gorham,
estate, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated—

To the estate of Gordon T. Gorham, deceased, late of Portland, Maine, the sum of \$5,000;

To the estate of Florence M. Gorham, deceased, late of Portland, Maine, the sum of \$5,000;

To the estate of Rita M. Robertson, deceased, late of Portland, Maine, the sum of \$5,000;

To the estate of George J. Robertson, Junior, deceased, late of Portland, Maine, the sum of \$1,500;

To the estate of Edna May Hume, deceased, late of South Portland, Maine, the sum of \$5,000;

To the estate of John William Hume, deceased, late of South Portland, Maine, the sum of \$1,500;

To the estate of Clarence S. Hume, Junior, deceased, late of South Portland, Maine, the sum of \$5,000;

To the estate of Virginia Mae Gerrish, deceased, late of South Portland, Maine, the sum of \$5,000;

To the estate of Edward Alfred Gerrish, deceased, late of South Portland, Maine, the sum of \$5,000;

To the estate of Roberta Mae Gerrish, deceased, late of South Portland, Maine, the sum of \$2,000;

To the estate of Rose M. Gerrish, deceased, late of South Portland, Maine, the sum of \$1,500;

To the estate of Virginia Warren, deceased, late of South Portland, Maine, the sum of \$5,000;

To the estate of Jennie C. Allen, deceased, late of Windham, Maine, the sum of \$5,000;

To the estate of Shirley M. Brown, deceased, late of South Portland, Maine, the sum of \$5,000;

To the estate of Hazel M. Little, deceased, late of South Portland, Maine, the sum of \$5,000;

To the estate of Nancy Lee Little, deceased, late of South Portland, Maine, the sum of \$1,500;

To the estate of James McGuire, also known as James Little, deceased, late of South Portland, Maine, the sum of \$1,500;

the sums to the aforesaid estates respectively, in full satisfaction and settlement of all claims against the United States for the deaths and injuries of each of the aforesaid decedents, caused by the crash of a United States Army bomber into and onto the dwellings occupied by the aforesaid persons on the date of July 11, 1944, at South Portland, Maine; and that the Secretary of the Treasury be, and is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated—

To George J. Robertson, Senior, of Portland, Maine, \$3,000 for personal injuries and loss of wages;

To guardian of John E. Gerrish, of Orono, Maine, \$4,000 for personal injuries;

To guardian of Marian Anne Gerrish, of Orono, Maine, \$4,000 for personal injuries;

To Jennie Bassett, of Pittsfield, Vermont, \$4,000 for personal injuries; and for expenses incurred as result of injuries, not including medical expenses;

To guardian of Vina J. Hannan, of South Portland, Maine, the sum of \$7,500 for personal injuries, loss of wages, and hospital bills,

said sums to be in full satisfaction and settlement of all of their respective claims against the United States not otherwise claimed of or paid by the War Department under statutory claims resulting from and caused by the crash of a United States Army bomber into and onto the dwellings of aforesaid persons on the date of July 11, 1944, at South Portland, Maine: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 620]

AN ACT

For the relief of Mr. and Mrs. J. L. Lamb.

December 28, 1945
[H. R. 1796]
[Private Law 331]

Mr. and Mrs. J. L.
Lamb.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. J. L. Lamb, of Lakeland, Florida, the sum of \$2,291.50, in full settlement of all claims against the United States for the death of said Carolyn Lamb, who died August 30, 1944, as the result of an accident caused by an Army truck operated by a member of the United States Army crashing into said Carolyn Lamb on August 28, 1944, said Carolyn Lamb being a resident of Lakeland, Florida: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 621]

AN ACT

For the relief of the estate of W. F. Smothers.

December 28, 1945
[H. R. 1835]
[Private Law 332]

W. F. Smothers,
estate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of W. F. Smothers, the sum of \$5,624, in full settlement of all claims against the United States for the death and destruction of personal property of the said W. F. Smothers, who was fatally injured, and whose property was destroyed by fire, when a United States Army P-38 plane fell on the house in which he was living and domiciled, on the 5th day of June, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 622]

AN ACT

For the relief of Viola Theriaque.

December 28, 1945
[H. R. 1836]
[Private Law 333]

Viola Theriaque.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to Viola Theriaque, of Springfield, Hampden County, Massachusetts, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of earnings sustained as the result of a collision between the car in which she was

riding and a United States Army vehicle in Springfield, Massachusetts, on July 31, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 623]

AN ACT

For the relief of Reverend Neal Deweese, Mrs. Minnie Deweese, Raymond Deweese, and the estate of Lon Thurman, deceased.

December 28, 1945
[H. R. 1879]
[Private Law 334]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Reverend Neal Deweese; to pay the sum of \$500 to Mrs. Minnie Deweese; to pay the sum of \$250 to Raymond Deweese; to pay the sum of \$5,000 to the estate of Lon Thurman, all of Farmington, Missouri, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and the death of Lon Thurman as a result of being struck by a United States Army truck on United States Highway Numbered 21, near Ironton, Missouri, on July 4, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Rev. Neal Deweese,
and others.

Approved December 28, 1945.

[CHAPTER 624]

AN ACT

For the relief of the Ohio Brass Company.

December 28, 1945
[H. R. 1979]
[Private Law 335]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the War Shipping Administration is authorized and directed to determine and pay the claim of the Ohio Brass Company, Mansfield, Ohio, for the loss of a shipment of pole line construction material from Philadelphia, Pennsylvania, to Puerto Alegre, Brazil, on the steamship Industria, insured under policy numbered C23509, issued by the War Shipping Administration, dated March 11, 1943, upon the production and filing of the necessary documents duly executed by the parties in interest as if the insurance premium on said policy had been in accordance with the requirements of the War Shipping Administration and with the provisions of said policy: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary

Ohio Brass Com-
pany.

notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 625]

AN ACT

For the relief of Rastus L. Davis.

December 28, 1945
[H. R. 2054]
[Private Law 336]

Rastus L. Davis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$100, to Rastus L. Davis, of Winona, Texas, in full settlement of all claims against the United States for the loss of three hundred watermelons as a result of soldiers from Camp Fannin, Texas, entering and taking away said watermelons on or about the 17th day of July, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 626]

AN ACT

For the relief of Harry Goldstein and Joseph Mallardi.

December 28, 1945
[H. R. 2102]
[Private Law 337]

Harry Goldstein
and Joseph Mallardi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Goldstein, Brooklyn, New York, the sum of \$5,981, and to pay the sum of \$1,930 to Joseph Mallardi, of Brooklyn, New York, in full settlement of all claims against the United States on account of personal injuries sustained by them as a result of being struck by an Army vehicle on the sidewalk at the corner of First Avenue and Thirtieth Street, New York City, New York, on January 26, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 627]

AN ACT

For the relief of John W. Magee and Florence V. Magee.

December 28, 1945

[H. R. 2154]

[Private Law 338]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. John W. Magee, of Richmond Hill, New York, the sum of \$506; to pay Mrs. Florence V. Magee the sum of \$776, in full settlement of all claims against the United States for personal injuries and property damage and medical expenses sustained as the result of a collision between the car in which they were riding and a United States Navy vehicle, in Queens County, New York, on October 7, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. John W. Magee
and Mrs. Florence V.
Magee.

Approved December 28, 1945.

[CHAPTER 628]

AN ACT

For the relief of Charles W. Anderson, Roy Jefferds, and Gus Kloekenkemper.

December 28, 1945

[H. R. 2306]

[Private Law 339]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, to Charles W. Anderson, of San Antonio, Texas; to pay Roy Jefferds, San Antonio, Texas, the sum of \$500; to pay Gus Kloekenkemper, of San Antonio, Texas, the sum of \$3,115.08, in full settlement of all claims against the United States for personal injuries suffered by them when the automobile in which they were riding was struck by an Army ambulance in San Antonio, Texas, on May 5, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Charles W. Ander-
son, Roy Jefferds, and
Gus Kloekenkemper.

Approved December 28, 1945.

[CHAPTER 629]

AN ACT

For the relief of Henry P. King and G. B. Morgan, Senior.

December 28, 1945

[H. R. 2332]

[Private Law 340]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$750, to Henry P. King, of Roduco, North Carolina, to pay the sum of \$660 to G. B. Morgan, of Sunbury, North Carolina, in full settlement of all claims against the United States for personal injuries and medical expenses incident thereto as a result of a United

Henry P. King and
G. B. Morgan.

States Navy tractor getting out of control and crashing into a State highway car in Gates County, North Carolina, on May 29, 1944: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 630]

AN ACT

For the relief of Albemarle Hospital, Doctor Z. D. Owens, Doctor W. W. Johnston, Evans Funeral Home, Esther Pendleton, legal guardian of Lloyd Pendleton, Duke Hospital, and Ephriam Daniels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$865 to the Albemarle Hospital; to pay the sum of \$350 to Doctor Z. D. Owens; to pay the sum of \$10 to Doctor W. W. Johnston; to pay the sum of \$40 to Evans Funeral Home; to pay the sum of \$164.02 to Duke Hospital; to pay the sum of \$1,965 to Esther Pendleton; to pay the sum of \$6,500 to the legal guardian of Lloyd Pendleton; and to pay the sum of \$3,500 to Ephriam Daniels, in full settlement of all claims against the United States for personal injury to Lloyd Pendleton, medical, hospital, nursing, and for the death of John W. Daniels, son of Ephriam Daniels as a result of a United States Navy airplane crashing near Manteo, North Carolina, on September 6, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 631]

AN ACT

For the relief of Hannah Hidde and Doris Hidde.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hannah Hidde, Greendale, Wisconsin, the sum of \$50, and to Doris Hidde, Greendale, Wisconsin, the sum of \$436.25. The payment of such sums shall be in full settlement of all claims of the said Hannah Hidde and Doris Hidde against the United States for personal injuries, property damage, and expenses, sustained by them as a result of a collision, on January 1, 1941, about twenty-two miles west of Baton Rouge, Louisiana, between the vehicle in which they were riding and a vehicle in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received

December 28, 1945
[H. R. 2333]
[Private Law 341]

Albemarle Hospital,
etc.

December 28, 1945
[H. R. 2401]
[Private Law 342]

Hannah Hidde and
Doris Hidde.

by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 632]

AN ACT

For the relief of Mrs. Eugenie U. Bolstad.

December 28, 1945
[H. R. 2430]
[Private Law 343]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time limitations prescribed in sections 10 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 760, 761, 765, 767, and 770), are hereby waived in favor of Mrs. Eugenie U. Bolstad, Denver, Colorado, the alleged widow of Salmar P. Bolstad, whose death on April 24, 1942, is alleged to have resulted from disease contracted during the winter months of 1926 and 1927 while in the performance of his duty as an assistant veterinarian of the Bureau of Animal Industry, Department of Agriculture, at a meat-packing plant in Milwaukee, Wisconsin. The claim of the said Eugenie U. Bolstad is authorized to be considered and acted upon by the United States Employees' Compensation Commission under the remaining provisions of law applicable in her case, as if death of the said Salmar P. Bolstad had resulted within the time prescribed by sections 10 and 11 of such Act of September 7, 1916, as amended, and as if notice of such disease and claim for compensation had been filed within the time prescribed by sections 15, 17, and 20 of such Act of September 7, 1916, as amended, but only if she files her claim with the United States Employees' Compensation Commission not later than sixty days after the date of enactment of this Act: *Provided*, That any compensation benefits which the Commission may award shall commence not earlier than the date of the approval of this Act.

Mrs. Eugenie U.
Bolstad.
39 Stat. 744.
5 U. S. C. §§ 760-770.

Approved December 28, 1945.

[CHAPTER 633]

AN ACT

For the relief of A. F. Fitzpatrick.

December 28, 1945
[H. R. 2510]
[Private Law 344]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. F. Fitzpatrick, Del Rio, Texas, the sum of \$537.50. The payment of such sum shall be in full settlement of all claims of the said A. F. Fitzpatrick against the United States on account of damage to his pick-up truck which was struck on March 17, 1943, at the intersection of Gibbs Street and Avenue F in the city of Del Rio, Texas, by a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

A. F. Fitzpatrick.

Approved December 28, 1945.

[CHAPTER 634]

AN ACT

For the relief of Rufus A. Hancock.

December 28, 1945
[H. R. 2578]
[Private Law 345]

Rufus A. Hancock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rufus A. Hancock, of Howard County, Maryland, the sum of \$2,500 in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of earnings, sustained as the result of an accident which occurred on July 1, 1941, when the car which he was driving collided with a United States Army motorcycle on the Baltimore-Washington Boulevard in Howard County, Maryland: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 635]

AN ACT

For the relief of Eli Richmond.

December 28, 1945
[H. R. 2644]
[Private Law 346]

Eli Richmond.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eli Richmond, of Oakdale, Louisiana, the sum of \$6,672. The payment of such sum shall be in full settlement of all claims of the said Eli Richmond against the United States for personal injuries, medical, hospital, nursing expenses, and loss of earnings sustained as the result of a collision on January 26, 1944, on United States Highway Numbered 165, near Kinder, Louisiana, involving the truck in which he was a passenger and a United States Army truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 636]

AN ACT

For the relief of Oscar N. McLean.

December 28, 1945
[H. R. 2666]
[Private Law 347]

Oscar N. McLean.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Oscar N. McLean, of Abilene, Texas, in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses as a result of being struck by a United

States Army truck near Trent, Texas, on March 30, 1943: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 637]

AN ACT

For the relief of Annarae Weiss.

December 28, 1945
[H. R. 2746]

[Private Law 343]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Annarae Weiss, of Pittsburgh, Pennsylvania, the sum of \$500, in full settlement of all claims against the United States for personal injuries and property damages and loss of earnings sustained by her on April 7, 1943, at Pittsburgh, Pennsylvania, when the automobile which she was occupying was struck by a United States Army vehicle being operated by a member of the armed forces: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Annarae Weiss.

Approved December 28, 1945.

[CHAPTER 638]

AN ACT

For the relief of Mrs. Bessie M. Campbell and Charles J. Campbell.

December 28, 1945
[H. R. 2762]

[Private Law 349]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Bessie M. Campbell, of 58 Mount Pleasant Avenue, Roxbury, Massachusetts, the sum of \$2,676.85; to pay Charles J. Campbell the sum of \$212, in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses sustained as the result of a collision between the car in which they were riding and a United States Army truck in West Roxbury, Massachusetts, on May 25, 1940: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Bessie M.
Campbell and Charles
J. Campbell.

Approved December 28, 1945.

[CHAPTER 639]

AN ACT

For the relief of Mary Elizabeth Montague.

December 28, 1945
[H. R. 3052]
[Private Law 350]

Mary Elizabeth
Montague.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Elizabeth Montague, New London, Connecticut, the sum of \$52.74, in full settlement of all claims against the United States for reimbursement of the cost of travel from New London, Connecticut, to Sweetwater, Texas, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas, as a result of administrative action based on recommendations by Members of the House of Representatives: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 640]

AN ACT

For the relief of Finck Cigar Company.

December 28, 1945
[H. R. 3073]
[Private Law 351]

Finck Cigar Com-
pany.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Finck Cigar Company, San Antonio, Texas, the sum of \$6,628.72 in full settlement of all claims against the United States representing overcharge of customs duties on four hundred bales of Havana tobacco imported on January 14, 1944: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 641]

AN ACT

For the relief of Mrs. Gisella Sante.

December 28, 1945
[H. R. 3124]
[Private Law 352]

Mrs. Gisella Sante.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Gisella Sante, South Bend, Indiana, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Gisella Sante against the United States on account of the death of her husband, Ignace Sante, who died on March 30, 1945, as the result of injuries sustained on March 29, 1945, when he was struck by a United States

mail truck in the driveway of his home in South Bend, Indiana: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 642]

AN ACT

For the relief of Eric Fischer and Else Fischer.

December 28, 1945
[H. R. 3273]
[Private Law 353]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Else Fischer, of 3721 Newland Avenue, Chicago, Illinois, the sum of \$405.05, and to Eric Fischer, of the same address, the sum of \$265, in full settlement of all claims against the United States for personal injuries and property damage as a result of being struck by a vehicle of the United States Navy, on July 11, 1944, at the intersection of Waukegan and Golf Roads, Morton Grove, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Else Fischer and
Eric Fischer.

Approved December 28, 1945.

[CHAPTER 643]

AN ACT

For the relief of Mrs. Katie Sanders.

December 28, 1945
[H. R. 3277]
[Private Law 354]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Katie Sanders, Stella, Missouri, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Katie Sanders against the United States on account of the death of her husband, Walter Crave Sanders, who died on October 1, 1944, as the result of personal injuries sustained on September 27, 1944, when the truck which he was driving on the McNatt Mill Road in Camp Crowder, Missouri, was in collision with a United States Army truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mrs. Katie Sanders.

Approved December 28, 1945.

[CHAPTER 644]

AN ACT

For the relief of A. M. Strauss.

December 28, 1945
[H. R. 3363]
[Private Law 355]

A. M. Strauss.

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 settle and adjust the claim of A. M. Strauss, Fort Wayne, Indiana, on account of increased costs incurred by the said individual in the performance of his contract Numbered WA-1460, dated February 26, 1942, with the Federal Public Housing Authority, by reason of unavoidable delays on the part of other contractors and the Government in the construction and completion of a defense housing project at or near Burns City, Indiana, and to allow in full and final settlement of the claim the amount of, not to exceed \$9,279.88. There is hereby appropriated the sum of \$9,279.88, or so much thereof as may be necessary, for the payment of the said claim.

Approved December 28, 1945.

[CHAPTER 645]

AN ACT

For the relief of Hugo Effinger, in behalf of his minor son, William L. Effinger.

December 28, 1945
[H. R. 3496]
[Private Law 356]

Hugo Effinger.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hugo Effinger, of Versailles, Indiana, the sum of \$1,425.75. The payment of such sum shall be in full settlement of all claims of the said Hugo Effinger against the United States on account of injuries, medical and hospital expenses sustained by his minor son, William L. Effinger, on July 5, 1944, when a United States Navy station wagon from the Crane, Indiana, naval ammunition depot, operated by a civilian employee, ran over the child: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 646]

AN ACT

For the relief of Miss Jacqueline Friedrich.

December 28, 1945
[H. R. 3725]
[Private Law 357]

Miss Jacqueline Friedrich.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Miss Jacqueline Friedrich, San Jacinto, California, the sum of \$27.80. The payment of such sum shall be in full settlement of all claims of the said Miss Jacqueline Friedrich against the United States for reimbursement of the cost of travel from San Jacinto, California, to Sweetwater, Texas, while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Texas: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per

centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 28, 1945.

[CHAPTER 647]

AN ACT

For the relief of Mrs. Eunice C. Hardage.

December 28, 1945
[H. R. 3834]
[Private Law 358]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20, inclusive, of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770) are hereby waived in favor of Eunice C. Hardage, widow of Newton G. Hardage, former rural mail carrier, at Dallas, Georgia, whose death of pneumonia occurred on January 8, 1936, alleged to have been caused by exposure, and her claim for compensation is authorized to be considered and acted upon under the remaining provisions of such Act, as amended, if she files such claim with the United States Compensation Commission not later than six months after the date of enactment of this Act, or within that time renews her claim heretofore filed which has been denied because of failure to comply with said provisions of said Act: *Provided,* That no benefits hereunder shall accrue prior to the approval of this Act.

Eunice C. Hardage.
39 Stat. 746.
5 U. S. C. §§ 765-770.

Approved December 28, 1945.

[CHAPTER 648]

AN ACT

For the relief of Myrtle C. Radabaugh.

December 28, 1945
[H. R. 3987]
[Private Law 359]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to receive and consider the claim of Myrtle C. Radabaugh, on account of the death of her husband, Claud Clair Radabaugh, which is alleged to have resulted from an injury sustained by him during the year 1935 while working as a rural mail carrier from Long Prairie, Minnesota, under the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, except that the time limitations in sections 15 to 20, inclusive, of said Act are hereby waived: *Provided,* That such claim be filed within six months after the passage of this Act: *And provided further,* That no benefits shall accrue prior to the approval of this Act.

Myrtle C. Radabaugh.

39 Stat. 742.
5 U. S. C. §§ 751-791,
793.

Approved December 28, 1945.

[CHAPTER 649]

AN ACT

For the relief of M. R. Stone.

December 28, 1945
[H. R. 4116]
[Private Law 360]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled, "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of M. R. Stone, of Huntington, West Virginia, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said Act his claim on account of injury to his hip and leg alleged to have been sustained in February or March 1938, while performing his duties at Huntington Veterans' Hospital, West Virginia: *Provided,* That claim hereunder shall be filed within six months from the approval of this Act: *Provided,* That no benefits shall accrue hereunder prior to the approval of this Act.

Approved December 28, 1945.

[CHAPTER 650]

AN ACT

For the relief of Franklin P. Radcliffe.

December 28, 1945
[H. R. 4117]
[Private Law 361]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the limitations of time in sections 15 to 20, both inclusive, of the Act entitled, "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Franklin P. Radcliffe, of Huntington, West Virginia, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said Act his claim on account of injury, and disability caused from a hernia alleged to have been sustained on or about March 19, 1938, while performing his duties as fireman at the United States Veterans' Hospital, West Virginia: *Provided,* That claim hereunder shall be filed within six months from the approval of this Act: *Provided,* That no benefits hereunder shall accrue prior to the approval of this Act.

Approved December 28, 1945.

[CHAPTER 653]

AN ACT

For the relief of Mrs. Bessie S. Edmonds.

December 29, 1945
[H. R. 873]
[Private Law 362]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Bessie S. Edmonds, widow of the late Lieutenant Commander Samuel P. Edmonds, United States Coast Guard, retired, of Pass Christian, Mississippi, the sum of \$10,000, in full settlement of all claims against the United States for the use of certain live-saving equipment patents, which have been, and are now being, used by the United States Government: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account

Mrs. Bessie S. Edmonds.

of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 29, 1945.

[CHAPTER 654]

AN ACT

To authorize the Secretary of War to quitclaim to Chanslor-Canfield Midway Oil Company subsurface mineral and water rights in two hundred and eleven and thirty-six one-hundredths acres of land in the county of Los Angeles, California.

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 convey by quitclaim deed, gratuitously, upon such terms and conditions as he may prescribe to Chanslor-Canfield Midway Oil Company, a corporation, its successors and assigns, all subsurface mineral rights existing in and under that certain tract of land consisting of approximately two hundred and eleven and thirty-six one-hundredths acres described in that certain deed dated February 27, 1943, recorded June 9, 1943, in book 20047 at page 238 of Official Records of the county of Los Angeles, State of California, whereby the Chanslor-Canfield Midway Oil Company donated said land to the United States of America, such quitclaim deed to provide, however, that the grantee, its successors and assigns, shall have no right to enter upon, or use the surface of said premises for the development, extraction, and removal of the minerals thereunder, or for any other purpose or purposes.

Approved December 29, 1945.

December 29, 1945
[H. R. 1236]
[Private Law 363]

Chanslor-Canfield
Midway Oil Com-
pany.

[CHAPTER 655]

AN ACT

For the relief of the Springfield Co-operative Bank.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Springfield Co-operative Bank, a corporation of Springfield, Massachusetts, the sum of \$5,409.33. Such sum represents the balance of the cost to such corporation of alterations made in a building owned by the corporation in order that the building might be suitable for quarters for the use of the Springfield Ordnance District of the War Department: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved December 29, 1945.

December 29, 1945
[H. R. 2321]
[Private Law 364]

Springfield Co-op-
erative Bank.

[CHAPTER 656]

AN ACT

December 29, 1945
[H. R. 3574]
[Private Law 365]

For the relief of certain claimants who suffered loss by flood in, at, or near Bean Lake in Platte County, in the State of Missouri, during the month of March 1934

Bean Lake, Platte
County, Missouri.
Payment of certain
claims.

83 Stat. 1543.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District Court of the United States for the Western District of Missouri having made a finding by authority of the provisions of Private Law Numbered 256 of the Seventy-sixth Congress, approved August 11, 1939, that certain dikes constructed in the Missouri River by the War Department (which dikes were thereafter removed) caused the flooding of certain farm lands at or near Bean Lake, in Platte County, in the State of Missouri, in the month of March 1934, with resultant damage to certain claimants' property, and the court having further found and determined the amount of loss suffered by each of said claimants, the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons or their heirs, representatives, administrators, executors, successors, or assigns, the following amounts: Julius P. Kuhnert, \$1,538.75; G. M. McCrary, \$240; Paul N. Shouse, \$2,775; Mrs. C. E. Johnson, \$4,235.46; Mrs. A. H. Wilbert, \$797.90; G. E. Hutson, \$2,127; James D. Kelly, \$8,806; W. H. Myers, \$693.22; Frank Dougherty, \$956.75; H. A. Whitnah, \$858.20; N. D. Gasaway, \$134.75; Paul Johnson, \$206.08; John H. Chapin, \$250; L. K. Poos, \$692.77; H. F. Chapin, \$785.50; Goldie Noland, who is the same person as Goldie P. Noland, \$783.17; B. F. Kabel, \$497; S. O. Daniels, \$2,395; W. D. Shreve, \$667.50; Elmer Willis, \$1,011.90; Ethel McDuff, \$1,426; and Emma Schults, \$981.55.

Approved December 29, 1945.

[CHAPTER 659]

AN ACT

For the relief of the estate of George O'Hara.

January 19, 1946
[S. 90]
[Private Law 366]

George O'Hara, estate

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$7,882.97 to the estate of George O'Hara, in full settlement of all claims against the United States for the death of the said George O'Hara, late of Forest City, Illinois, who was killed as the result of a collision with a United States Army truck between Manito and Forest City, Illinois, on December 6, 1943: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved January 19, 1946.

CONCURRENT RESOLUTIONS

CONCURRENT RESOLUTIONS

FIRST SESSION, SEVENTY-NINTH CONGRESS

ASCERTAINMENT AND COUNTING OF ELECTORAL VOTES

January 3, 1945
[S. Con. Res. 1]

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Saturday, the 6th day of January, 1945, at 1 o'clock postmeridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Agreed to January 3, 1945.

Joint meeting; organization; procedure.

JOINT MEETING

January 6, 1945
[S. Con. Res. 2]

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Saturday, the 6th day of January, 1945, immediately following the counting of the electoral votes for President and Vice President as provided for in S. Con. Res. 1, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Agreed to January 6, 1945.

Communications from the President.

Supra.

ORGANIZATION OF CONGRESS

February 19, 1945
[H. Con. Res. 18]

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a Joint Committee on the Organization of the Congress (hereinafter referred to as the committee) to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by

Establishment of Joint Committee.

the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the Members representing each House, taken separately.

Study of organization.

SEC. 2. The committee shall make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses, and officers and employees of the committees and Members of Congress; and the structure of, and the relationships between, the various standing, special, and select committees of the Congress: *Provided*, That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedure, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House: *Provided further*, That the language employed herein shall not prohibit the committee from studying and recommending the consolidations and reorganization of committees.

Duties of committee.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties.

(c) The expenses of the committee, which shall not exceed \$15,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman.

(d) The committee shall report from time to time to the Senate and the House of Representatives the results of its study, together with its recommendations, the first report being made not later than April 1, 1945. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the committee shall, when received, be referred to the Committee on Rules of the Senate and the appropriate committees of the House.

42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 *et seq.*
Ante, p. 298.

Reports and recommendations.

Passed February 19, 1945.

JOINT MEETING

February 28, 1945
[H. Con. Res. 32]

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Thursday, the 1st day of March 1945, at 12:30 o'clock postmeridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Passed February 28, 1945.

Communications
from the President.

"CRIMES AND CRIMINAL PROCEDURES"

March 19, 1945
[H. Con. Res. 33]

Resolved by the House of Representatives (the Senate concurring), That there shall be printed one thousand one hundred and fifty additional copies of the bill (H. R. 2200) to revise, codify, and enact into law title 18 of the United States Code, entitled "Crimes and Criminal Procedures", together with the accompanying report thereon, of which two hundred copies shall be for the use of the House document room, two hundred copies for the use of the Senate document room, and seven hundred and fifty copies for the use of the Committee on Revision of the Laws, House of Representatives.

Passed March 19, 1945.

Printing of additional copies of bill and report.

POSTWAR PLANS FOR AGRICULTURE

March 19, 1945
[H. Con. Res. 34]

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the special committee of the Committee on Agriculture, House of Representatives, designated by the chairman to study post-war plans for agriculture, particularly as relate to cotton, be, and is hereby, authorized and empowered to have printed for its use two thousand five hundred additional copies of the hearings held before the said special committee during the second session of the Seventy-eighth Congress.

Passed March 19, 1945.

Printing of additional copies of House committee hearings.
34 Stat. 1012.
44 U. S. C. § 154.

MAKING OF TREATIES

March 26, 1945
[H. Con. Res. 36]

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on the Judiciary of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use ten thousand additional copies of the hearings on a proposed amendment to the Constitution of the United States relative to the making of treaties, held before Subcommittee Numbered 3 of the Committee on the Judiciary of the House of Representatives during the second session of the Seventy-eighth Congress.

Passed March 26, 1945.

Printing of additional copies of House committee hearings.
34 Stat. 1012.
44 U. S. C. § 154.

HANDBOOK FOR SERVICEMEN, ETC.

March 29, 1945

[H. Con. Res. 37]

Printing of revised
edition as a public
document.

Resolved by the House of Representatives (the Senate concurring), That a revised edition of House Document Numbered 394, Seventy-eighth Congress, second session, entitled "Handbook for Servicemen and Servicewomen of World War II and Their Dependents, Including Rights and Benefits of Veterans of World War I and Their Dependents", be printed with corrections as a public document and that ninety-eight thousand three hundred additional copies shall be printed, of which sixty-six thousand three hundred shall be for the use of the House of Representatives, twenty thousand for the use of the Senate, ten thousand for the House document room, and two thousand for the Senate document room.

Passed March 29, 1945.

March 29, 1945

[H. Con. Res. 38]

Printing of design-
ated historical state-
ment as a House
document.

VETERANS AND THEIR DEPENDENTS

Resolved by the House of Representatives (the Senate concurring), That the historical statement of the laws enacted and the regulations promulgated relating to veterans and their dependents, with a complete statement regarding expenditures for hospital and domiciliary construction, be printed as a House document, and that ninety-one thousand three hundred additional copies shall be printed, of which sixty-six thousand three hundred copies shall be for the use of the House of Representatives, twenty thousand for the use of the Senate, two thousand for the use of the Committee on World War Veterans' Legislation of the House of Representatives, two thousand for the House document room, and one thousand for the Senate document room.

Passed March 29, 1945.

April 16, 1945

[H. Con. Res. 42]

Communications
from the President.

JOINT MEETING

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 16th day of April, 1945, at 1 o'clock postmeridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Passed April 16, 1945.

April 19, 1945

[H. Con. Res. 43]

Printing of addi-
tional copies of House
document.

"FURTHER PROSECUTION OF THE WAR"

Resolved by the House of Representatives (the Senate concurring), That there be printed two hundred and one thousand additional copies of House Document Numbered 143, current session, entitled "Further Prosecution of the War", an address of the President of the United States, of which one hundred and fifty thousand copies shall be for the use of the House of Representatives, fifty thousand copies for the use of the Senate, and one thousand copies for the Senate document room.

Passed April 19, 1945.

REPORT ON CONCENTRATION CAMPS IN GERMANY

May 21, 1945
[H. Con. Res. 57]

Resolved by the House of Representatives (the Senate concurring), That there be printed seventy thousand additional copies of Senate Document Numbered 47, current session, entitled "Atrocities and Other Conditions in Concentration Camps in Germany", being a report of the joint committee which visited Germany to investigate concentration camps, of which fifty thousand copies shall be for the use of the House of Representatives and twenty thousand copies for the Senate document room.

Passed May 21, 1945.

Printing of additional copies of Senate document.

REPORT ON SURVEY OF FISHERY RESOURCES

May 24, 1945
[S. Con. Res. 14]

Resolved by the Senate (the House of Representatives concurring), That the letter of the Secretary of the Interior, dated February 2, 1945, transmitting, pursuant to Public Law Numbered 302, Seventy-eighth Congress, approved May 14, 1944, a report on a survey of the fishery resources of the United States and its possessions, be printed as a Senate document, and that thirty-three thousand one hundred additional copies shall be printed, of which ten thousand copies shall be for the use of the Senate, twenty-two thousand one hundred copies for the use of the House of Representatives, five hundred copies for the use of the Committee on Commerce of the Senate, and five hundred copies for the use of the Committee on the Merchant Marine and Fisheries of the House of Representatives.

Agreed to May 24, 1945.

Printing of report as a Senate document.

58 Stat. 220.

RAILROAD RETIREMENT ACT, ETC.

May 28, 1945
[H. Con. Res. 49]

Resolved by the House of Representatives (the Senate concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Interstate and Foreign Commerce of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use one thousand additional copies of part 2 of the hearings held before said committee during the current session on the bill (H. R. 1362) to amend the Railroad Retirement Acts, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code, and for other purposes.

Passed May 28, 1945.

Printing of additional copies of House committee hearings.
34 Stat. 1012.
44 U. S. C. § 154.

"OUR AMERICAN GOVERNMENT: WHAT IS IT? HOW DOES IT FUNCTION?"

June 1, 1945
[H. Con. Res. 60]

Resolved by the House of Representatives (the Senate concurring), That a revised edition of House Document Numbered 619, Seventy-seventh Congress, entitled "Our American Government: What Is It? How Does It Function?", compiled by Representative Wright Patman, of Texas, be printed as a public document, and that seventy-five thousand additional copies shall be printed, of which fifty thousand copies shall be for the use of the House of Representatives and twenty-five thousand for the use of the Senate.

Passed June 1, 1945.

Printing of revised edition as a public document.

June 8, 1945

[H. Con. Res. 62]

Printing of additional copies of House committee hearings.
34 Stat. 1012.
44 U. S. C. § 154.

POSTWAR DISPOSITION OF MERCHANT VESSELS

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on the Merchant Marine and Fisheries of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use seven hundred and fifty additional copies of part 1 of the hearings on postwar disposition of merchant vessels held before said committee during the current session.

Passed June 8, 1945.

June 18, 1945

[H. Con. Res. 63]

Printing of additional copies of House committee hearings.
34 Stat. 1012.
44 U. S. C. § 154.

FOOD SHORTAGES

Resolved by the House of Representatives (the Senate concurring), That, in accordance with paragraph 3, of section 2, of the Printing Act, approved March 1, 1907, the Special Committee of the House of Representatives Designated to Investigate Food Shortages be, and is hereby, authorized and empowered to have printed for its use five thousand additional copies of parts 1 and 2 of the hearings held before said committee during the current session.

Passed June 18, 1945.

July 21, 1945

[H. Con. Res. 50]

Deduction as expenses of intangible drilling and development costs.

26 U. S. C. § 23;
Supp. IV, § 23.

26 U. S. C. § 711 (b)
(1); Supp. IV, § 711
(b)(1).

OIL AND GAS WELLS

Resolved by the House of Representatives (the Senate concurring), That in the public interest the Congress hereby declares that by the reenactment, in the various revenue Acts beginning with the Revenue Act of 1918, of the provisions of section 23 of the Internal Revenue Code and of the corresponding sections of prior revenue Acts allowing a deduction for ordinary and necessary business expenses, and by the enactment of the provisions of section 711 (b) (1) of the Internal Revenue Code relating to the deduction for intangible drilling and development costs in the case of oil and gas wells, the Congress has recognized and approved the provisions of section 29.23 (m)-16 of Treasury Regulations 111 and the corresponding provisions of prior Treasury Regulations granting the option to deduct as expenses such intangible drilling and development costs.

Passed July 21, 1945.

July 21, 1945

[H. Con. Res. 68]

House of Representatives.

ADJOURNMENT

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Saturday, July 21, 1945, it stand adjourned until 12 o'clock meridian on Monday, October 8, 1945, or until 12 o'clock meridian on the third day after Members are notified to reassemble in accordance with section 3 of this concurrent resolution, whichever occurs first.

Senate.

SEC. 2. That the consent of the House of Representatives is hereby given to an adjournment of the Senate at any time during the month of August or September 1945, until 12 o'clock meridian on Monday, October 8, 1945, or until 12 o'clock meridian on the third day after Members are notified to reassemble in accordance with section 3 of this concurrent resolution, whichever occurs first.

SEC. 3. The President pro tempore of the Senate and the Speaker of the House of Representatives shall notify the Members of the Senate and the House, respectively, to reassemble whenever in their opinion legislative expediency shall warrant it or whenever the Majority Leader of the Senate and the Majority Leader of the House, acting jointly, or the Minority Leader of the Senate and the Minority Leader of the House, acting jointly, file a written request with the Secretary of the Senate and the Clerk of the House that the Congress reassemble for the consideration of legislation.

Passed July 21, 1945.

PEARL HARBOR ATTACK

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint committee on the investigation of the Pearl Harbor attack, to be composed of five Members of the Senate (not more than three of whom shall be members of the majority party), to be appointed by the President pro tempore, and five Members of the House of Representatives (not more than three of whom shall be members of the majority party), to be appointed by the Speaker of the House. Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection. The committee shall select a chairman and a vice chairman from among its members.

SEC. 2. The committee shall make a full and complete investigation of the facts relating to the events and circumstances leading up to or following the attack made by Japanese armed forces upon Pearl Harbor in the Territory of Hawaii on December 7, 1941, and shall report to the Senate and the House of Representatives not later than January 3, 1946, the results of its investigation, together with such recommendations as it may deem advisable.

SEC. 3. The testimony of any person in the armed services, and the fact that such person testified before the joint committee herein provided for, shall not be used against him in any court proceeding, or held against him in examining his military status for credits in the service to which he belongs.

SEC. 4. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress (prior to January 3, 1946), to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties.

(c) The expenses of the committee, which shall not exceed \$25,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman.

Agreed to September 11, 1945.

Reassembly of Congress.

September 11, 1945
[S. Con. Res. 27]

Establishment of joint committee on investigation.

Investigation of facts.

Post, pp. 849, 850.

Testimony.

Authority of committee.

Appointment of experts, etc.; compensation.
42 Stat. 1488.
5 U. S. C. § 661;
Supp. IV, § 661 et seq.
Ante, p. 208.

Expenses.

October 2, 1945

[H. Con. Res. 81]

HIGHWAY-CONSTRUCTION PROGRAM

58 Stat. 839.

Be it resolved by the House of Representatives (the Senate concurring), That for the purposes only as specified in section 2 of the Federal-Aid Highway Act of 1944 (Public Law 521, Seventy-eighth Congress), it is hereby found as a fact that the war emergency has been relieved to an extent that will justify proceeding with the highway-construction program provided for by said Act, and for the purposes of said Act the first postwar fiscal year referred to therein shall be the fiscal year ending June 30, 1946.

Passed October 2, 1945.

October 5, 1945

[H. Con. Res. 90]

FINANCIAL PROBLEMS OF SMALL BUSINESS

Printing of additional copies of House committee hearings.

34 Stat. 1012.

44 U. S. C. § 154.

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Select Committee To Conduct a Study and Investigation of the National Defense Program in Its Relation to Small Business in the United States, House of Representatives, be, and is hereby, authorized and empowered to have printed for its use five hundred additional copies of parts 1 and 2 of the hearings on financial problems of small business held before said committee during the current session.

Passed October 5, 1945.

October 10, 1945

[S. Con. Res. 34]

MISSOURI VALLEY AUTHORITY

Printing of additional copies of Senate committee hearings.

34 Stat. 1012.

44 U. S. C. § 154.

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Irrigation and Reclamation of the Senate be, and is hereby, authorized and empowered to have printed for its use nine thousand additional copies of the hearing held before said committee on S. 555, entitled "A bill to establish a Missouri Valley Authority".

Agreed to October 10, 1945.

October 18, 1945

[H. Con. Res. 98]

JOINT MEETING

Communications from the President.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, October 23, 1945, at 12:30 o'clock postmeridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Passed October 18, 1945.

November 1, 1945

[H. Con. Res. 99]

UNIVERSAL MILITARY TRAINING

Printing of additional copies of House committee hearings.

34 Stat. 1012.

44 U. S. C. § 154.

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Select Committee on Postwar Military Policy of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use two thousand additional copies of parts 1 and 2 of the hearings held before said committee during the current session, relative to universal military training.

Passed November 1, 1945.

ADDRESS OF THE PRESIDENT PRESENTING HIS RECOMMENDATIONS WITH
RESPECT TO UNIVERSAL MILITARY TRAININGNovember 1, 1945
[H. Con. Res. 100]

Resolved by the House of Representatives (the Senate concurring), That there be printed three hundred thousand copies of House Document 359, entitled "Address of the President of the United States, before a joint session of the Senate and House of Representatives, presenting his recommendations with respect to universal military training", of which seventy-five thousand copies shall be for the use of the Senate, two hundred and twenty-one thousand copies for the use of the House of Representatives, two thousand copies for the Senate document room, and two thousand copies for the House document room.

Printing of address
as a House document.

Passed November 1, 1945.

L. W. FREEMAN

November 8, 1945
[S. Con. Res. 41]

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1199) conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon any claim arising out of the death of L. W. Freeman be, and the same is hereby, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll the said bill with the following change, namely: On page 2, line 1, of the Senate engrossed bill, strike out the word "while" and insert in lieu thereof the word "which".

Change in enroll-
ment of bill (S. 1199).
Ante, p. 792.

Agreed to November 8, 1945.

FEDERAL INCOME TAX LAW—ARMED FORCES

November 19, 1945
[H. Con. Res. 102]

Resolved by the House of Representatives (the Senate concurring), That the manuscript entitled "Questions and Answers Explanatory of the Federal Income Tax Law With Respect to Members of the Armed Forces of the United States in World War II" be printed with illustrations, as a public document, and that twelve thousand additional copies shall be printed, of which ten thousand shall be for the House document room and two thousand for the Senate document room.

Printing of design-
ated manuscript as a
public document.

Passed November 19, 1945.

"QUESTIONS AND ANSWERS ON THE REVENUE ACT OF 1945"

December 7, 1945
[H. Con. Res. 105]

Resolved by the House of Representatives (the Senate concurring), That the manuscript prepared by Representative Daniel A. Reed, containing an analysis of the current Revenue Act of 1945, entitled "Questions and Answers on the Revenue Act of 1945", be printed as a House document; and that forty-two thousand additional copies shall be printed, of which thirty thousand copies shall be for the House document room, ten thousand copies for the Senate document room, one thousand copies for the use of the Committee on Ways and Means of the House, and one thousand copies for the use of the Committee on Finance of the Senate.

Printing of manu-
script as a House
document.
Ante, p. 556.

Passed December 7, 1945.

December 11, 1945
[H. Con. Res. 76]

UNITED NATIONS ORGANIZATION

Resolved by the House of Representatives (the Senate concurring),
That the United Nations be, and hereby are, invited to locate the seat of the United Nations Organization within the United States of America.

Passed December 11, 1945.

December 15, 1945
[H. Con. Res. 111]

FULL EMPLOYMENT ACT OF 1945

Printing of additional copies of House committee hearings.

34 Stat. 1012.
44 U. S. C. § 154.

Resolved by the House of Representatives (the Senate concurring),
That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Expenditures in the Executive Departments be, and is hereby, authorized and empowered to have printed for its use two thousand additional copies of the hearings held before said committee during the current session, relative to the Full Employment Act of 1945.

Passed December 15, 1945.

December 15, 1945
[H. Con. Res. 112]

AID TO PHYSICALLY HANDICAPPED

Printing of additional copies of House committee hearings.

34 Stat. 1012.
44 U. S. C. § 154.

Resolved by the House of Representatives (the Senate concurring),
That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Labor Subcommittee to Investigate Aid to the Physically Handicapped be, and is hereby, authorized and empowered to have printed for its use one thousand additional copies of parts 1, 3, 7, and 8 of the hearings held before said subcommittee during the second session, Seventy-eighth Congress, relative to aid to the physically handicapped.

Passed December 15, 1945.

December 19, 1945
[S. Con. Res. 44]

FREE ENTRY OF JEWS INTO PALESTINE

42 Stat. 1012.

Whereas the Sixty-seventh Congress of the United States on June 30, 1922, unanimously resolved "That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected"; and

Whereas the ruthless persecution of the Jewish people in Europe has clearly demonstrated the need for a Jewish homeland as a haven for the large numbers who have become homeless as a result of this persecution; and

Whereas these urgent necessities are evidenced by the President's request for the immediate right of entry into Palestine of one hundred thousand additional Jewish refugees; and

Whereas the influx of Jewish immigration into Palestine is resulting in its improvement in agricultural, financial, hygienic, and general economic conditions; and

Whereas the President and the British Prime Minister have agreed upon the appointment of a "Joint Anglo-American Committee of Enquiry" to examine conditions in Palestine as they bear upon the

problem of Jewish immigration and the Jewish situation in Europe and have requested a report within one hundred and twenty days: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the interest shown by the President in the solution of this problem is hereby commended and that the United States shall use its good offices with the mandatory power to the end that Palestine shall be opened for free entry of Jews into that country to the maximum of its agricultural and economic potentialities, and that there shall be full opportunity for colonization and development, so that they may freely proceed with the upbuilding of Palestine as the Jewish national home and, in association with all elements of the population, establish Palestine as a democratic commonwealth in which all men, regardless of race or creed, shall have equal rights.

Agreed to December 19, 1945.

PEARL HARBOR ATTACK

December 20, 1945
[S. Con. Res. 45]

Resolved by the Senate (the House of Representatives concurring), That the limit of time required, under the provisions of Senate Concurrent Resolution 27, for the submission to the Senate and House of Representatives of the report of the Joint Committee on the Investigation of the Pearl Harbor Attack be, and the same is hereby, extended to February 15, 1946.

Agreed to December 20, 1945.

Extension of time
for submission of re-
port.
Ante, p. 845.
Post, p. 850.

ADJOURNMENT SINE DIE

December 21, 1945
[S. Con. Res. 47]

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall adjourn on Friday, December 21, 1945, and that when they adjourn on said day they stand adjourned sine die.

Agreed to December 21, 1945.

SIGNING OF ENROLLED BILLS, ETC.

December 21, 1945
[S. Con. Res. 48]

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the adjournment of the first session of the Seventy-ninth Congress, the Speaker of the House of Representatives and the Acting President pro tempore of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses which have been examined by the Committee on Enrolled Bills of the House of Representatives and the Secretary of the Senate and found truly enrolled.

Agreed to December 21, 1945.

December 21, 1945
[S. Con. Res. 49]

PEARL HARBOR ATTACK

Ante, p. 849.

Extension of time
for submission of re-
port.

Resolved by the Senate (the House of Representatives concurring),
That S. Con. Res. 45, agreed to December 20, 1945, is amended to read
as follows:

“That the limit of time required, under the provisions of S. Con.
Res. 27, for the submission to the Senate and House of Representatives
of the report of the Joint Committee on the Investigation of the Pearl
Harbor Attack be, and the same is hereby, extended to February 15,
1946; and such resolution is hereby continued in full force and effect
until such date.”

Agreed to December 21, 1945.

PROCLAMATIONS

PROCLAMATIONS

ENLARGING THE PLUMAS NATIONAL FOREST—CALIFORNIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

January 13, 1945

[No. 2635]

A PROCLAMATION

WHEREAS the acts of February 20, 1925, 43 Stat. 952, June 22, 1938, 52 Stat. 838, and June 5, 1942, 56 Stat. 311 (U. S. C., Sup. III, title 16, sec. 482i), authorize the addition to the Plumas National Forest of the public lands within certain areas in the State of California; and

WHEREAS the hereinafter-described public lands within such areas have been found by the Secretaries of Agriculture and of the Interior to be chiefly valuable for national-forest purposes, and it appears that the addition of such lands to the Plumas National Forest would be in the public interest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States, under and by virtue of the authority vested in me by the aforesaid acts of February 20, 1925, June 22, 1938, and June 5, 1942, do proclaim that the following-described public lands are hereby added to and reserved as a part of the Plumas National Forest:

Lands added.

MOUNT DIABLO MERIDIAN

- T. 20 N., R. 6 E.,
 - sec. 10, N $\frac{1}{2}$;
 - sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$.
- T. 18 N., R. 7 E.,
 - sec. 10, lots 11, 12, 14, and 15;
 - sec. 26, SE $\frac{1}{4}$.
- T. 19 N., R. 7 E.,
 - sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 - sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 - sec. 23, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 - sec. 30, lots 3 and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 - sec. 31, lots 5, 7, and 8, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 21 N., R. 7 $\frac{1}{2}$ E.
- T. 24 N., R. 9 E.,
 - sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 22 N., R. 14 E.,
 - sec. 15, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 - sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 - sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 - sec. 28, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 - sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$.

The areas described aggregate 2,634.63 acres.

Partial revocation
of designated Execu-
tive orders.

Executive Orders No. 4203 of April 14, 1925, and No. 6910 of November 26, 1934, as amended, withdrawing certain public lands for classification, are hereby revoked so far as they affect any of the above-described lands.

The reservation made by this proclamation shall, as to any land which is at this date embraced in any valid claim or reserved for any purpose other than classification, be subject to, and shall not interfere with or defeat, legal rights under such claim, or prevent the use for such public purpose of lands so reserved, so long as such claim is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 13th day of January in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.
Secretary of State

ENLARGING THE ELDERADO NATIONAL FOREST—CALIFORNIA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

January 13, 1945
[No. 2636]

A PROCLAMATION

WHEREAS the act of February 20, 1925, 43 Stat. 952, authorizes the addition to the Eldorado National Forest of the public lands within certain areas in the State of California; and

WHEREAS the hereinafter-described public lands within such areas have been found by the Secretaries of Agriculture and of the Interior to be chiefly valuable for national-forest purposes, and it appears that the addition of such lands to the Eldorado National Forest would be in the public interest:

Lands added.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States, under and by virtue of the authority vested in me by the aforesaid act of February 20, 1925, do proclaim that, subject to all valid claims, the following-described public lands are hereby added to and reserved as a part of the Eldorado National Forest:

MOUNT DIABLO MERIDIAN

- T. 10 N., R. 12 E.,
 - sec. 22, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 - sec. 35, W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 8 N., R. 13 E.,
 - sec. 3, lots 2 and 3, and S $\frac{1}{2}$ NE $\frac{1}{4}$.
- T. 9 N., R. 13 E.,
 - sec. 4, lot 8;
 - sec. 6, lot 7;
 - sec. 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{4}$ SE $\frac{1}{4}$;
 - sec. 9, lots 1 to 6, inclusive, lot 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 - sec. 18, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 - sec. 21, lots 1 and 4, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 - sec. 29, that portion of lot 5 not embraced in patented mining claims, and lot 7;
 - sec. 30, lot 2 and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 10 N., R. 13 E.,

sec. 34, lot 2.

T. 12 N., R. 18 E.,

sec. 5, lot 4;

sec. 6, lots 9, 10, and 11, and NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 1,323.31 acres.

Executive Orders No. 4203 of April 14, 1925, and No. 6910 of November 26, 1934, as amended, withdrawing certain public lands for classification, are hereby revoked so far as they affect any of the above-described lands.

Partial revocation
of designated Executive
orders.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 13th day of January, in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.

Secretary of State

RED CROSS MONTH, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

January 19, 1945

[No. 2637]

A PROCLAMATION

WHEREAS, under the provisions of its Congressional charter, the American National Red Cross, in this fourth year of the war, is fulfilling its obligations to comfort our wounded, to cheer and help our servicemen on every fighting front, and to provide an essential link between these men and their families at home, thereby relieving anxiety and restoring hope to all those who are suffering and in need of aid; and

WHEREAS this organization is helping the people at home to stand firmly behind our fighting men through its collection of blood for our wounded, its shipment of food parcels, medical supplies, and comfort items to our prisoners of war in enemy hands, its production of surgical dressings, and its recruitment of nurses for our Army and Navy; and

WHEREAS the American National Red Cross is also carrying on its peacetime activities by assisting the civilian victims of tornado, flood, and other disaster, and by training the people of our Nation to combat sickness and accident and thus to prevent suffering and death; and

WHEREAS, by the very nature of its services and the principles for which it stands, the American National Red Cross is helping to build a world of unity and peace and brotherhood, recognizing no barriers of creed or race; and

WHEREAS this organization, which represents a tangible expression of the desire of the people to reach out to the Nation's fighting men, now far removed from them, and which is entirely dependent on voluntary contributions to carry out its purposes, is issuing to every citizen of this country its 1945 appeal for a minimum War Fund of \$200,000,000:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, and President of the American National Red Cross, do hereby designate the month of March 1945

Designation of
March 1945 as Red
Cross Month.

as Red Cross Month, confident in the readiness of the people to respond to the utmost of their ability in support of this organization built by their generous contributions in the past and dedicated to their services in this hour of increasing need.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 19th day of January in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D. ROOSEVELT

By the President:

JOSEPH C. GREW

Acting Secretary of State

EMERGENCY BOARD, KENTUCKY & INDIANA TERMINAL RAILROAD—
EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, the President, having been duly notified by The National Mediation Board that a dispute between the Kentucky & Indiana Terminal Railroad, a carrier, and certain of its employees represented by the following labor organization:

Brotherhood of Railroad Trainmen

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the State of Kentucky to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report the findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars (\$75.00) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including necessary transportation expenses, and in conformity with Public No. 373-78th Congress, approved June 28, 1944, not to exceed six dollars (\$6.00) per diem in lieu of subsistence while so employed.

All expenditures of the Board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

February 6, 1945

[No. 2638]

44 Stat. 577.
45 U. S. C. §§ 151-
188; Supp. IV, ch. 8.

Creation of board
to investigate dispute.

44 Stat. 586.
45 U. S. C. § 160.

Compensation.

58 Stat. 547.

Appropriation avail-
able.
58 Stat. 568.

Done at the City of Washington this sixth day of February in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

JOSEPH C. GREW

Acting Secretary of State.

EMERGENCY BOARD, CENTRAL OF GEORGIA RAILWAY COMPANY—
EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

February 8, 1945
[No. 2639]

A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Central of Georgia Railway Company, a carrier and certain of its employees represented by the following labor organization:

Brotherhood of Railroad Trainmen

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the States of Alabama, Georgia and Tennessee to a degree such as to deprive that section of the country of essential transportation service;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report the findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars (\$75.00) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditure for expenses for themselves and of the board, including necessary transportation expenses, and in conformity with Public No. 373-78th Congress, approved June 28, 1944, not to exceed six dollars (\$6.00) per diem in lieu of subsistence while so employed.

All expenditures of the Board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this eighth day of February in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

JOSEPH C. GREW

Acting Secretary of State.

44 Stat. 577.
45 U. S. C. §§ 151-188; Supp. IV, ch. 8.

Creation of board to investigate dispute.

44 Stat. 586.
45 U. S. C. § 160.

Compensation.

58 Stat. 547.

Appropriation available.
58 Stat. 568.

**EMERGENCY BOARD, DES MOINES AND CENTRAL IOWA RAILROAD—
EMPLOYEES**

March 7, 1945
[No. 2640]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Des Moines and Central Iowa Railroad, a carrier, and certain of its employees represented by the following labor organizations:

Brotherhood of Locomotive Engineers
Brotherhood of Railroad Trainmen

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the State of Iowa to a degree such as to deprive that section of the country of essential transportation services;

44 Stat. 577.
45 U. S. C. §§ 151-188; Supp. IV, ch. 8.

Creation of board to investigate dispute.

44 Stat. 586.
45 U. S. C. § 160.

Compensation.

58 Stat. 547.

Appropriation available.
58 Stat. 568.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report its findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars (\$75.00) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including necessary transportation expenses, and in conformity with Public No. 373-78th Congress, approved June 28, 1944, not to exceed six dollars (\$6.00) per diem in lieu of subsistence while so employed.

All expenditures of the Board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this seventh day of March, in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

JOSEPH C. GREW

Acting Secretary of State.

EMERGENCY BOARD, DENVER & RIO GRANDE WESTERN RAILROAD
Co.—EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 8, 1945
[No. 2641]

A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Denver and Rio Grande Western Railroad Company, a carrier, and certain of its employees represented by the following labor organizations:

Brotherhood of Locomotive Engineers
Brotherhood of Locomotive Firemen and Enginemen
Order of Railway Conductors
Brotherhood of Railroad Trainmen
Switchmen's Union of North America

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the states of Colorado and Utah to a degree such as to deprive that section of the country of essential transportation services;

44 Stat. 577.
45 U. S. C. §§ 151-158; Supp. IV, ch. 8.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report its findings to me within thirty days from this date.

Creation of board to investigate dispute.

44 Stat. 586.
45 U. S. C. § 160.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars (\$75.00) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the Board, including necessary transportation expenses, and in conformity with Public No. 373-78th Congress, approved June 28, 1944, not to exceed six dollars (\$6.00) per diem in lieu of subsistence while so employed.

Compensation.

58 Stat. 547.

All expenditures of the Board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Appropriation available.
58 Stat. 568.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this eighth day of March, in the year of our Lord one thousand nine hundred and forty-five, [SEAL] and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D. ROOSEVELT

By the President:

JOSEPH C. GREW

Acting Secretary of State

ARMY DAY, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS our valiant Army by its heroic achievements in carrying the war to the territory of our enemies and by its great victories during the past year has strengthened the confidence of this Nation and its Allies in their vast struggle against tyrannical powers seeking to enslave the world; and

WHEREAS American soldiers in their unflinching devotion to duty are suffering and dying in defense of our land and our spiritual heritage; and

WHEREAS the armies of the United Nations with strength born of unity are liberating the oppressed, and by their victory over tyranny are laying the foundation of a world order to make secure those freedoms for which they fight; and

WHEREAS the Congress, by Senate Concurrent Resolution 5, 75th Congress, agreed to by the House of Representatives on March 16, 1937, has recognized April 6 of each year as Army Day and has requested that the President issue a proclamation annually with respect to that day:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in order that we may give special honor to our courageous soldiers, do hereby proclaim Friday, April 6, 1945, as Army Day, and do invite the Governors of the various States to issue proclamations calling for the observance of that day.

I also urge the civilians of this Nation to renew their energies for the task of supplying our Army with every necessary implement of war to the end that final victory may be attained as speedily as possible, and to resolve that the peace which follows victory shall be firmly sustained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 12th day of March in the year of our Lord nineteen hundred and forty-five, and [SEAL] of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.
Secretary of State

"I AM AN AMERICAN DAY", 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS within the last twelve months we have granted citizenship with its many privileges to thousands of foreign-born men and women through naturalization, and have received into full citizenship the great numbers of native-born youth who have come of age; and

WHEREAS these citizens are giving strength to our democracy in its struggle against tyranny and in its striving to make secure through international organization the rights and opportunities of citizens in our own and in other sovereign nations; and

March 12, 1945
[No. 2642]

50 Stat. 1108.

Designation of April
6, 1945, as Army Day.

March 14, 1945
[No. 2643]

WHEREAS the Congress, by Public Resolution 67, approved May 3, 1940, has recognized the third Sunday in May of each year as "I Am An American Day" and has requested that the President issue a proclamation setting aside that day for the special recognition of those who have been naturalized or have attained their majority during the past year:

54 Stat. 178.
36 U. S. C. § 152.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in order that we may honor those who have recently become members of our body politic and at the same time reaffirm our allegiance to the principles of American citizenship, do hereby proclaim Sunday, May 20, 1945, as "I Am An American Day."

Designation of May 20, 1945, as "I Am An American Day."

And I call upon Federal, State, and local officials, and patriotic, civic, and educational organizations to hold, on or about May 20, exercises designed to impress upon our citizens, both native-born and naturalized, the privileges of their new status in our democracy and their responsibilities for building this Nation's security and advancing its welfare.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 14th day of March in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D. ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.
Secretary of State

CANCER CONTROL MONTH, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

March 24, 1945
[No. 2644]

A PROCLAMATION

WHEREAS good physical health is a vital factor in building the sound and peaceful world to which we all ardently look forward; and

WHEREAS the disease of cancer is one of the most important problems of physical health and welfare; and

WHEREAS science has developed the essential methods of early diagnosis that can prevent a large part of the tragic waste and suffering caused by cancer; and

WHEREAS every individual in his private capacity should avail himself of these known resources of early diagnosis and in his public capacity should lend all the support within his power to an active program of popular education in methods and means available for the control of this disease; and

WHEREAS by Public Resolution 82, 75th Congress, approved March 28, 1938 (52 Stat. 148), the President is authorized and requested to issue annually a proclamation setting apart the month of April of each year as Cancer Control Month:

36 U. S. C. § 150.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby set apart the month of April 1945 as Cancer Control Month and do invite similar action on the part of the Governors of the several States, Territories, and possessions of the United States.

Designation of April 1945 as Cancer Control Month.

I also invite the medical profession, the press, and all other agencies and individuals interested in a national campaign for the control of cancer to unite in a program for the dissemination of information

about the early symptoms of cancer, clinics for early diagnosis, and other health facilities available for the control of cancer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 24th day of March, in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

JOSEPH C. GREW

Acting Secretary of State

NATIONAL MARITIME DAY, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a notable contribution was made in the history of ocean transportation when the steamship *The Savannah* set sail from the United States on May 22, 1819 and made the first successful voyage across the Atlantic Ocean under steam propulsion; and

36 U. S. C. § 145.

WHEREAS in commemoration of this achievement the Congress by a joint resolution approved May 20, 1933 (48 Stat. 73) designated May 22 of each year as National Maritime Day and requested the President to issue annually a proclamation calling upon the people of the United States to observe that day; and

WHEREAS many thousands of patriotic men and women are toiling through the long hours of the day and night in the construction of the great fleets of vessels that carry the goods of victory to the distant battlefronts of the United Nations; and

WHEREAS our ships, sailing every ocean, have been manned by courageous officers and seamen all of whom have left the security of their firesides and many of whom have given their lives for the land of their allegiance; and

WHEREAS the American people are looking forward to the days of lasting peace when the merchant fleets of the Nation, wisely used and vigilantly maintained, shall sail the seas freed from the perils of war:

Observance of May 22, 1945, as National Maritime Day.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1945 as National Maritime Day by displaying the flag at their homes or other suitable places, and I direct that the flag be displayed on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 4th day of April in the year of our Lord nineteen hundred and forty-five, and of the [SEAL] Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

DEAN ACHESON

Acting Secretary of State.

EMERGENCY BOARD, MISSOURI PACIFIC RAILROAD CO.—EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 5, 1945

[No. 2646]

A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Missouri Pacific Railroad Company, a carrier, and certain of its employees represented by the following labor organization:

Brotherhood of Locomotive Firemen and Enginemen

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the states of Arkansas, Colorado, Illinois, Kansas, Louisiana, Missouri, Nebraska and Oklahoma to a degree such as to deprive a large section of the country of essential transportation service:

44 Stat. 577.
45 U. S. C. §§ 151-188; Supp. IV, ch. 8.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and Laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report its findings to me within thirty days from this date.

Creation of board to investigate dispute.

44 Stat. 586.
45 U. S. C. § 160.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars (\$75.00) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the Board, including necessary transportation expenses, and in conformity with Public No. 373-78th Congress, approved June 28, 1944, not to exceed six dollars (\$6.00) per diem in lieu of subsistence while so employed.

Compensation.

58 Stat. 547.

All expenditures of the Board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Appropriation available.
58 Stat. 568.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 5th day of April, in the year of our Lord one thousand nine hundred and forty-
[SEAL] five, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D. ROOSEVELT

By the President:

DEAN ACHESON

Acting Secretary of State

CHILD HEALTH DAY, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 7, 1945
[No. 2847]

A PROCLAMATION

WHEREAS the health and vigor of the Nation's citizens are not only essentials in the achievement of peace but also goals for the fullest enjoyment and perpetuation of peace; and

WHEREAS it has been demonstrated that many physical defects which handicap large numbers of adult citizens are evident during childhood, and could be prevented or corrected with proper care at that time; and

WHEREAS good community planning for the health and care of our children starts with the registration at birth of all babies; and

WHEREAS each year the births of tens of thousands of our babies are not officially registered; and

WHEREAS the Congress by joint resolution of May 18, 1928 (45 Stat. 617) authorized and requested the President of the United States to issue annually a proclamation setting apart May 1 as Child Health Day:

36 U. S. C. § 143.

Designation of May
1, 1945, as Child
Health Day.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate the first day of May of this year as Child Health Day.

And I call upon the people in each community to use that day as an occasion to impress upon parents the importance of registering the birth of every baby born in the United States; and I further urge our citizens to mobilize community resources for the better care of our children so that the growing generation will be strong to mold the peace.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 7th day of April in the year of our Lord nineteen hundred and forty-five and of the [SEAL] Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.
Secretary of State.

April 13, 1945
[No. 2848]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

To the People of the United States:

It has pleased God in His infinite wisdom to take from us the immortal spirit of Franklin Delano Roosevelt, the 32nd President of the United States.

The leader of his people in a great war, he lived to see the assurance of the victory but not to share it. He lived to see the first foundations of the free and peaceful world to which his life was dedicated, but not to enter on that world himself.

His fellow countrymen will sorely miss his fortitude and faith and courage in the time to come.

The peoples of the earth who love the ways of freedom and of hope will mourn for him.

But though his voice is silent, his courage is not spent, his faith is

Death of Franklin
Delano Roosevelt.

not extinguished. The courage of great men outlives them to become the courage of their people and the peoples of the world. It lives beyond them and upholds their purposes and brings their hopes to pass.

Now, therefore, I, Harry S. Truman, President of the United States of America, do appoint Saturday next, April 14th, the day of the funeral service for the dead President, as a day of mourning and prayer throughout the United States. I earnestly recommend the people to assemble on that day in their respective places of divine worship, there to bow down in submission to the will of Almighty God, and to pay out of full hearts their homage of love and reverence to the memory of the great and good man whose death they mourn.

Day of mourning
and prayer, April 14,
1945.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, the 13th day of April, in the year of our Lord, one thousand nine hundred and forty-
[SEAL] five, and of the independence of the United States, the one hundred and sixty-ninth.

HARRY S TRUMAN

By the President:

E. R. STETTINIUS Jr.
Secretary of State

The White House,
Washington, April 13, 1945

MOTHER'S DAY, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

April 17, 1945
[No. 2649]

A PROCLAMATION

WHEREAS it is fitting that we acknowledge anew our gratitude, love, and devotion to the mothers of America; and

WHEREAS in this year of the war's greatest intensity we are ever mindful of their splendid courage and steadfast loyalty to the highest ideals of our democracy; and

WHEREAS Congress by joint resolution approved May 8, 1914, set aside the second Sunday in May as Mother's Day, and acclaimed the service rendered the United States by the American mother as "the greatest source of the country's strength and inspiration":

38 Stat. 770.
36 U. S. C. §§ 141,
142.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby request the observance of Sunday, May 13, 1945, as Mother's Day, and call upon the officials of the Government to display the flag of the United States on all Government buildings, and the people of the Nation to display the flag at their homes or other suitable places, on that day. And I urge that by our prayers, by our devotion to duty, and by evidences of affection, we give expression to our love and reverence for America's mothers.

Observance of May
13, 1945, as Mother's
Day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 17th day of April in the year of our Lord nineteen hundred and forty-five, and of
[SEAL] the Independence of the United States of America the one hundred and sixty-ninth.

HARRY S TRUMAN

By the President:

E. R. STETTINIUS, Jr.
Secretary of State

NATIONAL REHABILITATION WEEK

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

With the attention of the Nation rightly focused on the welfare of men and women returning from service in the armed forces and the emphasis placed on benefits provided for them through Congressional action, we must not let our interest flag in discharging our obligations to the increasing thousands among our civilian population who through accident, disease, or congenital conditions are unable to hold a place in the ranks of the American working force. Even in the midst of war their condition calls to us for renewed effort to bring about their restoration that they, too, may maintain their self-respect through self-supporting work.

On June 2, our Nation-wide program for the vocational rehabilitation of such disabled men and women will have been in operation a quarter of a century. Less than two years ago, the Congress expanded this program by amending the Vocational Rehabilitation Act of 1920. The new law—the Barden-LaFollette Act, passed in 1943—makes it possible for the Federal and State Governments, working as a team, to bring to the mentally disabled and the blind and all other groups of the disabled, the many services necessary to make them employable, including physical restoration, vocational training and placement in suitable employment.

Over the past twenty-five years it has been demonstrated that this program for the restoration of disabled men and women is paying dividends, not only in humanitarian terms but in dollars and cents. Thousands of men and women annually apply to the rehabilitation service for help. Because of disabilities they are able to contribute little to the national income. Many of them are forced to accept public aid. Refitted for work, they begin to pay their own way. No longer then are they tax consumers; they are taxpayers.

That we may not fail to discharge our obligation to help every man and woman who needs vocational rehabilitation services in order to become self-supporting, it appears appropriate at this time that I should urge the able-bodied citizenry of the United States to unite in a concerted effort to bring about wider knowledge and use of the services for physical and mental restoration of the handicapped provided under the Barden-LaFollette Act, which applies to all civilian disabled.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby declare the week beginning June 2, 1945, as National Rehabilitation Week.

And I urge all churches, educational institutions, health and welfare services, civic organizations, chambers of commerce, boards of trade, industry, labor, public-spirited citizens, and the radio and press throughout the United States to observe National Rehabilitation Week, to the end that handicapped men and women throughout our Nation may be located and advised of the benefits to which they may be entitled.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 5th day of May in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the Independence of the United States of America the one hundred and sixty-ninth.

HARRY S TRUMAN

By the President:

JOSEPH C. GREW

Acting Secretary of State.

May 5, 1945
[No. 2850]

41 Stat. 735.
29 U. S. C. §§ 31-38,
41-44.
57 Stat. 374.
29 U. S. C., Supp.
IV, §§ 32-41.

57 Stat. 374.
29 U. S. C., Supp.
IV, §§ 32-41.
Observance of week
beginning June 2,
1945, as National Re-
habilitation Week.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 8, 1945
[No. 2651]

A PROCLAMATION

The Allied armies, through sacrifice and devotion and with God's help, have wrung from Germany a final and unconditional surrender. The western world has been freed of the evil forces which for five years and longer have imprisoned the bodies and broken the lives of millions upon millions of free-born men. They have violated their churches, destroyed their homes, corrupted their children, and murdered their loved ones. Our Armies of Liberation have restored freedom to these suffering peoples, whose spirit and will the oppressors could never enslave.

Surrender by Germany.

Much remains to be done. The victory won in the West must now be won in the East. The whole world must be cleansed of the evil from which half the world has been freed. United, the peace-loving nations have demonstrated in the West that their arms are stronger by far than the might of dictators or the tyranny of military cliques that once called us soft and weak. The power of our peoples to defend themselves against all enemies will be proved in the Pacific war as it has been proved in Europe.

For the triumph of spirit and of arms which we have won, and for its promise to peoples everywhere who join us in the love of freedom, it is fitting that we, as a nation, give thanks to Almighty God, who has strengthened us and given us the victory.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby appoint Sunday, May 13, 1945, to be a day of prayer.

Appointment of Sunday, May 13, 1945, as a day of prayer.

I call upon the people of the United States, whatever their faith, to unite in offering joyful thanks to God for the victory we have won and to pray that He will support us to the end of our present struggle and guide us into the way of peace.

I also call upon my countrymen to dedicate this day of prayer to the memory of those who have given their lives to make possible our victory.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this eighth day of May in the year of our Lord nineteen hundred and forty-five and of [SEAL] the Independence of the United States of America the one hundred and sixty-ninth.

HARRY S TRUMAN

By the President:

JOSEPH C. GREW

Acting Secretary of State.

NATIONAL FARM-SAFETY WEEK, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

May 9, 1945
[No. 2652]

A PROCLAMATION

WHEREAS the Nation recognizes that the skill and labor of its farmers is a vital factor in winning the war, and the production of food one of the most essential means of winning the peace; and

WHEREAS the inevitable decrease in available farm labor this year creates an especially urgent need for conserving farm manpower to meet production goals in 1945; and

WHEREAS the accidents which cause some fourteen hundred farm residents to lose their lives each month, and one hundred and twenty-five thousand others to suffer injuries, constitute an unnecessary waste of human life as well as of time and material:

Observance of week commencing July 22, 1945, as National Farm-Safety Week.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the Nation to observe the week commencing July 22, 1945, as National Farm-Safety Week. And I request all persons and organizations concerned with agriculture and farm life to do everything in their power to educate farm people in the proper precautions by which they may eliminate farm hazards, and to stimulate a nationwide determination to stop the needless waste of irreplaceable farm manpower and property. And I further urge that farm people everywhere observe National Farm-Safety Week by making a safety check in their homes and on their farms.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 9th day of May, in the year of our Lord nineteen hundred and forty-five, and of the [SEAL] Independence of the United States of America the one hundred and sixty-ninth.

HARRY S TRUMAN

By the President:

JOSEPH C. GREW

Acting Secretary of State.

EMERGENCY BOARD, COLORADO & WYOMING RAILWAY COMPANY—
EMPLOYEES

May 16, 1945
[No. 2653]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, the President, having been duly notified by the National Mediation Board that a dispute between the Colorado & Wyoming Railway Company, a carrier, and certain of its employees represented by the following labor organizations:

Brotherhood of Locomotive Firemen and Enginemen
Brotherhood of Railroad Trainmen

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the states of Colorado and Wyoming to a degree such as to deprive that section of the country of essential transportation service:

44 Stat. 577.
45 U. S. C. §§ 151-188; Supp. IV, ch. 8.

Creation of board to investigate dispute.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report its findings to me within thirty days from this date.

44 Stat. 586.
45 U. S. C. § 160.

Compensation.

The members of the board shall be compensated for and on account of such duties in the sum of fifty dollars (\$50.00) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including necessary transportation expenses, and in con-

formity with Public No. 373-78th Congress, approved June 28, 1944, not to exceed six dollars (\$6.00) per diem in lieu of subsistence while so employed.

58 Stat. 547.

All expenditures of the Board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

Appropriation available.

58 Stat. 568.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 16th day of May in the year of our Lord nineteen hundred and forty-five and of the [SEAL] Independence of the United States of America the one hundred and sixty-ninth.

HARRY S TRUMAN

By the President:

JOSEPH C. GREW

Acting Secretary of State.

 FLAG DAY, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

 May 28, 1945

[No. 2654]

A PROCLAMATION

It is our custom each year to set aside a day on which to render special honor to our Flag.

We celebrate Flag Day this year with a fresh sense of our strength as a nation. Solemnly, we accept the responsibilities placed upon us by our power.

We honor the men and women in the armed services and in the factories and homes who, with God's help, have given us our victories. We face the battle ahead with solemn gratitude for the triumphs of the past.

Our Flag has accompanied our fighting men on a hundred battlefields. It flies beyond the seas over the friendly lands our arms have freed, and over the hostile countries our arms have conquered. Our Flag will be planted in the heart of the empire of our last remaining enemy.

As we press forward to final victory, we are strengthened with the knowledge that for millions of people in other lands as well as in our own our Flag is a living token of human integrity and freedom.

Let us observe this Flag Day by raising our Flag and beside it the flags of the United Nations. It is especially fitting that we thus honor our Allies at a time when we are working with them to lay a firm foundation for world peace. Let this display of the flags of the United Nations symbolize our unity with our Allies both upon the battlefields of war and under the skies of peace. Let us again dedicate ourselves and our Republic, under God, to the united cause of peace and justice and the brotherhood of all men everywhere.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate June 14, 1945, as Flag Day, and ask that the people of our nation on that day do especially honor our Flag, and the men and women of the armed services who have served under it, and that they also pay honor to our Allies of the United Nations.

Designation of June 14, 1945, as Flag Day.

I direct the officials of the Federal Government and I request the officials of the State and local governments to display the Flag of our Republic on all public buildings on Flag Day; and I urge the people of the United States on that day to fly the American Flag from their

homes, and also to arrange wherever possible for joint displays of the flags of the freedom-loving United Nations, whose staunch collaboration has aided us to achieve the victories of war and will aid us to realize our hope for an enduring peace.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 28th of May in the year of our Lord nineteen hundred and forty-five, and of the [SEAL] Independence of the United States of America the one hundred and sixty-ninth.

HARRY S TRUMAN

By the President:

JOSEPH C. GREW

Acting Secretary of State

REMOVAL OF ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 4067 of the Revised Statutes of the United States (50 U. S. C. 21) provides:

“Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety.”;

WHEREAS sections 4068, 4069, and 4070 of the Revised Statutes of the United States (50 U. S. C. 22, 23, 24) make further provision relative to alien enemies;

WHEREAS the Congress by joint resolutions approved by the President on December 8 and 11, 1941, and June 5, 1942, declared the existence of a state of war between the United States and the Governments of Japan, Germany, Italy, Bulgaria, Hungary, and Rumania;

WHEREAS by Proclamation No. 2525 of December 7, 1941, Proclamations Nos. 2526 and 2527 of December 8, 1941, Proclamation No. 2533 of December 29, 1941, Proclamation No. 2537 of January 14, 1942, and Proclamation No. 2563 of July 17, 1942, the President prescribed and proclaimed certain regulations governing the conduct of alien enemies; and

55 Stat. 796-797;
56 Stat. 307.
50 U. S. C., Supp.
IV, app. note prec. § 1.

55 Stat. 1700, 1705,
1707, 1714; 56 Stat.
1933, 1970.
Post, p. 880.

WHEREAS I find it necessary in the interest of national defense and public safety to prescribe regulations additional and supplemental to such regulations:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid sections of the Revised Statutes of the United States, do hereby prescribe and proclaim the following regulations, additional and supplemental to those prescribed by the aforesaid proclamations:

All alien enemies now or hereafter interned within the continental limits of the United States pursuant to the aforesaid proclamations of the President of the United States who shall be deemed by the Attorney General to be dangerous to the public peace and safety of the United States because they have adhered to the aforesaid enemy governments or to the principles of government thereof shall be subject upon the order of the Attorney General to removal from the United States and may be required to depart therefrom in accordance with such regulations as he may prescribe.

Removal of alien enemies.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of July in the year of our Lord nineteen hundred and forty-five and of the [SEAL] Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES

Secretary of State.

AIR FORCE DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 20, 1945

[No. 2656]

A PROCLAMATION

WHEREAS the United States Army Air Forces have demonstrated throughout the world the ability of air power to spearhead the attacks of our Armed Forces against our enemies, and have materially contributed to the successful completion of the war in Europe; and

WHEREAS the men of the Army Air Forces have fought and died gallantly to win for us success in every corner of the world; and

WHEREAS millions of our countrymen, military and civilian, have recognized the potentialities of air power and have, in the Armed Services and on the home front, faithfully served and worked to achieve the air power essential to the winning of the wars in which we have been and are engaged:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may do honor to the men and women of the Army Air Forces and pay tribute to those who have supported the development of our Country's air power, do hereby proclaim Wednesday, August 1, 1945, as Air Force Day, and do invite the Governors of the various States to issue proclamations calling for the observance of that day.

Proclamation of August 1, 1945, as Air Force Day.

I also strongly urge the civilian workers of this Country to maintain steadfastly their brilliant record of supplying our Army Air Forces with the weapons they must have to speed our final victory in this war.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE this 20th day of July in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the [SEAL] United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JOSEPH C. GREW

Acting Secretary of State

NATIONAL DEFENSE PIPE LINE—THE TEXAS-EMPIRE PIPE LINE COMPANY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the act of Congress entitled "An Act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce", approved July 30, 1941 (55 Stat. 610), as amended, vests in the President certain powers relating to the construction, extension, completion, operation and maintenance of interstate pipe lines related to national defense:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the said act, as amended, do hereby find and proclaim:

(1) That for national-defense purposes it is necessary that there be constructed and completed a pipe line system for the transportation of petroleum and petroleum products moving in interstate commerce originating in the vicinity of Cushing, Oklahoma, and extending in a northeasterly direction to a point at Heyworth, Illinois, the route of which is on file in the Office of Petroleum Administrator for War, detail survey map of which shall be recorded in the said office;

(2) That The Texas-Empire Pipe Line Company, a private corporation organized under the laws of the State of Delaware, has commenced the work necessary for the construction of the said pipe line and facilities under Project NC-8613 approved by the War Production Board on March 26, 1945, and represents that it is prepared to complete the said pipe line and facilities; and

(3) That for the purpose of construction, completion, operation, and maintenance of the said pipe line system, it is necessary that the said Company have the right, as provided in the aforesaid act, as amended, by the exercise of the right of eminent domain, to acquire along the route in Logan, Dewitt, and McLean Counties, Illinois, between the said Company's Beason Junction in Logan County, Illinois, and its Heyworth Station in McLean County, Illinois, a distance of approximately seventeen miles, easements and rights-of-way not to exceed fifty feet in width, for the construction, completion, operation, maintenance, and removal of the pipe lines, including the right of access thereto over adjoining lands, and the said right to exercise the right of eminent domain is hereby granted to the said Company: *Provided*, that such right of eminent domain shall be exercised by the said Company for the aforesaid purposes prior to June 30, 1946: *And provided further*, that the said pipe line and facilities herein identified shall be constructed, completed, operated, and maintained subject to such terms and conditions as the President may hereafter from time to time prescribe as necessary for national-defense purposes.

July 20, 1945
[No. 2657]

15 U. S. C., Supp.
IV, note prec. § 715.

Route for pipe-line
system.

Acquisition of ease-
ments and rights-of-
way.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE THIS 20th day of July in the year of our Lord one thousand nine hundred and forty-five, and of the Independence [SEAL] of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JOSEPH C. GREW

Acting Secretary of State

REGULATIONS RELATING TO MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

July 31, 1945

[No. 2658]

A PROCLAMATION

WHEREAS the Secretary of the Interior has adopted and submitted to me the following amendments of the regulations approved by Proclamation No. 2616 of July 27, 1944, as last amended by Proclamation No. 2625 of September 26, 1944, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of migratory birds and parts, nests and eggs thereof, included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals concluded February 7, 1936:

58 Stat. 1136, 1156.
16 U. S. C., Supp.
IV, § 704 note.

39 Stat. 1702.

50 Stat. 1311.

AMENDMENTS OF MIGRATORY BIRD TREATY ACT REGULATIONS ADOPTED BY THE SECRETARY OF THE INTERIOR

Under authority and direction of section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936 (49 Stat. 1555), the administration of which said act as amended was transferred to the Secretary of the Interior on July 1, 1939 by Reorganization Plan II (53 Stat. 1431), I, HAROLD L. ICKES, Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of said conventions and act to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determinations, do hereby amend, as specified, the regulations approved by Proclamation No. 2616 of July 27, 1944, as last amended by Proclamation No. 2625 of September 26, 1944, and as so amended do hereby adopt such regulations as suitable regulations, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase,

16 U. S. C. § 704.

5 U. S. C. § 133c
note.

39 Stat. 1702.

50 Stat. 1311.

58 Stat. 1136.
16 U. S. C., Supp.
IV, § 704 note.
58 Stat. 1156.

shipment, transportation, carriage, exportation, and importation of such migratory birds and parts, nests, and eggs thereof:

Regulation 4, "Open Seasons On and Possession of Certain Migratory Game Birds," is amended to read as follows:

REGULATION 4.—OPEN SEASONS ON AND POSSESSION OF CERTAIN MIGRATORY GAME BIRDS

Waterfowl (except wood ducks in Massachusetts and North Dakota; snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; Ross' geese; and swans), coots, rails and gallinules, woodcocks, mourning or turtle doves, white-winged doves, and band-tailed pigeons may be taken each day from one-half hour before sunrise to sunset, except as otherwise provided in this regulation, during the open seasons prescribed herein; and may be taken by the means and in the numbers permitted by regulations 3 and 5 hereof, and when so taken may be possessed in the numbers permitted by regulation 5 during the period constituting the open season where taken and for an additional period of 90 days next succeeding said open season, except as prohibited by State law.

Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), nor on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge except insofar as may be permitted by the Secretary of the Interior under existing law, nor on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

Waterfowl and coot.—The open seasons on waterfowl and coot (except wood ducks in Massachusetts and North Dakota, and coot in Lake and McHenry Counties in Illinois; geese in Alexander County, Illinois, and in Mississippi, Scott, and Cape Girardeau Counties in Missouri; snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Idaho, and in States bordering on the Atlantic Ocean; Ross' geese; and swans) in the several States, Alaska, and Puerto Rico shall be as follows, both dates inclusive:

Iowa, Maine, Michigan, Minnesota, Montana, New Hampshire, North Dakota, Ohio (except Pymatuning Reservoir and one quarter of a mile distant in any direction from said reservoir), South Dakota, Vermont, and Wisconsin, September 20 to December 8.

Ohio, on the Pymatuning Reservoir in Ashtabula County and one quarter of a mile distant in any direction from said reservoir, October 13 to December 31.

California, in Modoc, Lassen, and Siskiyou Counties, October 13 to December 31; in remainder of State, November 2 to January 20.

Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Kansas, Kentucky, Massachusetts, Missouri, Nebraska, Nevada, New Jersey, New York (except certain hereinafter designated portions of Essex, Clinton, and Washington Counties) including Long Island, Oklahoma, Oregon, Pennsylvania, Rhode Island, Utah, Washington, West Virginia, and Wyoming, October 13 to December 31.

New York, in Essex and Clinton Counties east of the tracks of the main line of the Delaware and Hudson Railroad and that part of Washington County east of the aforesaid tracks to and including the village of South Bay and all the waters of South Bay and one mile distant from such water in any direction, September 20 to December 8.

Alabama, Arizona, Arkansas, Florida, Georgia, Louisiana, Mary-

58 Stat. 1138, 1141, 1149.
16 U. S. C., Supp. IV, § 704 note.
Post, p. 877.

Reservations or sanctuaries.

16 U. S. C. § 715.

land, Mississippi, New Mexico, North Carolina, South Carolina, Tennessee, and Virginia, November 2 to January 20.

Texas, on those portions of Lake Texhoma in Cooke and Grayson Counties, October 13 to December 31; in remainder of State, November 2 to January 20.

Puerto Rico, December 15 to February 12.

Alaska, in Fur Districts 1 and 3 as defined in the regulations governing the taking of game in Alaska adopted May 15, 1944 (9 F. R. 5270), September 21 to December 9; in the remainder of Alaska, September 1 to November 19.

Provided, That scoters, locally known as sea coots, may be taken in open coastal waters only, beyond outer harbor lines, in Maine and New Hampshire from September 15 to September 19; and in Connecticut, Massachusetts, New York including Long Island, and Rhode Island, from September 15 to October 12, and thereafter from land or water during the open seasons for other waterfowl in these States.

Scoters.

Geese, in Alexander County, Illinois, and in the counties of Mississippi, Scott, and Cape Girardeau in Missouri, November 24 to December 31 from 12 o'clock noon to 4:30 P. M.

Coot, in Lake and McHenry Counties, Illinois, October 1 to December 31.

Rails and gallinules (except coot).—The open season on rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Alabama, November 20 to January 31.

Louisiana, September 15 to December 15.

Maine and Wisconsin, September 20 to December 8.

Maryland, September 1 to October 31.

Massachusetts and New York, including Long Island, October 13 to December 31.

Minnesota, September 16 to November 30.

Mississippi, October 15 to December 30.

Puerto Rico, December 15 to February 12.

California, District of Columbia, Hawaii, Idaho, Iowa, Montana, Nevada, Oregon, Tennessee, and Washington, no open season.

Woodcock.—The open seasons on woodcock shall be as follows, both dates inclusive:

Arkansas and Oklahoma, December 1 to December 15.

Connecticut, Massachusetts, and New Jersey, October 20 to November 3.

Delaware and Maryland, November 15 to November 29.

Georgia, Louisiana, and Mississippi, December 15 to December 29.

Indiana and West Virginia, October 16 to October 30.

Maine, in Aroostook, Penobscot, Piscataquis, Somerset, Franklin, and Oxford Counties, October 1 to October 15; in remainder of State, October 16 to October 30.

Michigan, in Upper Peninsula, October 1 to October 15; in remainder of State, October 15 to October 29.

Minnesota, Ohio, Pennsylvania, and Wisconsin, October 10 to October 24.

Missouri, November 10 to November 24.

New Hampshire, in Coos, Carroll, and Grafton Counties, October 1 to October 15; in remainder of State, October 16 to October 30.

New York, north and east of the tracks of the branch line of the New York Central Railroad from Oswego to Syracuse, the main line of the New York Central Railroad from Syracuse to Albany, and the main line of the Boston & Albany Railroad from Albany to the Massachusetts State line, October 10 to October 24; west and south of the line above described, October 15 to October 29; and that part of New

York known as Long Island, November 1 to November 15, from 1 P. M. until sunset on the opening day in each of these zones, and thereafter in all of the aforesaid zones from 8 A. M. until sunset.

Rhode Island, November 1 to November 15.

Vermont, in Bennington and Windham Counties and those portions of Rutland and Windsor Counties south of U. S. Highway Route 4 from West Haven to White River Junction, October 16 to October 30; in remainder of State, October 1 to October 15.

Virginia, November 20 to December 4.

Mourning, or Turtle, Dove.—The open seasons on mourning, or turtle, dove shall be as follows, both dates inclusive:

Arizona, California, Kansas, Missouri, and Oklahoma, September 1 to October 30.

Alabama, Georgia, and Louisiana, October 1 to October 15 and December 18 to January 31.

Arkansas and Mississippi, September 16 to September 30 and December 18 to January 31.

Colorado, Nevada, and New Mexico, September 1 to October 12.

Delaware and Tennessee, September 16 to November 14.

Florida, in Dade and Monroe Counties, October 1 to October 31; in remainder of State, November 20 to January 18.

Idaho and Oregon, September 1 to September 15.

Illinois, September 1 to September 30.

Kentucky, September 1 to October 25.

Maryland, September 1 to October 15.

Minnesota, September 16 to September 30.

North Carolina and South Carolina, September 16 to October 15 and January 2 to January 31.

Pennsylvania, November 1 to November 30.

Texas, in Val Verde, Edwards, Real, Bandera, Kendall, Blanco, Burnet, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties and all counties north and west thereof, September 1 to October 30; in remainder of State, but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, and Willacy Counties, October 20 to December 18; in these latter counties, September 13, 16, 18, 20, and 23 from 12 o'clock noon until sunset, and thereafter October 20 to December 13 from one-half hour before sunrise to sunset.

Virginia, September 16 to October 31.

White-winged Dove.—The open seasons on white-winged dove shall be as follows, both dates inclusive:

Arizona, September 1 to September 15.

Texas, in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, Willacy, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso Counties, September 13, 16, 18, 20, and 23 from 12 o'clock noon until sunset.

Band-tailed Pigeon.—The open seasons on band-tailed pigeon shall be as follows, both dates inclusive:

Arizona, Colorado, in the drainage of the North Fork of the Gunnison River in Gunnison and Delta Counties and in La Plata, Montezuma, Dolores, San Miguel, Montrose, Ouray, San Juan, Archuleta, Huerfano, and Las Animas Counties, and in New Mexico and Washington, September 16 to October 15.

California, December 1 to December 30.

Oregon, September 1 to September 30.

The second paragraph of Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds" is amended to read as follows:

58 Stat. 1141.
16 U. S. C., Supp.
IV, § 704 note.

Ducks (Except the American and Red-breasted Mergansers).—Ten, including in such limit not more than one wood duck. Any person may possess not more than twenty ducks including not more than one wood duck.

Regulation 6, "Shipment, Transportation, and Possession of Certain Migratory Game Birds" is amended by striking out the numerals "45" wherever they occur in the said regulation and by inserting in lieu thereof the numbers "90".

58 Stat. 1142.
16 U. S. C., Supp.
IV, § 704 note.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 26th day of July, 1945.

HAROLD L. ICKES

Secretary of the Interior.

[SEAL]

AND WHEREAS upon consideration it appears that approval of the foregoing amendments will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby approve and proclaim the foregoing amendments.

40 Stat. 755.
16 U. S. C. §§ 703-711.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 31st day of July in the year of our Lord nineteen hundred and forty-five, and of the [SEAL] Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President

JOSEPH C. GREW

Acting Secretary of State.

ELIMINATING CERTAIN LANDS FROM THE SANTA ROSA ISLAND NATIONAL MONUMENT AND RESERVING THEM FOR THE USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 13, 1945
[No. 2659]

A PROCLAMATION

WHEREAS certain Government-owned lands now comprising a part of the Santa Rosa Island National Monument, in the State of Florida, are needed by the War Department for military purposes; and

WHEREAS the elimination of such lands from the national monument would not seriously interfere with its administration:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, by virtue of the authority vested in me by the act of June 8, 1906, c. 3060, 34 Stat. 225 (16 U. S. C. 431), and as President, do proclaim that the following-described lands are hereby eliminated from the Santa Rosa Island National Monument and reserved for the use of the War Department for military purposes, subject to valid existing rights, including those arising out of a lease granted to the Island Amusement Company by Escambia County, Florida, on September 10, 1929, and subsequently modified:

TALLAHASSEE MERIDIAN

T. 2 S., R. 23 W., fractional secs. 19 to 29, inclusive;
 T. 2 S., R. 24 W., fractional secs. 19 to 24, inclusive;
 T. 2 S., R. 25 W., fractional secs. 19 to 24, and 26 to 30, inclusive;
 T. 2 S., R. 26 W., fractional secs. 25, 26, and 27.

The area described aggregates approximately 4,700 acres.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 13th day of August in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES

The Secretary of State

August 16, 1945

[No. 2660]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Surrender by Japan.

The war lords of Japan and the Japanese armed forces have surrendered. They have surrendered unconditionally. Three months after victory in Europe victory has come in the East.

The cruel war of aggression which Japan started eight years ago to spread the forces of evil over the Pacific has resulted in her total defeat.

This is the end of the grandiose schemes of the dictators to enslave the peoples of the world, destroy their civilization, and institute a new era of darkness and degradation. This day is a new beginning in the history of freedom on this earth.

Our global victory has come from the courage and stamina and spirit of free men and women united in determination to fight.

It has come from the massive strength of arms and materials created by peace-loving peoples who knew that unless they won decency in the world would end.

It has come from millions of peaceful citizens all over the world—turned soldiers almost overnight—who showed a ruthless enemy that they were not afraid to fight and to die, and that they knew how to win.

It has come with the help of God, Who was with us in the early days of adversity and disaster, and Who has now brought us to this glorious day of triumph.

Let us give thanks to Him, and remember that we have now dedicated ourselves to follow in His ways to a lasting and just peace and to a better world.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby appoint Sunday, August 19, 1945, to be a day of prayer.

I call upon the people of the United States, of all faiths, to unite in offering their thanks to God for the victory we have won, and in praying that He will support and guide us into the paths of peace.

I also call upon my countrymen to dedicate this day of prayer to the memory of those who have given their lives to make possible our victory.

Appointment of Sunday, August 19, 1945, as a day of prayer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this sixteenth day of August, in the year of our Lord nineteen hundred and forty-five, and [SEAL] of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State.

FIRE PREVENTION WEEK, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

August 22, 1945
[No. 2661]

A PROCLAMATION

WHEREAS uncontrolled fire, even in normal times, takes a heavy toll of our human and physical resources; and

WHEREAS the needless waste of lives and property occasioned each year by preventable fires has attained increasingly grave proportions; and

WHEREAS a high degree of individual responsibility and united effort are necessary to overcome this national menace:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate the week beginning October 7, 1945, as Fire Prevention Week.

Designation of week beginning October 7, 1945, as Fire Prevention Week.

I earnestly desire that every citizen assume a personal responsibility for detecting and eliminating fire hazards under his control and take all possible precautions to safeguard both lives and property from the ravages of fire. I also request that the State and local governments, the Chamber of Commerce of the United States, the National Fire Waste Council, business and labor organizations, the churches and schools, civic groups, and the various agencies of the press, radio, and motion-picture industry throughout the country bend every effort to the attainment of the objectives of Fire Prevention Week; and I direct that the appropriate agencies of the Federal Government likewise assist in every practicable way the enlightenment of the public with respect to the purposes of a sound fire-prevention program.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 22nd day of August in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

REMOVAL OF ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION.

WHEREAS section 4067 of the Revised Statutes of the United States (50 U. S. C. 21) makes provision relative to the restraint and removal from the United States of alien enemies in the interest of the public safety;

WHEREAS the Congress by joint resolutions approved by the President on December 8 and 11, 1941, and June 5, 1942, declared the existence of a state of war between the United States on the one hand and Japan, Germany, Italy, Bulgaria, Hungary, and Rumania on the other hand;

WHEREAS in accordance with Resolution XVII of the Conference of Foreign Ministers at Rio de Janeiro adopted on January 28, 1942, and subsequently by undertakings based upon Resolution XX of the Emergency Advisory Committee for Political Defense adopted at Montevideo on May 21, 1943, there has been assumed by the Government of the United States responsibility for the restraint and repatriation of certain dangerous alien enemies sent to the United States from other of the American republics in the interest of the security of the Western Hemisphere;

WHEREAS by Resolution VII of the Inter-American Conference on Problems of War and Peace adopted at Mexico City on March 8, 1945, the American republics recommended the adoption of measures to prevent any person whose deportation was deemed necessary for reasons of security of the continent from further residing in this hemisphere, if such residence would be prejudicial to the future security or welfare of the Americas;

WHEREAS I find it necessary in the light of the commitments of the Government and in the interest of national defense and public safety to prescribe regulations additional and supplemental to all other regulations affecting the restraint and removal of alien enemies in order to cover the case of the persons above referred to:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid section of the Revised Statutes of the United States, do hereby prescribe and proclaim the following regulations, additional and supplemental to all other regulations affecting the restraint and removal of alien enemies:

All alien enemies now within the continental limits of the United States (1) who were sent here from other American republics for restraint and repatriation pursuant to international commitments of the United States Government and for the security of the United States and its associated powers and (2) who are within the territory of the United States without admission under the immigration laws are, if their continued residence in the Western Hemisphere is deemed by the Secretary of State prejudicial to the future security or welfare of the Americas as prescribed in Resolution VII of the Inter-American Conference on Problems of War and Peace, subject upon the order of the Secretary of State to removal to destinations outside the limits of the Western Hemisphere in territory of the enemy governments to which or to the principles of which they have adhered. The Department of Justice and all other appropriate agencies of the United States Government are directed to render assistance to the Secretary of State in the prompt effectuation of such orders of removal.

September 8, 1945
[No. 2862]

55 Stat. 795, 796, 797;
56 Stat. 307.
50 U. S. C., Supp.
IV, app. note prec.
§ 1.

Removal of alien
enemies.
Ante, p. 870.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 8th day of September in the year of our Lord nineteen hundred and forty-five and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

DISCONTINUING THE CASCO BAY, PORTSMOUTH, NEW HAMPSHIRE, BOSTON, CAPE HATTERAS, AND KEY WEST MARITIME CONTROL AREAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 11, 1945

[No. 2663]

A PROCLAMATION

WHEREAS the continuance of the maritime control areas hereinafter designated is no longer necessary in the interests of national defense:

NOW, THEREFORE, I, Harry S. Truman, by virtue of the authority vested in me as President of the United States, and as Commander in Chief of the Army and Navy of the United States, do hereby discontinue the following designated maritime control areas:

1. Boston Maritime Control Area, established by Proclamation No. 2540 of February 10, 1942.

56 Stat. 1936.

2. Casco Bay Maritime Control Area, established by Proclamation No. 2569 of October 21, 1942.

56 Stat. 1978.

3. Portsmouth, New Hampshire, Maritime Control Area, established by Proclamation No. 2569 of October 21, 1942.

4. Cape Hatteras Maritime Control Area, established by Proclamation No. 2569 of October 21, 1942.

5. Key West Maritime Control Area, established by Proclamation No. 2569 of October 21, 1942.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 11th day of September in the year of our Lord nineteen hundred and forty-five, and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 21, 1945

[No. 2664]

A PROCLAMATION

WHEREAS the people of this Nation are determined to foster an environment in which those of their fellow citizens who have become physically handicapped can continue to make their rightful contribution to the work of the world and can continue to enjoy the opportunities and rewards of that work; and

Ante, p. 530.

WHEREAS Public Resolution No. 176, 79th Congress, approved August 11, 1945, provides in part:

“That hereafter the first week in October of each year shall be designated as National Employ the Physically Handicapped Week. During said week, appropriate ceremonies are to be held throughout the Nation, the purpose of which will be to enlist public support for and interest in the employment of otherwise qualified but physically handicapped workers”:

Observance of October 7-13, 1945, as National Employ the Physically Handicapped Week.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe the week of October 7-13, 1945 as National Employ the Physically Handicapped Week. I ask the governors of States, mayors of cities, heads of the various agencies of the Government, and other public officials, as well as leaders in industry, education, religion, and every other aspect of our common life, during this week and at all other suitable times, to exercise every appropriate effort to enlist public support of a sustained program for the employment and development of the abilities and capacities of those who are physically handicapped.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of September, in the year of our Lord nineteen hundred and forty-five and of the [SEAL] Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

COLUMBUS DAY, 1945

September 28, 1945
[No. 2665]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Christopher Columbus with courage and daring sailed an uncharted sea and found a new world which became the haven of millions who sought freedom from oppression and want; and

WHEREAS we, the spiritual and material heirs of Columbus, have through valiant effort and heroic sacrifice preserved our country from those who would have enslaved us and have given strength to all people who have struggled against tyranny; and

WHEREAS we, with the resolute faith of the discoverer of America, have determined that through international organization the freedoms for which this Nation and other nations have waged victorious war shall flourish in peace and security; and

WHEREAS, at this period, the Italian people with fortitude and courage are striving to rid their country of the last vestige of fascism, to establish liberty, and to regain an honorable place in the family of nations, it is peculiarly appropriate that we honor the courage and vision of a great Italian, whose discovery gave a birthplace for democracy; and

WHEREAS Public Resolution 21, Seventy-third Congress, approved April 30, 1934, provides:

48 Stat. 657.
36 U. S. C. § 146.

That the President of the United States is authorized and requested to issue a proclamation designating October 12 of each year as Columbus Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of the public sentiment befitting the anniversary of the discovery of America:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate Friday, October 12, 1945, as Columbus Day. I direct, also, that the flag of the United States be displayed on all Government buildings on that day; and I invite the people of the United States to observe the day with appropriate ceremonies in schools and churches or other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of September in the year of our Lord nineteen hundred and forty-five, [SEAL] and of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

Designation of October 12, 1945, as Columbus Day.

IMMIGRATION QUOTAS FOR AUSTRIA AND GERMANY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 28, 1945
[No. 2666]

A PROCLAMATION

WHEREAS the Secretary of State, the Secretary of Commerce, and the Attorney General have reported to the President that pursuant to the duty imposed and the authority conferred upon them in and by sections 11 and 12 of the Immigration Act approved May 26, 1924 (43 Stat. 159-161), and Reorganization Plan No. V (3 CFR Cum. Supp., Ch. IV), they jointly have made the revision provided for in section 12 of the said act and have fixed the quotas for Austria and Germany in accordance therewith to be as hereinafter set forth:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the power in me vested by the aforesaid act of Congress, do hereby proclaim and make known that the annual quotas for Austria and Germany effective for the remainder of the fiscal year ending June 30, 1946, and for each fiscal year thereafter, have been determined in accordance with the law to be, and shall be, as follows:

Austria	1,413
Germany	25,957

The immigration quotas assigned to Austria and Germany are designed solely for purposes of compliance with the pertinent provisions of the Immigration Act of 1924 and are not to be regarded as having any significance extraneous to this object.

This proclamation shall take effect immediately, and shall have the effect of amending Proclamation 2283 of April 28, 1938.

8 U. S. C. §§ 211,
212.
54 Stat. 1238.
5 U. S. C. § 133a
note.

Annual quotas.

52 Stat. 1544.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 28th day of September, in the year of our Lord nineteen hundred and forty-five, [SEAL] and of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State

POLICY OF THE UNITED STATES WITH RESPECT TO THE NATURAL RESOURCES OF THE SUBSOIL AND SEA BED OF THE CONTINENTAL SHELF

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Government of the United States of America, aware of the long range world-wide need for new sources of petroleum and other minerals, holds the view that efforts to discover and make available new supplies of these resources should be encouraged; and

WHEREAS its competent experts are of the opinion that such resources underlie many parts of the continental shelf off the coasts of the United States of America, and that with modern technological progress their utilization is already practicable or will become so at an early date; and

WHEREAS recognized jurisdiction over these resources is required in the interest of their conservation and prudent utilization when and as development is undertaken; and

WHEREAS it is the view of the Government of the United States that the exercise of jurisdiction over the natural resources of the subsoil and sea bed of the continental shelf by the contiguous nation is reasonable and just, since the effectiveness of measures to utilize or conserve these resources would be contingent upon cooperation and protection from the shore, since the continental shelf may be regarded as an extension of the land-mass of the coastal nation and thus naturally appurtenant to it, since these resources frequently form a seaward extension of a pool or deposit lying within the territory, and since self-protection compels the coastal nation to keep close watch over activities off its shores which are of the nature necessary for utilization of these resources;

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim the following policy of the United States of America with respect to the natural resources of the subsoil and sea bed of the continental shelf.

Having concern for the urgency of conserving and prudently utilizing its natural resources, the Government of the United States regards the natural resources of the subsoil and sea bed of the continental shelf beneath the high seas but contiguous to the coasts of the United States as appertaining to the United States, subject to its jurisdiction and control. In cases where the continental shelf extends to the shores of another State, or is shared with an adjacent State, the boundary shall be determined by the United States and the State concerned in accordance with equitable principles. The

September 28, 1945
[No. 2667]

Policy with respect to natural resources of the subsoil and sea bed of the continental shelf.

character as high seas of the waters above the continental shelf and the right to their free and unimpeded navigation are in no way thus affected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of September, in the year of our Lord nineteen hundred and forty-five, and [SEAL] of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

POLICY OF THE UNITED STATES WITH RESPECT TO COASTAL FISHERIES
IN CERTAIN AREAS OF THE HIGH SEAS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

September 28, 1945
[No. 2668]

A PROCLAMATION

WHEREAS for some years the Government of the United States of America has viewed with concern the inadequacy of present arrangements for the protection and perpetuation of the fishery resources contiguous to its coasts, and in view of the potentially disturbing effect of this situation, has carefully studied the possibility of improving the jurisdictional basis for conservation measures and international cooperation in this field; and

WHEREAS such fishery resources have a special importance to coastal communities as a source of livelihood and to the nation as a food and industrial resource; and

WHEREAS the progressive development of new methods and techniques contributes to intensified fishing over wide sea areas and in certain cases seriously threatens fisheries with depletion; and

WHEREAS there is an urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the coastal State and of any other State which may have established a legitimate interest therein;

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim the following policy of the United States of America with respect to coastal fisheries in certain areas of the high seas:

Policy with respect
to coastal fisheries.

In view of the pressing need for conservation and protection of fishery resources, the Government of the United States regards it as proper to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale. Where such activities have been or shall hereafter be developed and maintained by its nationals alone, the United States regards it as proper to establish explicitly bounded conservation zones in which fishing activities shall be subject to the regulation and control of the United States. Where such activities have been or shall hereafter be legitimately developed and maintained jointly by nationals of the United States and nationals of other States, explicitly bounded conservation zones may be established under agreements between the United States and such other States; and all fishing activities in such

zones shall be subject to regulation and control as provided in such agreements. The right of any State to establish conservation zones off its shores in accordance with the above principles is conceded, provided that corresponding recognition is given to any fishing interests of nationals of the United States which may exist in such areas. The character as high seas of the areas in which such conservation zones are established and the right to their free and unimpeded navigation are in no way thus affected.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of September, in the year of our Lord nineteen hundred and forty-five, and [SEAL] of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

END OF THE EMERGENCY PERIOD DEFINED IN SECTION 124 OF THE
INTERNAL REVENUE CODE

September 29, 1945
[No. 2669]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the need of emergency facilities for the production of supplies and the furnishing of services required for the national defense has in recent months been substantially reduced:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, by virtue of the authority vested in me by section 124 of the Internal Revenue Code, do hereby proclaim that the utilization of a substantial portion of the emergency facilities with respect to which certifications under subsection (f) of that section have been made is no longer required in the interest of national defense, and that the emergency period defined in section 124 (e) (2) of the Internal Revenue Code (as amended) ends on the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the City of Washington this 29th day of September in the year of our Lord nineteen hundred and forty-five and of the [SEAL] Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON

Acting Secretary of State.

GENERAL PULASKI'S MEMORIAL DAY

October 11, 1945
[No. 2670]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Count Casimir Pulaski, Polish patriot and officer of the American Revolutionary Army, fought for the independence of our Nation and for it laid down his life; and

WHEREAS Count Casimir Pulaski typifies the indomitable spirit which has sustained the Polish people through the perils of World War II and which has lent strength to the many thousands of devoted citizens of this country who look to Poland as an ancestral home; and

WHEREAS by a joint resolution approved October 11, 1945 (Public Law 191, 79th Congress), the Congress has authorized and directed me "to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1945, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski":

Ante, p. 543.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon officials of the Government to have the flag of the United States displayed on all governmental buildings on October 11, 1945; and I invite the people of the United States to observe the day in schools and churches, or other suitable places, with commemorative ceremonies in honor of General Casimir Pulaski.

Observance of Oct. 11, 1945, in honor of Gen. Casimir Pulaski.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 11th day of October, in the year of our Lord nineteen hundred and forty-five and of [SEAL] the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES

Secretary of State

WOMAN'S ENFRANCHISEMENT DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

October 31, 1945
[No. 2671]

A PROCLAMATION

WHEREAS November 2, 1945, is the twenty-fifth anniversary of the day on which women throughout the United States first cast their votes in a Presidential election; and

WHEREAS Senate Joint Resolution 107 of the Seventy-ninth Congress, first session, approved October 31, 1945, requests the President of the United States to issue a proclamation designating November 2, 1945, as Woman's Enfranchisement Day; and

Ante, p. 555.

WHEREAS the extension of the franchise to women constituted a notable advance in strengthening the democratic basis of our Government; and

WHEREAS the movement for equality has gone steadily forward, culminating on October 24, 1945, in the coming into force, with respect to our country and twenty-eight other countries, of the United Nations Charter which reaffirms "faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women":

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate November 2, 1945, as Woman's Enfranchisement Day and call upon the people throughout the United States of America to observe the day with appropriate ceremonies.

Designation of Nov. 2, 1945, as Woman's Enfranchisement Day.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 31st day of October, in the year of our Lord one thousand nine hundred and forty-five [SEAL] and of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

ARMISTICE DAY, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the battle flags of World War I were sheathed by the armistice of November 11, 1918; and

WHEREAS it is fitting at this time when we are honoring the heroes of a more recent world conflict that we express once more our gratitude for the sacrifices of those who fought in World War I; and

WHEREAS Senate Concurrent Resolution 18, Sixty-ninth Congress, passed June 4, 1926 (44 Stat. 1982), requests the President of the United States to issue a proclamation calling for the display of the flag of the United States on all Government buildings on November 11 and for the observance of the day with ceremonies "expressive of our gratitude for peace and our desire for the continuance of friendly relations with all other peoples"; and an act approved May 13, 1938 (52 Stat. 351), provides that "the 11th day of November in each year, a day to be dedicated to the cause of world peace and to be hereafter celebrated and known as Armistice Day, is hereby made a legal public holiday":

5 U. S. C. § 87a.

Observance of November 11, 1945, as Armistice Day.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe November 11, 1945, as Armistice Day by recalling the valor and the sacrifices of those Americans who brought victory in 1918, and by dedicating themselves to the building of an enduring peace among the countries of the world; and I direct that the flag of the United States be displayed on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this fifth day of November, in the year of our Lord nineteen hundred and forty-five, and [SEAL] of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State.

THANKSGIVING DAY, 1945

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

In this year of our victory, absolute and final, over German fascism and Japanese militarism; in this time of peace so long awaited, which we are determined with all the United Nations to make permanent;

November 12, 1945
[No. 2673]

on this day of our abundance, strength, and achievement; let us give thanks to Almighty Providence for these exceeding blessings.

We have won them with the courage and the blood of our soldiers, sailors, and airmen. We have won them by the sweat and ingenuity of our workers, farmers, engineers, and industrialists. We have won them with the devotion of our women and children. We have bought them with the treasure of our rich land. But above all we have won them because we cherish freedom beyond riches and even more than life itself.

We give thanks with the humility of free men, each knowing it was the might of no one arm but of all together by which we were saved. Liberty knows no race, creed, or class in our country or in the world. In unity we found our first weapon, for without it, both here and abroad, we were doomed. None have known this better than our very gallant dead, none better than their comrade, Franklin Delano Roosevelt. Our thanksgiving has the humility of our deep mourning for them, our vast gratitude to them.

Triumph over the enemy has not dispelled every difficulty. Many vital and far-reaching decisions await us as we strive for a just and enduring peace. We will not fail if we preserve, in our own land and throughout the world, that same devotion to the essential freedoms and rights of mankind which sustained us throughout the war and brought us final victory.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in consonance with the joint resolution of Congress approved December 26, 1941, do hereby proclaim Thursday November 22, 1945, as a day of national thanksgiving. May we on that day, in our homes and in our places of worship, individually and as groups, express our humble thanks to Almighty God for the abundance of our blessings and may we on that occasion rededicate ourselves to those high principles of citizenship for which so many splendid Americans have recently given all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this 12th day of November, in the year of our Lord one thousand nine hundred forty-five [SEAL] and of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

Thursday, Nov. 22, 1945, proclaimed a day of national thanksgiving.
55 Stat. 862.
5 U. S. C., Supp. IV, § 87b.

REVOKING CERTAIN REGULATIONS RELATING TO THE CONTROL OF ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS by Proclamation No. 2525 of December 7, 1941, and Proclamations Nos. 2526 and 2527 of December 8, 1941, the President prescribed and proclaimed regulations relating to the control of alien enemies; and

WHEREAS the interests of the national defense and public safety no longer require that certain of such regulations remain in force and effect:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States, acting under and by virtue of the authority vested in

December 7, 1945
[No. 2674]

55 Stat. 1700-1709.

55 Stat. 1700.

55 Stat. 1705, 1707.

me by the Constitution of the United States and by sections 21, 22, 23, and 24 of title 50 of the United States Code, do proclaim that Regulations (5), (6), (10), and (11), relating to the possession of certain prohibited articles by and the travel of alien enemies, prescribed and proclaimed by Proclamation No. 2525 of December 7, 1941, and incorporated by reference into Proclamations Nos. 2526 and 2527 of December 8, 1941, are hereby revoked. All other provisions of the aforesaid proclamations shall remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 7th day of December in the year of our Lord nineteen hundred and forty-five, and of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

REVOCATION OF THE PROCLAMATION SUSPENDING THE INTERNATIONAL
LOAD LINES CONVENTION IN PORTS AND WATERS OF THE UNITED
STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

December 21, 1945
[No. 2675]

55 Stat. 1660.

47 Stat. 2228.

WHEREAS by Proclamation No. 2500, dated August 9, 1941, the President declared and proclaimed the International Load Lines Convention, signed by the respective plenipotentiaries of the United States of America and certain other countries at London on July 5, 1930, suspended and inoperative in the ports and waters of the United States of America, and in so far as the United States of America was concerned, for the duration of the existing emergency; and

WHEREAS it appears that the continued suspension of the said International Load Lines Convention is no longer necessary or desirable:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do declare and proclaim that the said Proclamation No. 2500, dated August 9, 1941, is hereby revoked, effective as of January 1, 1946.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 21st day of December in the year of our Lord nineteen hundred and forty-five and of the Independence of the United States of America the one hundred and seventieth.

HARRY S TRUMAN

By the President:

DEAN ACHESON
Acting Secretary of State.

Revocation of Proclamation No. 2500.

55 Stat. 1660.

Effective date.

TREATIES

NOTE

In this section are included all instruments, whether called treaties, conventions, protocols, or otherwise, entered into on the part of the United States by the President by and with the advice and consent of the Senate.

TREATIES

Convention and protocol between the United States of America and the French Republic respecting double taxation. Signed at Paris July 25, 1939; ratification advised by the Senate of the United States of America December 6, 1944; ratified by the President of the United States of America December 15, 1944; ratified by the President of the Provisional Government of the French Republic December 29, 1944; ratifications exchanged at Paris December 30, 1944; proclaimed by the President of the United States of America January 5, 1945; effective January 1, 1945.

July 25, 1939
[T. S. 988]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention and an accompanying protocol between the United States of America and the French Republic for the avoidance of double taxation and the establishment of rules of reciprocal administrative assistance in the case of income and other taxes were signed by their respective Plenipotentiaries at Paris on the twenty-fifth day of July, one thousand nine hundred thirty-nine, the originals of which convention and protocol, being in the English and French languages, are word for word as follows:

CONVENTION

FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE ESTABLISHMENT OF RULES OF RECIPROCAL ADMINISTRATIVE ASSISTANCE IN THE CASE OF INCOME AND OTHER TAXES.

THE PRESIDENT OF THE UNITED STATES OF AMERICA AND THE PRESIDENT OF THE FRENCH REPUBLIC, being desirous of avoiding double taxation and of establishing rules of reciprocal administrative assistance in the case of income and other taxes, have decided to conclude a Convention

CONVENTION

TENDANT A EVITER LES DOUBLES IMPOSITIONS ET A ETABLIR DES REGLES D'ASSISTANCE ADMINISTRATIVE RECIPROQUE EN MATIERE D'IMPOTS SUR LES REVENUS ET AUTRES TAXES.

LE PRESIDENT DES ETATS-UNIS D'AMERIQUE ET LE PRESIDENT DE LA REPUBLIQUE FRANÇAISE, désireux d'éviter les doubles impositions et d'établir des règles d'assistance administrative réciproque en matière d'impôts sur les revenus et autres taxes, ont décidé de conclure une convention et

Plenipotentiaries.

and for that purpose have appointed as their respective Plenipotentiaries: désigné à cette fin comme Plénipotentiaires:

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

MR. WILLIAM CHRISTIAN BULLITT, Ambassador Extraordinary and Plenipotentiary of the United States of America to France;

THE PRESIDENT OF THE FRENCH REPUBLIC:

M. GEORGES BONNET, Member of the Chamber of Deputies, Minister for Foreign Affairs,

who, having communicated to one another their full powers found in good and due form, have agreed upon the following Articles:

TITLE I

Double Taxation

ARTICLE 1.

The taxes referred to in this Convention are:

(a) In the case of the United States of America:

The federal income taxes, including surtaxes and excess-profits taxes;

(b) In the case of France:

(1) The real estate tax;

(2) The industrial and commercial profits tax;

(3) The annual tax on undistributed profits;

(4) The agricultural profits tax;

(5) The tax on salaries, allowances and emoluments, wages, pensions and annuities;

LE PRESIDENT DES ETATS-UNIS D'AMERIQUE:

M. WILLIAM CHRISTIAN BULLITT, Ambassadeur Extraordinaire et Plénipotentiaire des Etats-Unis d'Amérique en France;

LE PRESIDENT DE LA REPUBLIQUE FRANÇAISE:

M. GEORGES BONNET, Député, Ministre des Affaires Etrangères;

qui, après avoir vérifié leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes:

TITRE PREMIER

Doubles Impositions

ARTICLE PREMIER

Les impôts compris dans la présente Convention sont les suivants:

(a) Pour les Etats-Unis d'Amérique:

Les impôts fédéraux sur le revenu, y compris les surtaxes et les impôts sur les excédents des bénéfices;

(b) Pour la France:

(1) La contribution foncière (propriété bâtie et propriété non bâtie);

(2) L'impôt sur les bénéfices industriels et commerciaux;

(3) La taxe annuelle sur les bénéfices non distribués;

(4) L'impôt sur les bénéfices de l'exploitation agricole;

(5) L'impôt sur les traitements, indemnités et émoluments, salaires, pensions et rentes viagères;

- (6) The professional profits tax;
- (7) The tax on income from securities and movable capital;
- (8) The general income tax.

- (6) L'impôt sur les bénéfices des professions non commerciales;
- (7) L'impôt sur le revenu des valeurs et capitaux mobiliers;
- (8) L'impôt général sur le revenu.

ARTICLE 2.

Income from real property, including income from agricultural undertakings, shall be taxable only in the State in which such real property is situated.

Les revenus des biens immobiliers, y compris les bénéfices des exploitations agricoles, sont taxés seulement dans l'Etat où se trouvent ces biens.

Income from real property.

ARTICLE 3.

An enterprise of one of the contracting States is not subject to taxation by the other contracting State in respect of its industrial and commercial profits except in respect of such profits allocable to its permanent establishment in the latter State.

Une entreprise de l'un des Etats contractants n'est soumise à l'impôt de l'autre Etat contractant, en ce qui concerne les bénéfices industriels et commerciaux, qu'en raison des bénéfices provenant des établissements stables qu'elle exploite dans ce dernier Etat.

Tax on profits, restriction.

No account shall be taken, in determining the tax in one of the contracting States, of the purchase of merchandise effected therein by an enterprise of the other State for the purpose of supplying establishments maintained by such enterprise in the latter State.

N'entrent pas en compte pour l'assiette de l'impôt dans l'un des Etats contractants, les achats de marchandises qui y sont effectués par une entreprise de l'autre Etat pour l'approvisionnement des établissements que la dite entreprise exploite dans ce dernier Etat.

Purchase of merchandise.

The competent authorities of the two contracting States may lay down rules by agreement for the apportionment of industrial and commercial profits.

Les autorités compétentes des deux Etats contractants peuvent se mettre d'accord pour la répartition des bénéfices industriels et commerciaux.

The term "industrial and commercial profits" shall not include the following:

L'expression "bénéfices industriels et commerciaux" ne comprend pas ce qui suit:

"Industrial and commercial profits."

- (a) Income from real property;
- (b) Income from mortgages, from public funds, securities (including mortgage

- (a) Revenu de propriété immobilière;
- (b) Revenu d'hypothèque, fonds publics, valeurs mobilières (obligations hypo-

- bonds), loans, deposits and current accounts;
- (c) Dividends and other income from shares in a corporation;
- (d) Rentals or royalties arising from leasing personal property or from any interest in such property, including rentals or royalties for the use of, or for the privilege of using, patents, copyrights, secret processes and formulae, goodwill, trade marks, trade brands, franchises and other like property;
- (e) Profit or loss from the sale or exchange of capital assets.
- thécaires comprises), emprunts, dépôts et comptes courants;
- (c) Dividendes et autres revenus provenant des actions dans une société (corporation);
- (d) Loyers ou participations (royalties) provenant de la location de propriété personnelle ou d'un intérêt quelconque dans une telle propriété, y compris les loyers ou participations (royalties) pour l'usage, ou pour le privilège d'usage de brevets, droits d'auteur, procédés et formules secrets, clientèle (goodwill), marques déposées, marques de commerce (trade brands), concessions (franchises) et autres droits analogues;
- (e) Profits ou pertes provenant de la vente ou de l'échange des capitaux (capital assets).

Subject to the provisions of this Convention the income referred to in paragraphs (a), (b), (c), (d) and (e) shall be taxed separately or together with industrial and commercial profits in accordance with the laws of the contracting States.

Sous réserve des dispositions de la présente Convention, les revenus visés sous les paragraphes (a), (b), (c), (d), (e), sont taxés séparément ou avec les bénéfices industriels et commerciaux conformément aux lois de chacun des Etats contractants.

ARTICLE 4.

American enterprises having permanent establishments in France are required to submit to the French fiscal administration the same declarations and the same justifications, with respect to such establishments, as French enterprises.

The French fiscal administration has the right, within the provisions of its national legislation and subject to the measures of appeal provided in such legisla-

ARTICLE 4.

Les entreprises américaines qui possèdent des établissements stables en France sont tenues de fournir à l'Administration fiscale française les mêmes justifications, en ce qui concerne lesdits établissements, que les entreprises françaises.

L'Administration fiscale française a le droit, dans la limite des dispositions de sa législation nationale et sous réserve des recours prévus par cette législation, d'ap-

Declarations and justifications.

Corrections.

tion, to make such corrections in the declaration of profits realized in France as may be necessary to show the exact amount of such profits.

The same principle applies *mutatis mutandis* to French enterprises having permanent establishments in the United States.

ARTICLE 5.

When an American enterprise, by reason of its participation in the management or capital of a French enterprise, makes or imposes on the latter, in their commercial or financial relations, conditions different from those which would be made with a third enterprise, any profits which should normally have appeared in the balance sheet of the French enterprise, but which have been in this manner, diverted to the American enterprise, are, subject to the measures of appeal applicable in the case of the tax on industrial and commercial profits, incorporated in the taxable profits of the French enterprise.

The same principle applies *mutatis mutandis*, in the event that profits are diverted from an American enterprise to a French enterprise.

ARTICLE 6.

Income derived by navigation enterprises of one of the contracting States from the operation of ships documented under the laws of that State shall continue to benefit in the other State by the reciprocal tax exemptions accorded by the exchange of notes of June 11 and July 8, 1927 between the United States of America and France.

Income which an enterprise of one of the contracting States de-

porter à la déclaration des bénéfices réalisés en France, les redressements nécessaires pour dégager le chiffre exact de ces bénéfices.

Le même principe s'applique, *mutatis mutandis*, aux entreprises françaises ayant des établissements stables aux Etats-Unis.

ARTICLE 5.

Lorsqu'une entreprise américaine, du fait de sa participation à la gestion ou au capital d'une entreprise française, fait ou impose à cette dernière, dans leurs relations commerciales ou financières, des conditions différentes de celles qui seraient faites à une tierce entreprise, tous bénéfices qui auraient dû normalement apparaître au bilan de l'entreprise française mais qui ont été, de la sorte, transférés à l'entreprise américaine, sont, sous réserve des recours applicables en matière d'impôt sur les bénéfices industriels et commerciaux, incorporés aux bénéfices imposables de l'entreprise française.

Le même principe s'applique *mutatis mutandis* lorsque des bénéfices sont transférés d'une entreprise américaine à une entreprise française.

ARTICLE 6.

Les revenus que les entreprises de navigation maritime d'un des Etats contractants tirent de l'exploitation de navires immatriculés conformément aux lois de cet Etat, continueront à bénéficier dans l'autre Etat de l'exemption réciproque d'impôts prévus par les lettres échangées les 11 juin et 8 juillet 1927 entre les Etats-Unis d'Amérique et la France.

Les revenus que les entreprises d'un des Etats contractants tirent

Diversion of profits.

Income from navigation enterprises.

47 Stat. 2604.

rives from the operation of aircraft registered in that State shall be exempt from taxation in the other State.

ARTICLE 7.

Royalties from real property or in respect of the operation of mines, quarries or other natural resources shall be taxable only in the contracting State in which such property, mines, quarries or other natural resources are situated.

Royalties derived from within one of the contracting States by a resident or by a corporation or other entity of the other contracting State as consideration for the right to use copyrights, patents, secret processes and formulae, trade marks and other analogous rights shall be exempt from taxation in the former State, provided such resident, corporation or other entity does not have a permanent establishment there.

ARTICLE 8.

Wages, salaries and similar compensation and pensions paid by one of the contracting States or by a political subdivision thereof to individuals residing in the other State shall be exempt from taxation in the latter State.

Private pensions and life annuities derived from within one of the contracting States and paid to individuals residing in the other contracting State shall be exempt from taxation in the former State.

ARTICLE 9.

Income from labor or personal services shall be taxable only in

ARTICLE 7.

Les redevances versées pour la jouissance de biens immobiliers ou l'exploitation de mines, carrières ou autres ressources naturelles sont seulement imposables dans celui des deux Etats contractants où sont situés ces biens, mines, carrières, ou autres ressources naturelles.

Les droits d'auteur ainsi que les redevances allouées en contrepartie du droit d'utiliser des brevets, marques de fabrique, procédés et formules secrets qui sont payés dans l'un des Etats contractants à un particulier résidant dans l'autre Etat ou à une société ou autre collectivité de ce dernier Etat sont exempts d'impôt dans le premier Etat, à condition que ce particulier, cette société ou cette collectivité n'y possède pas d'établissement stable.

ARTICLE 8.

Les traitements, salaires et autres rémunérations analogues ainsi que les pensions payés par l'un des Etats contractants ou par une collectivité locale dudit Etat à des personnes résidant dans l'autre Etat sont exempts d'impôt dans ce dernier Etat.

Les pensions privées et les rentes viagères provenant d'un des Etats contractants et payées à des personnes résidant dans l'autre Etat sont exemptes d'impôt dans le premier Etat.

ARTICLE 9.

Les revenus du travail (labor or personal services) sont imposa-

Wages, etc., tax exemption.

Pensions and life annuities.

Labor or personal services.

the State in which the taxpayer carries on his personal activity. *bles seulement dans l'Etat où s'exerce l'activité personnelle du contribuable.*

This provision does not apply to the income referred to in Article 8. *Cette disposition ne s'applique pas aux revenus visés à l'article 8.*

ARTICLE 10.

Income from the exercise of a liberal profession shall be taxable only in the State in which the professional activity is exercised.

There is the exercise of a liberal profession in one of the two contracting States only when the professional activity has a fixed center in that country.

ARTICLE 10.

Les revenus provenant de l'exercice de professions libérales sont imposables seulement dans l'Etat où s'exerce l'activité personnelle.

Il n'y a exercice d'une profession libérale dans l'un des deux Etats contractants que si l'activité professionnelle a un point d'attache fixe dans cet Etat.

Exercise of liberal profession.

ARTICLE 11.

Gains derived in one of the contracting States from the sale or exchange of stocks, securities or commodities by a resident or a corporation or other entity of the other contracting State shall be exempt from taxation in the former State, provided such resident or corporation or other entity has no permanent establishment in the former State.

ARTICLE 11.

Les gains réalisés dans l'un des Etats contractants et provenant de la vente ou de l'échange de valeurs mobilières ou de marchandises par un résident, une société ou autre collectivité de l'autre Etat seront exemptés d'impôts dans le premier Etat, à la condition que ce résident, cette société ou cette collectivité n'y possède pas d'établissement stable.

Sale or exchange of capital assets.

ARTICLE 12.

Students from one of the contracting States residing in the other contracting State exclusively for the purpose of study shall not be taxable by the latter State in respect of remittances received from within the former State for the purpose of their maintenance or studies.

ARTICLE 12.

Les étudiants qui séjournent dans l'un des Etats contractants exclusivement pour y faire leurs études ne sont pas imposés dans cet Etat à raison des subsides provenant de l'autre Etat qu'ils reçoivent pour leur entretien et leurs études.

Students.

ARTICLE 13.

In the calculation of taxes established in one of the contracting States on the use of property or increment of property of an enterprise of the other State, account shall be taken only of

ARTICLE 13.

Pour le calcul des impôts établis dans l'un des Etats contractants en fonction des capitaux ou de l'accroissement des capitaux d'une entreprise de l'autre Etat, il n'est tenu compte que de la fraction du

that portion of the capital situated
 or employed and allocable to a
 permanent establishment within
 the former State.

The foregoing provision shall
 apply to the French "patente"
 and the United States capital
 tax even though these two
 have not been referred to in
 Article 1 of the present Conven-
 tion.

Ante, p. 894.

In the application of the present
 Article of the navigation enterprises of
 one of the contracting States, en-
 joying in the other State the bene-
 fits of Article 6 of the present
 Convention, shall not be consid-
 ered as having a permanent
 establishment in the latter State
 insofar as shipping activities are
 concerned.

Ante, p. 897.

ARTICLE 14.

It is agreed that double taxation
 shall be avoided in the following
 manner:

*As regards the United States of
 America:*

Tax basis.

Notwithstanding any other pro-
 vision of this Convention, the
 United States of America in deter-
 mining the income and excess-
 profits taxes, including all sur-
 taxes, of its citizens, or residents,
 or corporations, may include in
 the basis upon which such taxes
 are imposed, all items of income
 taxable under the Revenue Laws
 of the United States of America,
 although this Convention had
 not come into effect. The United
 States of America shall, however,
 deduct from the taxes thus com-
 puted the amount of French in-
 come tax paid. This deduction
 shall be made in accordance with
 the benefits and limitations of

Deduction.

capital investi (situated or em-
 ployed) dans le premier Etat et
 imputable à un établissement
 stable qui s'y trouve situé.

La disposition qui précède est
 applicable en ce qui concerne la
 contribution française des paten-
 tes et l'impôt américain sur le
 "capital stock", bien que ces deux
 impôts ne soient pas visés à
 l'article 1er de la présente Con-
 vention.

Pour l'application du présent
 article, les entreprises de naviga-
 tion de l'un des Etats contractants
 bénéficiant dans l'autre Etat de
 l'exonération prévue par l'article 6
 de la présente Convention, ne
 sont pas considérés comme ayant
 un établissement stable dans ce
 dernier Etat en ce qui concerne
 l'industrie de la navigation.

ARTICLE 14.

Il est entendu que la double im-
 position sera évitée de la façon
 suivante:

*A - En ce qui concerne les Etats-
 Unis d'Amérique:*

Nonobstant toute autre disposi-
 tion de la présente Convention, les
 Etats-Unis d'Amérique, en déter-
 minant les impôts sur le revenu et
 les excédents de bénéfices, y com-
 pris toutes les surtaxes, de leurs cito-
 yens, de leurs sociétés et des per-
 sonnes résidant en Amérique pour-
 ront comprendre dans les bases de
 ces impôts toutes les catégories de
 revenus imposables en vertu de la
 législation fiscale américaine, com-
 me si ladite Convention n'exis-
 tait pas. Toutefois, les Etats-
 Unis d'Amérique déduiront des
 impôts ainsi calculés le montant
 des impôts sur le revenu perçus
 en France. Cette déduction sera
 faite dans les conditions prévues

Section 131 of the United States Internal Revenue Code relating to credit for foreign taxes.

par les dispositions favorables ou restrictives de la section 131 du Code américain des impôts sur le revenu relatives au crédit pour les impôts étrangers.

53 Stat. 56.
26 U. S. C. § 131;
Supp. IV, § 131.
Ante, p. 570.

B - As regards France:

a) *Schedular taxes.*

Income from securities, debts and trusts having its source in the United States of America shall be subject in France to the tax on income from securities; but this tax shall be reduced by the amount of the tax already paid in the United States of America on the same income. In consideration of the fiscal regime to which the legislation of the United States of America subjects the income of non-resident aliens and foreign corporations or other entities, the deduction of the tax paid in the United States of America shall be effected in a lump sum through a reduction of 12 in the rate of the tax established by the French law.

The income other than that indicated in the preceding paragraph shall not be subject to any schedular tax in France when, according to this Convention, it is taxable in the United States of America.

b) *General tax on revenue.*

Notwithstanding any other provision of the present Convention, the general income tax can be determined according to all the elements of taxable income as imposed by French fiscal legislation.

However, the provisions of the first paragraph of Article 114 of

B - En ce qui concerne la France:

a) *Impôts cédulaires.*

Les revenus des valeurs mobilières, des créances et des trusts ayant leur source aux Etats-Unis d'Amérique demeureront passibles en France de l'impôt sur le revenu des valeurs mobilières; mais, cet impôt sera diminué du montant de l'impôt déjà acquitté aux Etats-Unis d'Amérique pour les mêmes revenus. Eu égard au régime fiscal auquel la législation des Etats-Unis d'Amérique soumet les revenus perçus par des étrangers non résidents et par des sociétés ou autres collectivités étrangères, la déduction de l'impôt acquitté aux Etats-Unis d'Amérique sera effectuée à forfait au moyen d'une diminution de 12 du taux de l'impôt fixé par la loi française.

Les revenus autres que ceux visés à l'alinéa précédent ne seront soumis en France à aucun impôt cédulaire lorsque, d'après la Convention, ils seront imposables aux Etats-Unis d'Amérique.

b) *Impôt général sur le revenu.*

Nonobstant toute autre disposition de la présente Convention, l'impôt général sur le revenu pourra être déterminé d'après tous les éléments de revenu imposable selon la législation fiscale française.

Toutefois, les dispositions du 1er alinéa de l'article 114 du Code

Deduction for tax paid other country.

the French Code on direct taxation relative to the taxation of aliens domiciled or resident in France shall continue to be applied. français des Impôts directs relatives à l'imposition des étrangers domiciliés ou résidant en France continueront à être appliquées.

ARTICLE 15.

In derogation of Article 3 of the Decree of December 6, 1872, American corporations which maintain in France permanent establishments shall be liable to the tax on income from securities on three-fourths of the profits actually derived from such establishments, the industrial and commercial profits being determined in accordance with Articles 3 and 4 of this Convention.

American corporations in France.

Ante, pp. 895-896.

The remaining one-fourth shall, in all cases, be taken as the basis of the annual tax on undistributed profits applicable to the same corporations.

ARTICLE 15.

Par dérogation à l'article 3 du décret du 6 décembre 1872, les sociétés américaines qui possèdent en France des établissements stables acquitteront l'impôt sur le revenu des valeurs mobilières sur les trois quarts des bénéfices effectivement retirés de ces établissements, les bénéfices industriels et commerciaux étant déterminés en conformité des dispositions des articles 3 et 4 de la présente Convention.

Le quart restant sera, dans tous les cas, pris pour base de la taxe annuelle sur les bénéfices non distribués applicables aux mêmes sociétés.

ARTICLE 16.

An American corporation shall not be subject to the obligations prescribed by Article 3 of the Decree of December 6, 1872, by reason of any participation in the management or in the capital of, or any other relations with, a French corporation. In such case, the tax on income from securities continues to be levied, in conformity with French legislation, on the dividends, interest and all other distributions made by the French enterprise; but it is moreover collectible, if the occasion arises, and subject to the measures of appeal applicable in the case of the tax on income from securities, with respect to the profits which the American corporation derives from the French corporation under the conditions prescribed in Article 5.

ARTICLE 16.

Une Société américaine ne sera pas assujettie aux prescriptions de l'article 3 du décret du 6 décembre 1872 en raison d'une participation dans la gestion ou dans le capital ou à cause de toute autre relation avec une société française. Dans ce cas, l'impôt sur le revenu des valeurs mobilières continue à être perçu conformément à la législation française sur les dividendes, intérêts et tous autres produits distribués par l'entreprise française, mais il est, en outre, exigible, le cas échéant, et sous réserve des recours applicables en matière d'impôt sur le revenu des valeurs mobilières, sur les bénéfices que l'entreprise américaine retire de l'entreprise française dans les conditions prévues par l'article 5.

ARTICLE 17.

The American corporations subject to the provisions of Article 3 of the Decree of December 6, 1872 who were not placed under the special regime established by Articles 5 and 6 of the Convention for the avoidance of double income taxation between the United States of America and France, signed April 27, 1932, may, during a new period of six months from the date of the entry into force of the present Convention, exercise with reference to past years, the option provided in those two articles under the conditions which they prescribe.

Moreover, the American corporations contemplated in the third paragraph of Article 10 of the Convention of April 27, 1932, may be admitted to benefit from the provisions of that paragraph, when the tax has not yet been paid, if the latter was not found to be payable, prior to May 1, 1930, by a definitive judicial decision or if such decision has been the subject of an appeal in cassation.

ARTICLE 18.

Any United States income tax liability remaining unpaid as at the effective date of this Convention for years beginning prior to January 1, 1936 of any individual resident of France (other than a citizen of the United States of America) or of a French corporation may be adjusted by the Commissioner of Internal Revenue of the United States of America, on the basis of the provisions of the United States Revenue Act of 1936. However, no adjustment will be made more than two years subsequent to the effective date of this Convention unless the taxpayer files a

ARTICLE 17.

Les sociétés américaines qui sont restées assujetties aux prescriptions de l'article 3 du décret du 6 décembre 1872 pourront, pendant un nouveau délai de six mois à compter de l'entrée en vigueur de la présente Convention, être autorisées à exercer, pour le passé, l'option prévue par les articles 5 et 6 de la Convention pour éviter les doubles impositions entre la France et les Etats-Unis d'Amérique, signée le 27 avril 1932, dans les conditions stipulées par ces dispositions.

49 Stat. 3145.

D'autre part, les sociétés américaines visées au 3ème alinéa de l'article 10 de la Convention du 27 avril 1932 pourront être admises à bénéficier des dispositions de cet alinéa, lorsque l'impôt n'aura pas encore été acquitté, si l'exigibilité de ce dernier n'a pas été constatée, avant le 1er mai 1930, par une décision de justice définitive ou si cette décision a fait l'objet d'un recours en cassation.

49 Stat. 3149.

ARTICLE 18.

Toute dette d'impôt sur le revenu américain relative aux années antérieures au 1er janvier 1936, non payée à la date d'entrée en vigueur de la présente Convention par une personne (autre qu'un citoyen des Etats-Unis d'Amérique) résidant en France ou par une société ou autre collectivité française peut être ajustée par le "Commissioner of Internal Revenue" des Etats-Unis d'Amérique sur la base des dispositions du "United States Revenue Act" de 1936. Toutefois, aucun ajustement ne sera fait au delà d'un délai de deux ans à compter de la

Adjustment of unpaid taxes.

49 Stat. 1648.

request with the Commissioner of Internal Revenue prior to such date.

date d'entrée en vigueur de la présente Convention à moins que l'intéressé n'en ait fait la demande au "Commissioner of Internal Revenue" avant l'expiration de ce délai.

ARTICLE 19.

Notwithstanding any other provision of this Convention, in order to avoid double taxation on public servants, employees of one of the contracting States being citizens of that State and remunerated by it, who have been received by the other State to perform services in such State shall be exempt in their principal place of residence from direct and personal taxes whether national, state or local.

Such employees who own real property in the State in which they perform services shall not benefit from the above exemptions with respect to the taxes levied on such real property. Employees who engage in any private gainful occupation in such State shall not be entitled to any exemption under this Article.

Government salaries, etc.

ARTICLE 19.

Nonobstant toute autre stipulation de la présente Convention et pour éviter la double imposition des agents des Services publics, les fonctionnaires de l'un des Etats contractants, citoyens de cet Etat et rémunérés par lui, qui ont été agréés par l'autre Etat pour y remplir leurs fonctions seront exemptés dans ce dernier Etat de tous impôts directs et personnels (nationaux, d'Etat ou locaux) au siège de leur résidence principale.

Ceux de ces fonctionnaires qui possèdent des immeubles dans l'Etat où ils remplissent leurs fonctions ne bénéficieront pas de l'exemption susvisée en ce qui concerne les impôts afférents à ces immeubles. Ceux qui exercent dans ce même Etat une occupation lucrative privée n'auront pas droit à l'exemption prévue par le présent article.

TITLE II

Fiscal Assistance.

ARTICLE 20

With a view to the more effective imposition of the taxes to which the present Convention relates, the contracting States undertake, on condition of reciprocity, to furnish information of a fiscal nature which the authorities of each State concerned have at their disposal, or are in a position to obtain under their own

Exchange of information.

TITRE II

Assistance Fiscale

ARTICLE 20

En vue d'assurer une meilleure application des impôts visés dans la présente Convention, les Etats contractants s'engagent, sous réserve de réciprocité, à échanger les renseignements d'ordre fiscal que l'Administration d'un des Etats détient ou peut obtenir d'après les règles de sa propre législation et qui seraient utiles à l'autre

laws, that may be of use to the authorities of the other State in the assessment of the said taxes.

Such information shall be exchanged between the competent authorities of the contracting States in the ordinary course or on request.

ARTICLE 21.

In accordance with the preceding Article, the competent authorities of the United States of America will transmit to the competent authorities of France, as regards any person, corporation or other entity (other than a citizen, corporation or other entity of the United States of America) having an address in France and deriving from sources within the United States of America rents, dividends, interest, royalties, income from trusts, wages, salaries, pensions, annuities, or other fixed or determinable periodical income, the name and address of such person, corporation or other entity as well as the amount of such income.

The competent authorities of France will transmit to the competent authorities of the United States of America, as regards any person, corporation or other entity (other than a citizen, corporation or other entity of France) having an address in the United States of America and deriving from sources within France rents, dividends, interest, royalties, income from trusts, wages, salaries, pensions, annuities, or other fixed or determinable periodical income, the name and address of such person, corporation or other entity as well as the amount of such income.

Etat pour l'établissement desdits impôts.

Ces renseignements seront échangés d'office ou sur demande entre les autorités compétentes des deux Etats contractants.

ARTICLE 21.

Conformément à l'article qui précède, les autorités compétentes des Etats-Unis d'Amérique transmettront aux autorités compétentes de la France, en ce qui concerne toute personne, société ou collectivité (autre qu'un citoyen, société ou collectivité des Etats-Unis d'Amérique) ayant une adresse en France et bénéficiant de revenus immobiliers, dividendes, intérêts, "royalties", produits de trusts, traitements, salaires, pensions, rentes viagères ou autres revenus périodiques, fixes ou variables (determinable) ayant leur source aux Etats-Unis d'Amérique, les nom et adresse de cette personne ainsi que le montant desdits revenus.

Les autorités compétentes de la France transmettront aux autorités compétentes des Etats-Unis d'Amérique, en ce qui concerne toute personne, société ou collectivité (autre qu'un citoyen français, société ou collectivité française) ayant une adresse aux Etats-Unis d'Amérique et bénéficiant de revenus immobiliers, dividendes, intérêts, redevances, traitements, salaires, pensions, rentes viagères ou autres revenus périodiques, fixes ou variables ayant leur source en France, les nom et adresse de cette personne, ainsi que le montant desdits revenus.

The information relating to each year will be transmitted as soon as possible after December 31.

Les renseignements se rapportant à chaque année seront transmis dans le plus bref délai possible après le 31 décembre.

ARTICLE 22.

The competent authorities of each of the contracting States shall be entitled to obtain, through diplomatic channels, from the competent authorities of the other contracting State, except with respect to citizens, corporations or other entities of the State to which application is made, particulars in concrete cases necessary for the establishment of the taxes to which the present Convention relates.

However, the competent authorities of each State shall not be prevented from transmitting to the competent authorities of the other State information relating to their own nationals (citizens, corporations or other entities) if they deem it opportune for the prevention of fiscal evasion.

ARTICLE 22.

Les autorités compétentes de chaque Etat contractant auront le droit dans des cas concrets et sauf en ce qui concerne les citoyens, sociétés ou collectivités de l'Etat auquel la demande est faite, d'obtenir des autorités compétentes de l'autre Etat, par la voie diplomatique, des renseignements nécessaires à l'établissement des impôts visés par la présente Convention.

Toutefois, les autorités compétentes de chaque Etat ne s'interdisent pas de transmettre aux autorités compétentes de l'autre Etat des renseignements relatifs à leurs propres nationaux (personnes, sociétés ou collectivités) si elles le jugent opportun pour éviter la fraude fiscale.

ARTICLE 23.

Each contracting State undertakes to lend assistance and support in the collection of the taxes to which the present Convention relates, together with interest, costs, and additions to the taxes and fines not being of a penal character according to the laws of the State requested, in the cases where the taxes are definitively due according to the laws of the State making the application.

In the case of an application for enforcement of taxes, revenue claims of each of the contracting States which have been finally determined shall be accepted for enforcement by the State to which application is made and collected in that State in accordance with

ARTICLE 23.

Les Etats contractants s'engagent à se prêter concours et assistance aux fins de recouvrer les impôts visés par la présente Convention ainsi que les intérêts, frais et suppléments de taxes et les amendes n'ayant pas un caractère pénal d'après les lois de l'Etat requis, dans les cas où les impôts sont définitivement dus conformément aux règles de l'Etat requérant.

Dans le cas d'une demande de recouvrement d'impôt, les créances fiscales de chacun des Etats contractants ayant un caractère définitif seront considérées comme devant être mises en recouvrement par l'Etat requis et seront recouvrées par cet Etat conformé-

the laws applicable to the enforcement and collection of its own taxes.

The application shall be accompanied by such documents as are required by the laws of the State making the application, to establish that the taxes have been finally determined.

If the revenue claim has not been finally determined, the State to which application is made may, at the request of the State making the application, take such measures of conservancy as are authorized by the laws of the former State for the enforcement of its own taxes.

The assistance provided for in this Article shall not be accorded with respect to the citizens, corporations or other entities of the State to which application is made.

ARTICLE 24.

In no case shall the provisions of Article 22 relating to particulars in concrete cases, or of Article 23 relating to mutual assistance in the collection of taxes, be construed so as to impose upon either of the contracting States the obligation to carry out administrative measures at variance with the regulations and practice of either contracting State, or to supply particulars which are not procurable under the law of the State to which application is made, or that of the State making application.

The State to which application is made for information or assistance shall comply as soon as possible with the request addressed to it. Nevertheless, such State may refuse to comply with the request for reasons of public

ment aux lois applicables au recouvrement de ses propres créances fiscales.

Il sera joint à la demande de recouvrement susvisée une copie de tous les documents qui sont exigés par les lois de l'Etat qui a adressé la demande pour certifier que les créances fiscales ont un caractère définitif.

Si la créance fiscale n'a pas un caractère définitif, l'Etat requis peut, à la demande de l'Etat requérant, prendre les mesures conservatoires qui sont autorisées par la législation du premier Etat pour le recouvrement de ses propres impôts.

L'assistance prévue au présent Article ne sera pas accordée en ce qui concerne les citoyens, sociétés ou autres collectivités de l'Etat requis.

ARTICLE 24.

Les stipulations de l'article 22 se rapportant aux informations visant des cas concrets, et celles de l'article 23 se rapportant au concours et à l'assistance aux fins de recouvrer les impôts, ne devront, en aucun cas, être interprétées comme imposant à l'un des Etats contractants l'obligation d'appliquer des mesures administratives contraires aux règlements et à l'usage de l'un ou de l'autre Etat, ou de fournir des renseignements qui ne peuvent être obtenus en vertu de la législation soit de l'Etat requis, soit de l'Etat requérant.

L'Etat, auquel la demande de renseignements ou d'assistance sera adressée, y répondra avec toute la promptitude possible. Cependant, l'Etat requis pourra signifier son refus pour des raisons de politique intérieure ou si la

policy or if compliance would involve violation of a business, industrial or trade secret. In such case it shall inform, as soon as possible, the State making the application.

demande ne peut être satisfaite que par la violation d'un secret relatif à un commerce, à une exploitation ou à une industrie. Dans ce cas, l'Etat requérant en sera informé aussitôt que possible.

ARTICLE 25.

Claim in case of double taxation.

Any taxpayer who shows proof that the action of the revenue authorities of the contracting States has resulted in double taxation in his case in respect of any of the taxes to which the present Convention relates, shall be entitled to lodge a claim with the State of which he is a citizen or, if the taxpayer is a corporation or other entity, with the State in which it is created or organized. Should the claim be upheld, the competent authority of such State may come to an agreement with the competent authority of the other State with a view to equitable avoidance of the double taxation in question.

ARTICLE 25.

Tout contribuable qui prouve que les mesures prises par les Autorités fiscales des Etats contractants ont entraîné pour lui une double imposition en ce qui concerne les impôts visés par la présente Convention, peut adresser une demande à l'Etat dont il est ressortissant ou, si le contribuable est une société ou autre collectivité, à l'Etat où celle-ci a été créée ou organisée. Si le bien-fondé de la demande est reconnu, l'Autorité compétente de cet Etat peut s'entendre avec l'autorité compétente de l'autre Etat pour éviter, de façon équitable, une double imposition.

ARTICLE 26.

Regulations.

The competent authorities of the two contracting States may prescribe regulations necessary to interpret and carry out the provisions of this Convention. With respect to the provisions of this Convention relating to exchange of information and mutual assistance in the collection of taxes, such authorities may, by common agreement, prescribe rules concerning matters of procedure, forms of application and replies thereto, rates of conversion of currencies, transfer of sums collected, minimum amounts subject to collection, payment of costs of collection, and related matters.

ARTICLE 26.

Les autorités compétentes des deux Etats contractants pourront édicter les règlements nécessaires à l'interprétation et à l'exécution de la présente Convention. En ce qui concerne les stipulations de cette Convention relative à l'échange des renseignements, et à l'assistance mutuelle pour le recouvrement des impôts, ces autorités pourront s'entendre au sujet des questions de procédure, de la forme des demandes et des réponses à ces demandes, des taux de conversion des monnaies, du transfert des sommes recouvrées, de la détermination du minimum des sommes recouvrables, du paiement des frais de recouvrement et d'autres questions s'y rapportant.

TITLE III

General Provisions.

ARTICLE 27.

The present Convention shall be ratified, in the case of the United States of America by the President, by and with the advice and consent of the Senate, and in the case of France, by the President of the French Republic with the consent of the Parliament.

This Convention shall become effective on the first day of January following the exchange of the instruments of ratification.

The Convention shall remain in force for a period of five years and indefinitely thereafter but may be terminated by either contracting State at the end of the five-year period or at any time thereafter, provided six months' prior notice of termination has been given, the termination to become effective on the first day of January following the expiration of the six-month period.

Upon the coming into effect of this Convention, the Convention for the avoidance of double income taxation between the United States of America and France, signed April 27, 1932 shall terminate.

Done at Paris, in duplicate, in the English and French languages, this 25th day of July, 1939.

[SEAL]

WILLIAM C. BULLITT

PROTOCOL

At the moment of signing the present Convention for the avoidance of double taxation and the establishment of rules of reciprocal

TITRE III

Dispositions Generales.

ARTICLE 27.

La présente Convention sera ratifiée, en ce qui concerne la France, par le Président de la République Française avec l'assentiment du Parlement, et, en ce qui concerne les Etats-Unis d'Amérique, par le Président, d'après le conseil et avec l'assentiment du Sénat.

Cette Convention sera mise en vigueur le 1er Janvier qui suivra l'échange des instruments de ratification et restera en vigueur pendant une période de cinq ans et ensuite tant qu'Elle n'aura pas été dénoncée par l'un des Etats contractants.

En cas de dénonciation, un préavis de six mois sera observé, la dénonciation ne prenant effet qu'au 1er janvier qui suivra l'expiration de cette période de préavis.

Dès l'entrée en vigueur de la présente Convention, la précédente Convention pour éviter les doubles impositions signée le 27 avril 1932 entre la République Française et les Etats-Unis d'Amérique cessera de s'appliquer et n'aura plus d'effet.

Fait à Paris, et en double exemplaire, en Français et en Anglais, le 25 Juillet 1939.

[SEAL]

GEORGES BONNET

PROTOCOLE

Au moment de procéderà la signature de la présente Convention tendant à éviter les doubles impositions et à établir des règles

Ratification.

Effective date.

Duration; termination.

Termination of prior Convention.

49 Stat. 3145.

administrative assistance in the case of income and other taxes, the undersigned Plenipotentiaries have agreed that the following provisions shall form an integral part of the Convention:

d'assistance administrative réciproque en matière d'impôts sur le revenu et autres impôts, les Plénipotentiaires soussignés ont fait la déclaration concordante suivante qui forme partie intégrante de la Convention même:

I.

The present Convention is concluded with reference to American and French law in force on the day of its signature.

I.

La présente Convention est conclue en l'état des législations française et américaine à la date de la signature.

Consultation.

Accordingly, if these laws are appreciably modified the competent authorities of the two States will consult together.

Par suite, si ces législations venaient à être sensiblement modifiées, les autorités fiscales compétentes des deux Etats se concerteraient.

II.

The income from real property referred to in Article 2 of the present Convention shall include profits from the sale or exchange of the said property, but shall not include interest on mortgages or obligations secured by the said property.

II.

Les revenus des biens immobiliers visés à l'article 2 de la présente Convention comprennent les bénéfices provenant de la vente ou de l'échange desdits biens mais ne comprennent pas les intérêts sur hypothèques ou obligations garanties par les mêmes biens.

Real property.

Art. 2, p. 895.

III.

As used in this Convention:

III.

Pour l'application de la présente Convention:

"Permanent establishment."

(a) The term "permanent establishment" includes branches, mines and oil wells, plantations, factories, workshops, stores, purchasing and selling and other offices, agencies, warehouses, and other fixed places of business but does not include a subsidiary corporation.

(a) Le terme "établissement stable" désigne les succursales, exploitations minières et pétrolifères, plantations, fabriques, ateliers, magasins, bureaux, comptoirs d'achat et de vente, agences, dépôts et autres centres fixes d'affaires mais ne comprend pas les sociétés filiales.

When an enterprise of one of the contracting States carries on business in the other State through an employee or agent, established there, who has general authority to negotiate and conclude contracts or has a stock of merchandise from

Lorsqu'une entreprise de l'un des Etats contractants fait des affaires dans l'autre Etat par l'entremise d'un employé ou agent y établi qui est investi des pouvoirs nécessaires pour la négociation et la conclusion des contrats ou qui

which he regularly fills orders which he receives, this enterprise shall be deemed to have a permanent establishment in the latter State. But the fact that an enterprise of one of the contracting States has business dealings in the other State through a bona fide commission agent or broker shall not be held to mean that such enterprise has a permanent establishment in the latter State.

Insurance enterprises shall be considered as having a permanent establishment in one of the States as soon as they receive premiums from or insure risks in the territory of that State.

dispose d'un stock de marchandises pour satisfaire habituellement aux commandes qu'il reçoit, cette entreprise est considérée comme ayant un établissement stable dans ce dernier Etat. Mais, le fait qu'une entreprise de l'un des Etats contractants ait des relations d'affaires dans l'autre Etat par l'intermédiaire d'un commissionnaire ou courtier vraiment autonome ne permet pas de regarder cette entreprise comme ayant un établissement stable dans ce dernier Etat.

Les entreprises d'assurances sont considérées comme ayant un établissement stable dans l'un des Etats dès l'instant qu'elles y perçoivent des primes ou qu'elles assurent des risques situés sur le territoire de cet Etat.

(b) The term "enterprise" includes every form of undertaking whether carried on by an individual, partnership, corporation, or any other entity.

(c) The term "enterprise of one of the contracting States" means, as the case may be, "United States enterprise" or "French enterprise".

(d) The term "United States enterprise" means an enterprise carried on in the United States of America by a resident of the United States of America or by a United States corporation or other entity.

The term "United States corporation or other entity" means a partnership, corporation or other entity created or organized in the United States of America or under the

(b) Le mot "entreprise" comprend toute forme d'exploitation appartenant à un particulier, société en nom collectif, société anonyme ou toute autre personne morale.

(c) L'expression "entreprise d'un des Etats contractants" signifie, suivant le cas, "entreprise américaine" ou "entreprise française".

(d) L'expression "entreprise américaine" désigne une entreprise exploitée aux Etats-Unis d'Amérique par un résidant des Etats-Unis d'Amérique ou par une Société ou autre collectivité américaine.

L'expression "société ou autre collectivité américaine" désigne toute société ou autre collectivité créée ou organisée dans les Etats-Unis d'Amérique ou suivant les lois des

"Enterprise."

"Enterprise of one of the contracting States."

"United States enterprise."

"United States corporation or other entity."

law of the United States of America or of any State or Territory of the United States of America.

Etats-Unis d'Amérique ou d'un Etat ou Territoire des Etats-Unis d'Amérique.

"French enterprise."

(e) The term "French enterprise" is defined in the same manner, mutatis mutandis, as the term "United States enterprise".

(e) L'expression "entreprise française" se définit de la même façon, mutatis mutandis, que l'expression "entreprise américaine".

IV

IV

"Life annuities."
Ante, p. 898.

The term "life annuities" referred to in Article 8 of this Convention means a stated sum payable periodically at stated times during life, or during a specified number of years to the person who has paid the premiums or a gross sum for such an obligation.

L'expression "rentes viagères" employée dans l'article 8 de la présente Convention désigne une somme déterminée payable périodiquement à des époques déterminées pendant la vie d'une personne ou pendant un nombre déterminé d'années, à la condition que ce soit cette personne qui ait payé les primes ou versé le capital correspondant à cette obligation.

V

V

Taxes on citizens, etc., of other State, restriction.

Citizens and corporations or other entities of one of the contracting States within the other contracting State shall not be subjected as regards the taxes referred to in the present Convention, to the payment of higher taxes than are imposed upon the citizens or corporations or other entities of such latter State.

Les citoyens et sociétés ou autres collectivités de l'un des Etats contractants ne seront pas soumis dans l'autre Etat, en ce qui concerne les impôts visés par la présente Convention, à des droits plus élevés que ceux imposés aux citoyens et sociétés ou autres collectivités de ce dernier Etat.

VI

VI

Exemptions, etc.

The provisions of the present Convention shall not be construed to restrict in any manner any exemption, deduction, credit, allowance, or other advantage accorded by the laws of one of the contracting States in the determination of the tax imposed by such State.

Les dispositions de la présente Convention ne restreignent pas les exemptions, déductions, réductions (credits) abattements ou autres avantages accordés par la législation de l'un des Etats contractants dans la détermination de l'impôt perçu par cet Etat.

VII

VII

Publication, etc., of documents and information, restriction.

Documents and information contained therein, transmitted under the provisions of this Con-

Les documents et les renseignements y contenus, transmis conformément aux dispositions de la

vention by one of the contracting States to the other contracting State shall not be published, revealed or disclosed to any person except to the extent permitted under the laws of the latter State with respect to similar documents or information.

présente Convention par l'un des Etats contractants à l'autre Etat ne seront publiés, révélés ou divulgués à qui que ce soit sauf dans la limite permise par les lois de ce dernier Etat en ce qui concerne les documents ou renseignements analogues.

VIII

As used in this Convention the term "competent authority" or "competent authorities" means, in the case of the United States of America, the Secretary of the Treasury and in the case of France, the Minister of Finance.

VIII

Telle qu'employée dans cette Convention, l'expression "autorité compétente" ou "autorités compétentes" signifie, dans le cas des Etats-Unis d'Amérique, le Secrétaire du Trésor et, dans le cas de la France, le Ministre des Finances.

"Competent authority."

IX

The term "United States of America" as used in this Convention in a geographic sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

IX

Le terme "Etats-Unis d'Amérique" quand il est employé dans un sens géographique comprend seulement les Etats, les Territoires de l'Alaska et d'Hawaii et le District de Columbia.

"United States of America."

X

The term "France", when used in a geographic sense, indicates continental France, exclusive of Algeria and the Colonies.

X

Le terme "France" quand il est employé dans un sens géographique ne comprend que la France métropolitaine à l'exclusion de l'Algérie et des Colonies.

"France."

XI

Should any difficulty or doubt arise as to the interpretation or application of the present Convention, or its relationship to Conventions between one of the contracting States and any other State, the competent authorities of the contracting States may settle the question by mutual agreement.

XI

Toute difficulté pouvant surgir au sujet de l'application ou de l'interprétation de la présente Convention ou de ses rapports avec les Conventions passées entre l'un des Etats contractants et un Etat tiers pourra être résolue par les autorités compétentes des deux Etats contractants qui se consulteront à cet effet.

Questions of interpretation, etc.

Done in duplicate at PARIS, this 25th day of July, 1939.

Fait en double expédition, à PARIS, le 25 Juillet 1939.

WILLIAM C. BULLITT

GEORGES BONNET

Ratifications ex-
changed.

AND WHEREAS the said convention and protocol have been ratified on both parts, and the instruments of ratification of the two Governments were exchanged at Paris on the thirtieth day of December, one thousand nine hundred forty-four;

Ante, p. 909.

AND WHEREAS it is provided in Article 27 of the said convention that the convention shall become effective on the first day of January following the exchange of the instruments of ratification;

Effective date.

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and make public the said convention and protocol to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof on and from the first day of January, one thousand nine hundred forty-five.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this fifth day of January in the
[SEAL] year of our Lord one thousand nine hundred forty-five,
and of the Independence of the United States of America
the one hundred sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

E R STETTINIUS Jr
Secretary of State

Convention between the United States of America and Canada respecting double taxation, estate taxes and succession duties. Signed at Ottawa June 8, 1944; ratification advised by the Senate of the United States of America December 6, 1944; ratified by the President of the United States of America December 21, 1944; ratified by Canada December 28, 1944; ratifications exchanged at Washington February 6, 1945; proclaimed by the President of the United States of America March 6, 1945; effective June 14, 1941.

June 8, 1944
[T. S. 989]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a convention between the United States of America and Canada for the avoidance of double taxation and the prevention of fiscal evasion in the case of estate taxes and succession duties was signed by their respective Plenipotentiaries at Ottawa on the eighth day of June, one thousand nine hundred forty-four, the original of which convention is word for word as follows:

The Government of the United States of America and the Government of Canada, being desirous of avoiding double taxation and of preventing fiscal evasion in the case of estate taxes and succession duties, have decided to conclude a Convention and for that purpose have appointed as their Plenipotentiaries:

Plenipotentiaries.

Ray Atherton, Ambassador Extraordinary and Plenipotentiary of the United States of America at Ottawa, for the United States of America; and

W. L. Mackenzie King, Secretary of State for External Affairs, and Colin W. G. Gibson, Minister of National Revenue, for Canada.

Who, having communicated to one another their full powers found in good and due form, have agreed upon the following Articles:

Article I

1. The taxes referred to in this Convention are:

- (a) for the United States of America; the Federal estate taxes;
- (b) for Canada; the taxes imposed under the Dominion Succession Duty Act.

2. In the event of appreciable changes in the fiscal laws of either contracting State, the competent authorities of the contracting States will consult together.

Article II

Real property.

1. Real property situated in Canada shall be exempt from the application of the taxes imposed by the United States of America.
2. Real property situated in the United States of America shall be exempt from the application of the taxes imposed by Canada.
3. The question whether rights relating to or secured by real property are to be considered as real property for the purposes of this Convention shall be determined in accordance with the laws of the contracting State imposing the tax.

Article III

Shares of stock.

1. Shares in a corporation organized in or under the laws of the United States of America, of any of the states or territories of the United States of America, or of the District of Columbia, shall be deemed to be property situated within the United States of America.
2. Shares in a corporation organized in or under the laws of Canada, or of any of the provinces or territories of Canada, shall be deemed to be property situated within Canada.
3. This Article shall not be construed as limiting the liability of the estate of any person not domiciled in Canada or of any citizen of the United States of America, under the estate tax laws of the United States of America.

Article IV

Determination of situs, domicile, etc.

1. The situs of property shall be determined in accordance with the laws of the contracting State imposing the tax, except as otherwise provided in this Convention.
2. Allowances for debts shall be determined in accordance with the laws of the contracting State imposing the tax.
3. Domicile shall be determined in accordance with the laws of the contracting State imposing the tax.

Article V

Estates of deceased persons.

1. In the case of a decedent who at the time of his death was a citizen of, or domiciled in, the United States of America, the United States of America may include in the gross estate any property (other than real property) situated in Canada as though this Convention had not come into effect.
2. In the case of a decedent (other than a citizen of the United States of America) who at the time of his death was domiciled in Canada, the United States of America shall, in imposing the taxes to which this Convention relates:
 - (a) take into account only property situated in the United States of America; and
 - (b) allow as an exemption an amount which bears the same ratio to the personal exemption allowed in the case of a decedent who was at the time of his death a citizen of, or domiciled in, the United States of America as the value of the property of

such decedent situated in the United States of America bears to the value of the property included in the entire gross estate of the decedent.

3. In the case of a decedent who at the time of his death was domiciled in Canada, Canada may include in the gross estate any property (other than real property) situated in the United States of America as though this Convention had not come into effect.

4. In the case of a decedent who at the time of his death was domiciled in the United States of America, Canada shall, in imposing the taxes to which this Convention relates:

- (a) take into account only property situated in Canada; and
- (b) allow as an exemption an amount which bears the same ratio to the personal exemption allowed in the case of a decedent who was at the time of his death domiciled in Canada as the value of the property of such decedent situated in Canada bears to the entire value of the property, wherever situated.

Article VI

1. In the case of a decedent who at the time of his death was a citizen of or domiciled in the United States of America, the United States of America shall impose the estate taxes to which this Convention relates upon the following conditions:

- (a) In respect of property situated in Canada which, for the purpose of estate taxes, is included in the gross estate, less such property as is specifically deducted therefrom (either because of transfer for public, charitable, educational, religious or similar uses or because the property has been previously taxed under provisions of law relating to property previously taxed), there shall be allowed against the estate taxes a credit for Canadian succession taxes in respect of the property situated in Canada, the situs of such property being determined in accordance with the laws of Canada, subject to the provisions of this Convention.
- (b) The portion of the Canadian succession taxes to be allowed as a credit against United States estate taxes shall be an amount which bears the same ratio to the total Canadian succession taxes as the value of the property situated in Canada and with respect to which estate taxes are imposed by the United States of America bears to the total value of the property with respect to which succession taxes are imposed by Canada.
- (c) The credit in any such case shall not exceed an amount which bears the same ratio to such estate taxes, computed without the credit provided for herein, as the value of the property situated in Canada and not excluded or deducted from the gross estate as provided in (a) bears to the value of the entire gross estate.
- (d) The values referred to in (c) are the values determined by the United States of America for the purpose of estate taxes.

53 Stat. 126.
26 U. S. C. § 813 (b);
Supp. IV, § 813 (b).

- (e) The credit provided for herein shall apply after the application of section 813 (b) of the Internal Revenue Code, as amended by the Revenue Act of 1942.

2. In the case of a decedent who at the time of his death was domiciled in Canada, Canada shall impose the succession taxes to which this Convention relates upon the following conditions:

- (a) In respect of property situated in the United States of America which, for the purpose of succession taxes, is included in the gross estate, less such property as is specifically deducted therefrom (because of transfer for charitable, educational, religious or similar uses), there shall be allowed against the succession taxes a credit for United States estate taxes in respect of the property situated in the United States of America, the situs of such property being determined in accordance with the laws of the United States of America, subject to the provisions of this Convention.
- (b) The portion of the United States estate taxes to be allowed as a credit against Canadian succession taxes shall be an amount which bears the same ratio to the total United States estate taxes as the value of the property situated in the United States of America and with respect to which succession taxes are imposed by Canada bears to the total value of the property with respect to which estate taxes are imposed by the United States of America.
- (c) The credit in any such case shall not exceed an amount which bears the same ratio to such succession taxes, computed without the credit provided for herein, as the value of the property situated in the United States of America and not excluded or deducted from the gross estate as provided in (a) bears to the entire value of the property, wherever situated.
- (d) The values referred to in (c) are the values determined by Canada for the purpose of succession taxes.

3. (a) The credit referred to in this Article may be allowed by the United States of America if claim therefor is filed within the periods provided in section 813 (b) of the Internal Revenue Code, as amended.

53 Stat. 126.
26 U. S. C. § 813 (b);
Supp. IV, § 813 (b).

(b) The credit referred to in this Article may be allowed by Canada if claim therefor is filed within the period provided by subsection 4 of section 35 of the Dominion Succession Duty Act relating to refund of overpayment.

(c) A refund based on the credit may be made if a claim therefor is filed within the respective periods above provided.

(d) Any refund based on the provisions of this Article or any other provisions of this Convention shall be made without interest.

Article VII

1. With a view to the prevention of fiscal evasion each of the contracting States undertakes to furnish to the other contracting State, as provided in the succeeding Articles of this Convention, the infor-

Exchange of information.

mation which its competent authorities have at their disposal or are in a position to obtain under its revenue laws in so far as such information may be of use to the authorities of the other contracting State in the assessment of the taxes to which this Convention relates.

2. The information to be furnished under this Article, whether in the ordinary course or on request, may be exchanged directly between the competent authorities of the two contracting States.

Article VIII

1. The Commissioner shall notify the Minister as soon as practicable when the Commissioner ascertains that in the case of:

- (a) a decedent, any part of whose estate is subject to the Federal estate tax laws, there is property of such decedent situated in Canada;
- (b) a decedent domiciled in Canada, any part of whose estate is subject to the Dominion Succession Duty Act, there is property of such decedent situated in the United States of America.

2. The Minister shall notify the Commissioner as soon as practicable when the Minister ascertains that in the case of:

- (a) a decedent, any part of whose estate is subject to the Dominion Succession Duty Act, there is property of such decedent situated in the United States of America;
- (b) a decedent domiciled in the United States of America, any part of whose estate is subject to the Federal estate tax laws, there is property of such decedent situated in Canada.

Article IX

1. If the Minister deems it necessary to obtain the cooperation of the Commissioner in determination of the succession tax liability of any person, the Commissioner may, upon request, furnish the Minister such information bearing upon the matter as the Commissioner is entitled to obtain under the revenue laws of the United States of America.

2. If the Commissioner deems it necessary to obtain the cooperation of the Minister in the determination of the estate tax liability of any person, the Minister may, upon request, furnish the Commissioner such information bearing upon the matter as the Minister is entitled to obtain under the revenue laws of Canada.

Article X

The competent authorities of the contracting States may:

- (a) prescribe regulations to carry into effect this Convention within the respective States and rules with respect to the exchange of information;
- (b) if doubt arises, settle questions of interpretation or application of this Convention by mutual agreement;
- (c) communicate with each other directly for the purpose of giving effect to the provisions of this Convention.

Article XI

Claim or protest.

If any fiduciary or beneficiary can show that double taxation has resulted or may result in respect of the taxes to which this Convention relates, such fiduciary or beneficiary shall be entitled to lodge a claim or protest with the State of citizenship or domicile of such fiduciary or beneficiary, or, if a corporation or other entity, with the State in which created or organized. If the claim or protest should be deemed worthy of consideration, the competent authority of such State may consult with the competent authority of the other State to determine whether the alleged double taxation exists or may occur and if so whether it may be avoided in accordance with the terms of this Convention.

Article XII

Exemptions, etc.

The provisions of this Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance accorded by the laws of one of the contracting States in the determination of the tax imposed by such State.

Article XIII

1. As used in this Convention :

"Minister."

(a) The term "Minister" means the Minister of National Revenue of Canada or his duly authorized representative.

"Commissioner."

(b) The term "Commissioner" means the Commissioner of Internal Revenue of the United States of America, or his duly authorized representative.

"Competent authority."

(c) The term "competent authority" or "competent authorities" means the Commissioner and the Minister and their duly authorized representatives.

2. When used in a geographical sense:

"United States of America."

(a) The term "United States of America" includes only the states, the Territory of Alaska, the Territory of Hawaii, and the District of Columbia.

"Canada."

(b) The term "Canada" means the provinces, the territories and Sable Island.

Article XIV

Ratification.

1. This Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

Effective date.

2. This Convention shall be deemed to have come into effect on the fourteenth day of June, 1941. It shall continue in effect for a period of five years from that date and indefinitely after that period, but may be terminated by either of the contracting States at the end of the five year period or at any time thereafter provided that at least six months prior notice of termination has been given.

Termination.

Done in duplicate, at Ottawa, this eighth day of June, 1944.

RAY ATHERTON

W. L. MACKENZIE KING.

COLIN GIBSON

AND WHEREAS the said convention has been ratified on both parts, and the instruments of ratification of the two Governments were exchanged at Washington on the sixth day of February, one thousand nine hundred forty-five;

Ratifications exchanged.

AND WHEREAS it is provided in Article XIV of the said convention that the convention shall be deemed to have come into effect on the fourteenth day of June, one thousand nine hundred forty-one;

NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, do hereby proclaim and make public the said convention to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, the said convention being deemed to have come into effect on the fourteenth day of June, one thousand nine hundred forty-one.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this sixth day of March in the year of our Lord one thousand nine hundred forty-five and of [SEAL] the Independence of the United States of America the one hundred sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

JOSEPH C. GREW

Acting Secretary of State

May 6, 1937, July 22,
1942, and Aug. 31,
1944

[T. S. 990]

Agreement and protocol between the United States of America and other powers respecting regulation of production and marketing of sugar. Signed at London May 6, 1937; ratification advised by the Senate of the United States of America, subject to a reservation, December 20, 1937; ratified by the President of the United States of America, subject to said reservation, March 22, 1938; ratification deposited April 4, 1938; proclaimed by the President of the United States of America April 20, 1945; effective September 1, 1937. Protocol enforcing and prolonging the agreement signed at London July 22, 1942; proclaimed by the President of the United States of America April 20, 1945. And additional protocol signed at London August 31, 1944; ratification advised by the Senate of the United States of America December 6, 1944; ratified by the President of the United States of America March 9, 1945; ratification deposited April 13, 1945; proclaimed by the President of the United States of America April 20, 1945.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS an International Agreement Regarding the Regulation of Production and Marketing of Sugar and a protocol annexed thereto concerning transitional measures were signed in London on May 6, 1937, by the respective Plenipotentiaries of the Governments of the United States of America (for the Government of the United States of America with a separate statement, and in respect of the Commonwealth of the Philippines), the Union of South Africa, the Commonwealth of Australia, Belgium, Brazil, the United Kingdom of Great Britain and Northern Ireland, China, the Republic of Cuba, Czechoslovakia, the Dominican Republic, France, Germany, Haiti, Hungary, India, the Netherlands, Peru, Poland (with a reservation of the right to accede on behalf of the Free City of Danzig), Portugal, the Union of Soviet Socialist Republics (with an understanding that provisions of the Agreement "which in any manner refer to internal production do not apply to the U.S.S.R."), and Yugoslavia, the originals of which Agreement and protocol, in the English language, as certified by the Foreign Office of the Government of the United Kingdom of Great Britain and Northern Ireland in London, are word for word as follows:

INTERNATIONAL AGREEMENT REGARDING THE REGULATION OF PRODUCTION AND MARKETING OF SUGAR.

CONTENTS.

- Preamble.
- Chapter I.—Definitions.
- Chapter II.—General undertakings.
- Chapter III.—Obligations of countries not exporting to the Free Market.
- Chapter IV.—Export quotas for the Free Market.
- Chapter V.—Stocks.
- Chapter VI.—Establishment of an International Sugar Council.
- Chapter VII.—Miscellaneous provisions.

The Governments of—

- The Union of South Africa,
- The Commonwealth of Australia,
- Brazil,
- Belgium,
- The United Kingdom of Great Britain and Northern Ireland,
- China,
- The Republic of Cuba,
- Czechoslovakia,
- The Dominican Republic,
- France,
- Germany,
- Haiti,
- Hungary,
- India,
- The Netherlands,
- Peru,
- Poland,
- Portugal,
- The Union of Soviet Socialist Republics,
- The United States of America,
- Yugoslavia,

In pursuance of the recommendation of the World Monetary and Economic Conference of 1933 that negotiations should continue with a view to establishing and maintaining an orderly relationship between the supply and demand for sugar in the world market;

Considering that the present situation of the sugar market renders it both possible and necessary for the Governments concerned to collaborate to this end;

Bearing in mind the principle laid down by the above-mentioned Conference that any international agreement for the regulation of production and marketing should be equitable both to producers and consumers;

Have agreed as follows:—

Chapter I.—*Definitions.*

ARTICLE 1.

For the purposes of the present Agreement—

(1) "Ton" means a metric ton of 1,000 kilograms.

"Long ton" means a ton of 2,240 lbs. avoirdupois.

"Short ton" means a ton of 2,000 lbs. avoirdupois.

(2) "Quota year" means the period from the 1st September to the 31st August.

(3) "Sugar" shall be deemed to include sugar in any of its commercial forms, except the product sold as final molasses, and also except the so-called "Goela Mangkok" sugar produced by primitive methods by natives of Java for their own account to which sugar the Government of the Netherlands East Indies does not extend its legislative measures.

The sugar equivalent of exports of the product known as "fancy molasses" from Barbados shall, however, be charged to the export quota of the British Colonial Empire.

The respective export quotas of sugar referred to in this Agreement shall, in the case of cane sugar producing countries, mean and refer to the nature and the types of sugar heretofore exported by such countries; and, in the case of beet sugar producing countries, shall mean raw sugar *tel quel*, white sugars of the latter countries to be converted to a raw basis at the rate of nine parts white to ten parts raw. Such quantities shall, in all cases, mean net weight excluding the container.

(4) "Net imports" means total imports after deducting total exports.

(5) "Net exports" means total exports after deducting total imports.

(6) "Exports to the free market" shall include all net exports from the countries to which export quotas for the free market are or may be allotted under Article 19, with the exception of—

(a) exports from the Republic of Cuba to the United States of America under any import quota allotted by the United States of America to Cuba; provided that such sugar is not re-exported from the United States of America to any country except Cuba, and further provided that any sugar exported from Cuba to the United States of America under a quota allotted under paragraph (a) of Article 9 shall be included in the exports of Cuba to the free market;

Post, p. 930.

Post, p. 927.

- (b) exports from any country to the United States of America under paragraph (c) of Article 9 of this Agreement;
 - (c) exports from the U. S. S. R. to Mongolia, Sin Kiang and Tannu Tuva;
 - (d) exports from French Colonies to France, Algeria and other French Colonies and from France to Algeria, and French Colonies;
 - (e) exports from the Commonwealth of the Philippines to the United States of America;
 - (f) sugar sent from Belgium to Luxemburg, which in virtue of the Belgo-Luxemburg Economic Union does not rank as an export.
- (7) "The Council" means the International Sugar Council to be set up under the present Agreement.

Chapter II.—*General Undertakings.*

ARTICLE 2.

The Contracting Governments agree that it is their policy so to direct the arrangements made under the present Agreement as always to assure consumers of an adequate supply of sugar on the world market at a reasonable price not to exceed the cost of production, including a reasonable profit, of efficient producers.

Policy.

ARTICLE 3.

The Contracting Governments shall take all the legislative or administrative measures necessary for the execution of the present Agreement. The texts of such measures shall be communicated to the Secretariat of the Council.

Execution.

ARTICLE 4.

While recognising that all Government measures relating to agrarian policy and to state assistance to the sugar industry are governed by the internal conditions of each country and in many cases require the approval of Parliament, the Contracting Governments agree that it is desirable that—

Avoidance of excessive production.

(a) If and when prices on the free market rise, all necessary steps should be taken to prevent the rise in world prices from leading on the one hand to an increase of internal prices for consumers such as would be likely to check consumption, and on the other hand to a rise of wholesale prices (beyond the level required to secure a fair return for growers and producers) to such a point as to stimulate excess production not justified by the requirements of the market, thus defeating the object of the present Agreement;

(b) In sugar exporting countries whose internal prices are not directly affected by a rise in the world price of sugar, all necessary steps should be taken to prevent the increase in the returns received from sugar production for export from causing the same difficulty by stimulating excessive and unjustified production.

ARTICLE 5.

Encouragement of increased consumption.

The Contracting Governments agree that, as far as possible, favourable consideration should be given to all proposals having for their object:—

- (a) the reduction of disproportionate fiscal burdens on sugar;
- (b) the encouragement and support of all efforts to promote increased consumption of sugar in countries in which consumption is low by means of suitable publicity campaigns or by other effective means both on the national and, where considered appropriate, on the international plane;
- (c) appropriate action to check the abuses resulting from the substitution for sugar of substances having no comparable food value;
- (d) the search for new and alternative uses for sugar, within the framework of national activities.

ARTICLE 6.

The Council shall—

Studies by Council.

- (a) make a full study, acting if it considers it desirable in conjunction with appropriate international organisations such as the International Institute of Agriculture, of the various forms of state assistance in order in particular to formulate proposals for carrying out the principle laid down in Article 4, taking into account the varying conditions under which sugar production is carried on, and, in particular, the conditions of agricultural production;
- (b) enquire into the effect on the free market of direct or indirect premiums granted to sugar-producing industries in general;
- (c) examine the possibility of promoting between white sugar exporting countries reciprocal agreements to respect their national markets;
- (d) collect available information in regard to the matters dealt with in Article 5;
- (e) submit the results of enquiries made in regard to the matters dealt with in this Article for the consideration of Contracting Governments.

ARTICLE 7.

Statistics and information.

The Contracting Governments undertake to supply all available statistics and information requested by the Council or the Executive Committee and to comply with any other reasonable request made by those bodies within the scope and provisions of the present Agreement.

Chapter III.—*Obligations of Countries not exporting to the Free Market.*

ARTICLE 8.

Obligations.

In order to contribute, so far as they are each concerned, to the maintenance and if possible the expansion of the free market for sugar the Governments hereinafter specified accept for the period of the present Agreement the specific obligations set forth in the succeeding Articles of this Chapter.

ARTICLE 9.

(a) The Government of the United States undertakes, with respect to the United States, its territories and possessions, except the Commonwealth of the Philippines, to permit during each calendar year a net importation from foreign countries not enjoying preferential duty rates (*i. e.*, the quantity by which imports from such countries exceed total exports to the world market, it being understood that supplies from the Commonwealth of the Philippines and re-exports of Cuban sugar from the United States are not to be included in reckoning net importation) of a quantity of sugar which shall be a proportion of the quantity needed to meet the requirements of consumers in continental United States at least equal to the proportion allotted to such foreign countries during the calendar year 1937 in accordance with General Sugar Quota Regulations, Series 4, No. 1, issued by the United States Department of Agriculture on the 12th December, 1936. If the quota of the Commonwealth of the Philippines should be reduced below an amount equal to 800,000 long tons of unrefined sugar plus 50,000 long tons of refined sugar, the Government of the United States further undertakes to permit a net importation (as defined above) from foreign countries of a net quantity of sugar equal to the amount of such reduction.

Undertakings of
U. S. Government.

(b) Furthermore, in the allocation of import quotas to foreign countries as provided above, the Government of the United States undertakes that the percentage so allotted to countries parties to the present Agreement shall not in the aggregate be less than the percentage allotted to those countries at the time of the signature of the Agreement.

(c) The Government of the United States reserves the right to increase the net imports of sugar (as defined above) from foreign countries not enjoying preferential duty rates over and above the minimum import quotas to be allocated to them under the provisions of paragraphs (a) and (b) above, such excess not to be chargeable to the export quotas of such foreign countries and not to be included in reckoning the net importation for the purposes of paragraph (a).

ARTICLE 10.

(a) The Government of the Commonwealth of the Philippines undertakes, so long as the United States maintains a quota for Philippine sugar of not less than an amount equal to 800,000 long tons of unrefined sugar plus 50,000 long tons of refined sugar per calendar year, not to export sugar to countries other than the United States, its territories and possessions, until additional export quotas are allotted under Article 20 of the present Agreement. In the event of such additional quotas being allotted, the Commonwealth of the Philippines will be entitled to export to the free market during the period for which such additional quotas are in force an amount equal to 4 per cent. of the aggregate of such additional quotas.

Undertakings by
Government of Com-
monwealth of the
Philippines.

Post, p. 931.

(b) In the event of a reduction in the quota for Philippine sugar for importation into the United States below a quantity equal to

800,000 long tons of unrefined sugar plus 50,000 long tons of refined sugar per calendar year, the Commonwealth of the Philippines shall be allotted a basic export quota for the free market equal to the quantity by which such quota in the United States is reduced plus the 4 per cent. above mentioned.

(c) The Government of the Commonwealth of the Philippines will not claim any quota for export to the free market because of any change which may take place during the period of the present Agreement in the tariff conditions under which Philippine sugar is admitted into the United States, and in return the Contracting Governments agree not to claim, in virtue of any most-favoured-nation rights granted to them by the Government of the United States, the benefit of any advantages with respect to sugar which may be accorded to, or agreed upon with, the Philippines by the Government of the United States during the period of the present Agreement.

ARTICLE 11.

The Government of the United Kingdom undertakes, subject to the provisions of Article 14 below—

- (a) To maintain in operation during the period of the present Agreement those provisions of the Sugar Industry (Reorganization) Act, 1936, designed to limit the annual production of sugar in Great Britain to a standard quantity of 560,000 long tons of white sugar (*i. e.*, approximately 618,000 metric tons raw value).
- (b) That during the period of the present Agreement the total exports from the British Colonial Empire shall be limited to a basic figure of 965,254 metric tons per quota year.

ARTICLE 12.

The Government of the Commonwealth of Australia undertakes, subject to the provisions of Article 14 below, to limit exports from Australia to a basic figure of 406,423 metric tons per quota year during the period of the present Agreement.

ARTICLE 13.

The Government of the Union of South Africa undertakes, subject to the provisions of Article 14 below, to limit exports from the Union to a basic figure of 209,000 metric tons per quota year during the period of the present Agreement.

ARTICLE 14.

(a) The Government of the United Kingdom, the Government of the Commonwealth of Australia and the Government of the Union of South Africa reserve the right respectively to increase the standard quantity for production in Great Britain and the basic quotas for exports of the Colonial Empire, Australia and South Africa, specified above, proportionately to any increase in requirements over and above the consumption requirements for the year ending the 31st August,

Undertakings by Government of the United Kingdom.

Undertakings by Government of the Commonwealth of Australia.

Undertakings by Government of the Union of South Africa.

Right reserved

1937, of the United Kingdom plus the aggregate of the net import requirements for that year of each of the other parts of the British Empire.

Provided that there shall be reserved for exporters to the free market a percentage of the increase so calculated not less than the percentage of the aforesaid requirements supplied by the exporters to the free market in the year ending on the 31st August, 1937.

(b) The Governments of the United Kingdom, the Commonwealth of Australia and the Union of South Africa, in consultation with the Council, shall determine before the commencement of each quota year the estimated amount of the increase in requirements as aforesaid for that year, and the said Governments will thereupon notify the Council what amount of such estimated increase will be added to the standard quantity referred to in Article 11 (a) above or the export quotas referred to in Articles 11 (b), 12 and 13 as the case may be, and what amount will be available for exporters to the free market.

Estimates.

(c) The Governments of the Commonwealth of Australia and of the Union of South Africa agree not to claim any increase of their basic quotas, as fixed in Articles 12 and 13 respectively, in the year commencing the 1st September, 1937, without prejudice to their rights to their full share in the increase in future years of the aforesaid requirements as compared with the year ending the 31st August, 1937, and their shares of the increase of requirements in the year commencing the 1st September, 1937, shall be made available for exporters to the free market.

(d) If in any year the actual increase of requirements calculated as aforesaid exceeds or falls short of the estimate made as provided in paragraph (b) of this Article, a correction shall if necessary be made by deduction from or addition to the quotas for the next succeeding year.

ARTICLE 15.

The provisions of Articles 22, 23 and 25 shall apply to the export quotas fixed by Articles 11, 12 and 13 above, and these quotas shall also be subject to the rules of paragraph (a) of Article 24 regarding notification of inability to utilise quotas, in the same way as if the said quotas were quotas for export to the free market. In the event of such notification of inability to utilise quotas the parts not to be utilised may be redistributed among the other territories referred to in Articles 11, 12 and 13.

Export quotas.

ARTICLE 16.

(a) The Government of India undertakes to prohibit exports of sugar by sea elsewhere than to Burma during the period of the present Agreement.

Exports by India.

(b) In the event of re-export of Indian sugar by sea from Burma rendering the Government of India's contribution to the present Agreement ineffective, the Government of India will take up the matter with the Government of Burma with a view to reaching arrangements which will render the Government of India's contribution effective.

ARTICLE 17.

Import require-
ments of China.

The Government of China will use its best endeavours, so far as circumstances permit, to the end that the sugar import requirements of the Chinese market shall not decrease during the period of the present Agreement.

ARTICLE 18.

Exports by Nether-
lands.

The Government of the Netherlands, in respect of its territory in Europe, undertakes to refrain from net exports of sugar; it reserves the right to cover the requirements of its home market by its home production and imports from other parts of the Kingdom.

The Government of the Netherlands, in respect of Netherlands Guiana, undertakes to refrain from net exports of sugar to countries outside the Kingdom of the Netherlands.

Chapter IV.—*Export Quotas for the Free Market.*

ARTICLE 19.

(a) The Contracting Governments shall have the basic export quotas for the free market which are set out below:—

<i>Country.</i>	<i>Basic Quota (metric tons).</i>
Belgium (including Belgian Congo)	20, 000
Brazil	60, 000
Cuba	940, 000
Czechoslovakia	250, 000*
Dominican Republic	400, 000
Germany	120, 000
Haiti	32, 500
Hungary	40, 000
Netherlands (including overseas territories) . .	1, 050, 000
Portugal (including overseas possessions) . . .	30, 000
Peru	330, 000
Poland	120, 000
Union of Soviet Socialist Republics (excluding exports to Mongolia, Tannu Tuva and Sin- Kiang)	230, 000
Total	3, 622, 500

*Czechoslovakia will receive the following extra allotments:—

Year beginning—

September 1, 1937: 90,000 metric tons.

September 1, 1938: 60,000 " "

September 1, 1939: 25,000 " "

it being understood that Czechoslovakia will take steps to reduce its acreage to correspond to those figures.

(b) It is further provided that 47,500 tons for the free market shall be placed in reserve. This reserve quota, if needed, will be at the disposal of those Governments which, while they have no separate quotas, have before signing the present Agreement, taken measures to balance their production and consumption, and have not been

habitual exporters, in order that they may be able in any particular year to export an unexpected surplus of output.

Yugoslavia shall in any case have a claim on the reserve up to 12,500 tons during each year of the Agreement.

France will be entitled to place upon the free market a possible surplus of production, whether home or colonial, up to the balance of the reserve after deducting any amount utilised by Yugoslavia.

If in any year France does not utilise the balance of the reserve after deducting the amount of 12,500 tons available for Yugoslavia, the exports of Yugoslavia may be increased up to a maximum of 15,000 tons.

(c) If there shall be allotted to the Commonwealth of the Philippines, under the provisions of Article 10, a basic export quota, that quota shall be subject in all respects to the same provisions as the export quotas set out in paragraph (a) of this Article.

Ante, p. 927.

(d) In the event of a non-signatory Government acceding to the present Agreement in accordance with Article 49 a basic export quota may be assigned to it in agreement with the said Government by the Council acting by unanimity of the votes cast.

Post, p. 940.

ARTICLE 20.

If the Council shall at any time decide by three-fifths of the votes cast that, having regard to the requirements of the market, additional supplies are desirable, it shall allot additional quotas to all the countries concerned for such period (not exceeding one year) as it may decide, the additional quotas for each country being proportional to the basic quota of that country. The Council shall at the same time make a corresponding proportionate increase in the reserve quota. Yugoslavia shall have a claim on such increase in the reserve quota proportionate to its claim on the original amount of the reserve. Furthermore, the Council shall, in accordance with Article 10, allot to the Commonwealth of the Philippines an export quota equal to 4 per cent. of the aggregate of the additional quotas allotted, including the increase in the reserve quota.

Additional quotas.

ARTICLE 21.

(a) The Council shall be empowered for the year beginning the 1st September, 1937, and/or the year beginning the 1st September, 1938, to reduce export quotas by a uniform percentage not exceeding 5 per cent. if, after a survey of the probable requirements of the market for the year in question, it decides that such reduction is necessary. For this purpose export quotas shall be deemed to be the basic quotas after deducting any part of such quotas released under Article 24 (a) or adding any special allocations made under Article 24 (b) for the years in question.

Reduction of quotas.

(b) In subsequent years, it shall be open to the Council to recommend at any time whether, and to what extent, a reduction would be desirable, but such reduction shall come into force only if all the members of the Council representing countries entitled to basic quotas or to participation in the reserve, consent to it.

ARTICLE 22.

Adherence to
quotas.

Each Contracting Government to which an export quota has been or may be allotted undertakes to ensure that net exports from its territories to the free market for any given quota year shall not exceed the export quota in force for it in that year under the provisions of the present Agreement.

ARTICLE 23.

Deficiency in quota.

If in any year of the Agreement a Contracting Government should not export its quota or any part of it, it shall not thereby acquire any right to an increase of its quota in the following year.

Nevertheless, if the Government of Czechoslovakia proves to the satisfaction of the Executive Committee that, owing to a low or high water level or the presence of ice on the Elbe, Czechoslovakia has been unable to export her full quota in any quota year, the Czechoslovak Government may be permitted to export the deficiency during the first three months of the next quota year, in addition to her quota for that year.

ARTICLE 24.

Redistribution.

(a) Each Contracting Government shall notify the Council, as soon as possible, if it does not propose to make use of its export quota, or any part of it, in any quota year, so that the quantities which will not be used may be redistributed (i) among the other Contracting Governments which notify the Council that they are in a position to use them and (ii) to the reserve quota. Subject to paragraph (b) below, this redistribution shall be made *pro rata* according to the basic quotas.

Cases of special
hardship.

(b) The Council shall in any given quota year have power to use up to 25 per cent. of the quotas available for redistribution or up to 50,000 metric tons of such quotas, whichever shall be the larger amount, to meet proved cases of special hardship. Nevertheless, if in a particular year the amount available for redistribution should be less than 30,000 tons, the Council shall have power, should a proved case of special hardship arise, to allot to meet the necessities of that case an amount up to 30,000 tons. The excess of this amount over the amount available for redistribution shall constitute an increase of the supplies to the free market and the quotas of other Contracting Governments shall not be affected.

(c) The Governments of the following countries have given notice that during the quota year beginning on the 1st September, 1937, they will not make use of the parts of their export quotas herein indicated:—

	<i>Tons.</i>
Belgium	5, 000
Germany	70, 000
Hungary	20, 000
Poland	20, 000
U.S.S.R.	11, 500

The French Government has given notice that during the above-mentioned quota year the reserve quota may be reduced by 22,500 tons.

ARTICLE 25.

Neither the basic quotas nor the export quotas for a particular year nor any additional quotas may be ceded by one Contracting Government to another.

Chapter V.—*Stocks.*

ARTICLE 26.

(a) While the Contracting Governments fully realise that due regard must be had to the necessity of maintaining adequate reserve supplies to meet unexpected demands, they agree that it is undesirable that excessive stocks of sugar which would weigh on the market should be accumulated in their respective countries.

(b) Those Contracting Governments to which export quotas have been or may be allotted under the present Agreement, undertake so to regulate their production that the stocks in their respective countries shall not exceed, for each country, on a fixed date in each year to be agreed with the Council, an amount equal to 25 per cent. of its annual production.

(c) Nevertheless, the Council may if it considers that such action is justified by special circumstances allot to any country a stock in excess of 25 per cent. of its production.

(d) On account of its special situation in connection with exports to the United States and the requirements of Contract No. 4 on the New York Sugar Exchange, the Republic of Cuba may have at the end of each calendar year as stocks (1) for the United States an amount not to exceed 30 per cent. of its export quota to that country, (2) for the free market, an amount not to exceed 300,000 metric tons, provided that a system of control is maintained by the Government of the Republic of Cuba, by means of identity certificates or otherwise, which ensures that such stocks are used for those purposes.

(e) Having regard to the special conditions of production in the Netherlands East Indies, that territory shall be permitted to have a stock not exceeding 500,000 tons on the 1st April in each year.

(f) Hungary shall be permitted to have a stock of 30 per cent. of its annual production.

ARTICLE 27.

Those Contracting Governments to which free market export quotas have been allotted agree in respect of their cane producing territories to regulate sugar production in those territories, unless prevented from doing so by drought, flood or other adverse conditions, so that stocks shall equal, on a fixed date in each year to be agreed with the Council, an amount not less than 10 per cent. of their respective export quotas for such year, provided nothing in this Article shall be construed as requiring any country to produce in excess of its basic export quota specified in Article 19 during either of the years 1937-38 or 1938-39.

ARTICLE 28.

The Council shall in due course determine what shall be regarded as "stocks" of sugar for the purpose of Articles 26 and 27.

Chapter VI.—*Establishment of an International Sugar Council.*

ARTICLE 29.

The present Agreement shall be under the administration of—

(a) A General Council, which shall be known as the International Sugar Council and shall be composed of delegates representing the Contracting Governments.

(b) An Executive Committee of nine members.

ARTICLE 30.

The seat of the Council and of the Executive Committee shall be in London.

ARTICLE 31.

Each Contracting Government shall appoint a delegation to the Council. Each delegation shall consist of not more than three members and its composition may be changed by giving formal notice to the chairman of the Council. Each delegation may be accompanied by not more than three advisers. Each delegation shall appoint one of its members to cast the vote of the delegation.

ARTICLE 32.

The Council shall elect from amongst its members a Chairman and a Vice-Chairman who shall hold office for such period as it may determine.

ARTICLE 33.

The Council shall have the following powers and duties:—

(a) The general administration of the present Agreement, without prejudice to the powers which the Agreement gives to the Executive Committee;

(b) To elect its Chairman and Vice-Chairman and any other officers that it may consider necessary, determine their powers and duties and fix their terms of office;

(c) To estimate, at least twenty days before the beginning of each quota year, the requirements of consumption of the free market for that year;

(d) To appoint such permanent or temporary committees as it considers advisable for the proper working and administration of the present Agreement, and to determine their functions and duties;

(e) To approve the annual budget of expenses and fix the amounts to be contributed by each Contracting Government in accordance with the principles laid down in Article 35;

International Sugar Council.

Seat of Council, etc.

Delegations.

Chairman and Vice-Chairman.

Powers and duties of Council.

(f) To obtain such statistics and other data as it considers necessary for the execution of the present Agreement, and to publish such information as it may consider desirable;

(g) To endeavour to secure the accession of non-signatory Governments whose participation it considers desirable;

(h) In general, to exercise all the powers which may be necessary to carry out the present Agreement.

ARTICLE 34.

The Council shall appoint a Secretary and take all other necessary measures to establish a Secretariat which shall be entirely free and independent of any other national or international organisation or institution.

Secretariat.

ARTICLE 35.

The expenses of delegations to the Council and of the members of the Executive Committee shall be defrayed by their respective Governments. All other expenses necessary for the administration of the present Agreement, including those of the Secretariat, shall be met by annual contributions of the Contracting Governments made in such manner and at such times as the Council shall determine, and shall not, except with the express consent of all the Contracting Governments, exceed £12,500 in any year. The contribution of each Government shall be proportionate to the number of votes to which its delegation is entitled.

Defrayment of expenses.

ARTICLE 36.

(a) The Council shall meet at least once a year. It may be convened at any time by its Chairman. The Chairman shall immediately convene a meeting of the Council if either the Executive Committee or five Contracting Governments so request. Notice of all meetings shall be despatched so as to ensure receipt by the Contracting Governments at least twenty days in advance of the date fixed for the meeting.

Meetings.

(b) The necessary quorum for a meeting of the Council shall be secured if not less than one third of the Contracting Governments are represented. One or more Contracting Governments may by a written notification to the Chairman appoint the delegation of another Contracting Government to represent them and to vote on their behalf at any meeting of the Council.

Quorum.

(c) The Council may take decisions without holding a meeting, by correspondence between the Chairman and the delegations of the Contracting Governments provided that no delegation makes objection to this procedure. Any decision so taken shall be communicated to all the delegations as soon as possible, and shall be set forth in the Minutes of the next meeting of the Council.

Decisions without meetings.

ARTICLE 37.

Votes.

(a) The votes to be exercised by the respective delegations on the Council shall be as follows:—

Exporting Countries—

Union of South Africa	2
Australia	3
Belgium	1
Brazil	2
Cuba	10
Czechoslovakia	3
Dominican Republic	3
France	3
Germany	4
Haiti	1
Hungary.	1
Netherlands	9
Peru	3
Philippines.	1
Poland	2
Portugal	1
U. S. S. R.	5
Yugoslavia	1

Total	55
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Importing Countries—

China	5
India	6
United Kingdom	17
United States.	17

Total	100
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(b) In the event of a non-signatory Government acceding to the present Agreement in accordance with the provisions of Article 49 the Council shall decide what number of votes shall be allotted to that Government.

(c) In the event of any Government in the group either of exporting countries or of importing countries failing to ratify the Agreement or subsequently withdrawing from it, the votes allotted to the delegation of that Government shall be redistributed, *pro rata*, between the other countries in the same group, and if any non-signatory Government should accede to the Agreement, the votes allotted to it shall be deducted *pro rata* from the other countries in the same group, so that the proportion of 55 votes for the exporting countries and 45 votes for the importing countries shall be maintained. For the purposes of this paragraph any acceding Government to which an export quota is not allotted shall be included as an importing country.

ARTICLE 38.

Except where otherwise provided, decisions of the Council shall be taken by a simple majority of the votes of the Contracting Governments represented at the meeting.

Decisions by majority vote.

ARTICLE 39.

(a) The Executive Committee shall consist of:—

Executive Committee.

- (i) Three representatives of Governments of importing countries;
- (ii) Three representatives of Governments of cane sugar producing countries;
- (iii) Three representatives of Governments of beet sugar producing countries.

(b) The representatives of the above-mentioned groups of countries shall, subject to the provisions of paragraph (c) of this Article, be as follows:—

- (i) For the importing countries the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America shall be represented for the whole period of the Agreement, and the Governments of the other countries referred to as importing countries in Article 37 shall select annually one of their number, who shall appoint the third member for this group.
- (ii) For the cane sugar producing countries the Government of the Republic of Cuba and the Government of the Netherlands shall be represented for the whole period of the Agreement, and the Governments of the following countries shall be represented for the years indicated:—

Year commencing—

- September 1, 1937: The Commonwealth of Australia.
- September 1, 1938: The Dominican Republic.
- September 1, 1939: Peru.
- September 1, 1940: The Union of South Africa.
- September 1, 1941: Brazil.

- (iii) For the beet sugar producing countries the Governments of the following countries shall be represented for the periods indicated:—

Year commencing—

- September 1, 1937: Czechoslovakia, Germany, the U.S.S.R.
- September 1, 1938: Czechoslovakia, Germany, the U.S.S.R.
- September 1, 1939: Czechoslovakia, France, Poland.
- September 1, 1940: Belgium, Germany, the U.S.S.R.
- Six months commencing September 1, 1941: France, Hungary, Poland.
- Six months commencing March 1, 1942: France, Poland, Yugoslavia.

(c) The Chairman of the Council shall *ex officio* be a member of the Executive Committee and during his term of office the Government of which he is a representative shall not be entitled to appoint any further representative on the Executive Committee under paragraph (b) of this Article.

ARTICLE 40.

The Executive Committee shall exercise any powers which the Council may delegate to it except—

Ante, p. 931.

- (1) the power of reducing quotas under Article 21;
- (2) the power of allotting additional quotas under Article 20;
- (3) the power of determining the conditions on which any non-signatory Government may accede to the Agreement under Article 49;
- (4) the powers to be exercised under Articles 44 and 51.

ARTICLE 41.

Whenever the Executive Committee considers that the export quotas fixed for a quota year are not sufficient to cover the requirements of consumption or that a sudden and excessive rise of price is probable, it shall make to the Council by telegraph such recommendations as it thinks necessary for the release of additional quotas under Article 20 and shall request a decision by telegraph. If approval of the recommendations is not given by telegraph within five days by delegations exercising the necessary majority of votes provided for in Article 20, the Chairman shall immediately summon a meeting of the Council.

Ante, p. 931.

ARTICLE 42.

(a) The Executive Committee shall meet whenever its Chairman considers it advisable or whenever the request is made by any two members.

(b) The presence of five members shall be necessary to constitute a quorum. Decisions shall be taken by a majority of the votes cast.

(c) Each member of the Executive Committee shall have one vote with the exception of the representatives of the Governments of the United States of America and of the United Kingdom, who shall have two votes each.

(d) The Chairman of the Committee shall have a deciding vote in case of equality of votes.

(e) Any member of the Committee may by a notification in writing appoint another member to represent him and vote on his behalf.

Chapter VII.—*Miscellaneous Provisions.*

ARTICLE 43.

The present Agreement shall apply to all the territories of each of the Contracting Governments including colonies, oversea territories, protectorates and territories under suzerainty or mandate.

Territorial cover-
age.

ARTICLE 44.

(a) If any Contracting Government alleges that any other Contracting Government has failed to comply with the obligations of the present Agreement a special meeting of the Council shall be called to decide whether any infringement of the Agreement has taken place, and, if so, what measures shall be recommended to the Contracting Governments in view of the infringement. If the Council shall decide that it is desirable that the other Contracting Governments shall prohibit or restrict the import of sugar from the country which has infringed the Agreement, the taking of such measures shall not be deemed to be contrary to any most-favoured-nation rights which the offending Government may enjoy.

Infringement of agreement.

(b) any decision of the Council under this Article shall be taken by three-fourths of the votes cast.

ARTICLE 45.

If during the period of the present Agreement it should be considered or should be shown that the attainment of its objects was being hindered by countries not party thereto, a special meeting of the Council shall be called to decide what measures should be recommended to the Contracting Governments.

Hindrance by non-members.

ARTICLE 46.

Should the Council at any time be satisfied that, as the result of a material increase in the exportation or use of sugar syrups, liquid sugar, edible molasses or any other kind of sugar mixtures, those products are taking the place of sugar to such an extent as to prevent full effect being given to the purposes of the present Agreement, it may resolve that such products or any of them shall be deemed to be sugar, in respect of their sugar content, for the purposes of the Agreement; provided that the Council shall, for the purpose of calculating the amount of sugar to be charged to the export quota of any country, exclude the sugar equivalent of any quantity of such products which has normally been exported from that country prior to the coming into force of the Agreement.

Sugar equivalents.

ARTICLE 47.

The present Agreement shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Government of the United Kingdom of Great Britain and Northern Ireland, which will notify the fact of each deposit to the Governments which have signed the Agreement.

Ratification.

ARTICLE 48.

(a) The present Agreement shall come into force on the 1st September, 1937, if at that date it has been ratified by all the signatory Governments.

Entry into force; condition.

(b) If by the above-mentioned date the instruments of ratification of all the signatories have not been deposited, the Governments which have ratified the Agreement may decide to put it into force among themselves.

ARTICLE 49.

Closing date for signature.

(a) The present Agreement shall, until the 30th June, 1937, remain open for signature on the part of any Government represented at the Conference at which the Agreement has been drawn up. The right to effect such signature after this day's date shall be dependent on the signatory Government also signing the Protocol attached hereto.

Accession.

(b) The present Agreement shall at any time after its entry into force be open to accession by the Government of any metropolitan territory other than a Government which has signed the Agreement, provided that the conditions of such accession shall first be agreed upon with the Council by the Government desiring to effect it.

ARTICLE 50.

Duration.

(a) Subject to the provisions of Article 51, the present Agreement shall remain in force for a period of five years from the date of its entry into force and shall not be subject to denunciation.

(b) The Contracting Governments shall decide at least six months before the expiration of the present Agreement whether it shall be continued for a further period and, if so, on what terms. In the event of unanimity not being attained the Governments which desire to maintain the Agreement shall be entitled to do so as between themselves.

ARTICLE 51.

Withdrawal from agreement.

The Contracting Governments shall have the right to withdraw from the Agreement in the following circumstances and subject to the following conditions:—

(a) Any Contracting Government may, if it becomes involved in hostilities, apply for the suspension of its obligations under the Agreement. If the application is denied such Government may give notice of withdrawal from the Agreement.

(b) If any Contracting Government into whose territories there is a net import of sugar shall allege that, owing to the operation of the present Agreement, there is an acute shortage of supplies or an abnormal rise in world prices, it may request the Council to take measures to remedy such situation, and if the Council declines to do so the Government concerned may give notice of withdrawal from the Agreement.

(c) If, during the period of the present Agreement, by the action of any country (whether the Agreement applies to it or not) such adverse changes occur in the relation between supply and demand on the free market as may substantially diminish the market possibilities of the suppliers of that free market, any Contracting Government affected may state its case to the Council. If the Council

does not agree that the complaint of that Government is well-founded, that Government shall have the right to submit the case to the judgment of three arbitrators, subjects of countries not parties to the Agreement, to be nominated by the Council at its first meeting after the entry into force of the Agreement. If either the Council or the arbitrators declare the case to be well-founded the Government concerned may give notice of withdrawal from the Agreement.

(d) The Council shall take a decision within sixty days on any matters submitted to it in accordance with the preceding paragraphs of this Article; failure to do so within that time shall give the Government which has submitted the matter to the Council the right to give notice of withdrawal from the Agreement.

(e) In the event of any Government giving notice of withdrawal from the Agreement in accordance with the provisions of this Article, any of the other Contracting Governments shall have the right at any time during the ensuing three months also to give notice of withdrawal.

(f) All notices of withdrawal given under this Article shall be sent to the Government of the United Kingdom of Great Britain and Northern Ireland, by whom they will be communicated to all the other Contracting Governments and to the Council; and withdrawal shall take effect three months after the date of receipt of such notice by the Government of the United Kingdom.

(g) Any decision taken by the Council under this Article shall require three-fourths of the votes cast.

In faith whereof the undersigned, duly authorised thereto, have signed the present Agreement.

Done in London this sixth day of May, One thousand nine hundred and thirty-seven. In accordance with the procedure followed by the World Monetary and Economic Conference, in continuation of which the International Sugar Conference was called, the present Agreement has been prepared in the French and English languages. It will also be drawn up in German and Russian. The four texts shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, by whom certified copies will be communicated to all the signatory Governments, the four texts being equally authentic.

Pending the signature of the other texts, the signatures appended to the English text shall take effect as from to-day.

For the Government of the Union of South Africa:

C. T. TE WATER.

F. J. DU TOIT.

For the Government of the Commonwealth of Australia:

R. G. CASEY.

S. M. BRUCE.

For the Government of Belgium:

LUC. BEAUDUIN.

For the Government of Brazil:

DECIO COIMBRA.

For the Government of the United Kingdom of Great Britain
and Northern Ireland:

J. RAMSAY MACDONALD.

For the Government of China:

QUO TAI-CHI.

For the Government of the Republic of Cuba:

J. GOMEZ M.

AURELIO PORTUONDO.

E. H. FARRÉS.

ARTURO MAÑAS.

For the Government of Czechoslovakia:

JAN MASARYK.

For the Government of the Dominican Republic:

R. P. PICHARDO.

For the Government of France:

CH. SPINASSE.

For the Government of Germany:

JOACHIM V. RIBBENTROP.

DR. ALFONS MORITZ.

LUDWIG SCHUSTER.

For the Government of Haiti:

LÉON DEFLY.

For the Government of Hungary:

CONSTANTIN DE MASIREVICH.

DR. G. VINNAY.

For the Government of India:

D. B. MEEK

For the Government of the Netherlands.

J. VAN GELDEREN.

For the Government of Peru:

FELIPE PARDO.

J. CHAMOT.

ALFREDO FERREYROS.

For the Government of Poland:

The Delegation of the Government of Poland, which is in charge of the foreign affairs of the Free City of Danzig in virtue of existing treaties, reserves the right, on behalf of the Government of Poland, to accede at a later date on behalf of the Free City of Danzig.

EDWARD RACZYNSKI.

For the Government of Portugal:

LUIZ FERREIRA DE CASTRO.

For the Government of the Union of Soviet Socialist Republics:

It is understood that, in view of the fact that the U.S.S.R. is a State governed on a planned principle, Chapter 5 of the Agreement dealing with stocks and all the other Articles in the various Chapters of this Agreement which in any manner refer to internal production do not apply to the U.S.S.R.

N. BOGOMOLOV.

For the Government of the United States of America:

NORMAN H. DAVIS.

I am instructed by my Government to state that, in the event that its existing legislation imposing quotas upon the importation and marketing of sugar lapses within the life of this Agreement, it will be its policy to maintain its tariff on full duty sugar at no higher rate than that now existing.

(In respect of the Commonwealth of the Philippines):

URBANO A. ZAFRA.

For the Government of Yugoslavia:

V. MILANOVITCH.

Certified a true copy:

[SEAL]

STEPHEN GASELEE,

LONDON

*Librarian and Keeper of the
Papers at the Foreign Office.*

8th June, 1937

PROTOCOL ANNEXED TO THE AGREEMENT.

1. At the moment of signing the Agreement regarding the Regulation of the Production and Marketing of Sugar of to-day's date, the signatory Governments agree that the Government of the United Kingdom of Great Britain and Northern Ireland shall take between this date and the assumption of its duties by the Provisional Council referred to below any steps necessary as transitional measures, including the convening of the first session of the said Provisional Council, which shall be held in London as soon as possible, the preparation of the agenda for that session, and the making of all necessary arrangements.

2. The said Governments agree to appoint, as soon as possible, representatives who shall constitute a Provisional Council, which shall exercise all the functions of the International Sugar Council to be set up under that Agreement, and which shall be subject in all respects to the provisions of Chapter VI of the said Agreement, provided that no decisions of such a Provisional Council shall be binding on the signatory Governments prior to the coming into force of the Agreement.

Provisional council.

Ante, p. 93A.

3. Within a period of forty days from the date of its signature of the Agreement, each signatory Government will communicate to the Government of the United Kingdom a statement as to its position in regard to ratification.

Ratifications.

4. If any Government is unable for constitutional reasons to obtain the necessary parliamentary authority for ratification before the 1st

September, 1937, the signatory Governments agree to accept provisionally as equivalent to ratification for the purposes of bringing the Agreement into force on that date a declaration by that Government that it will provisionally accept the obligations of the Agreement as from that date and will ratify it as soon as possible. Should the ratification of such Government not be deposited before the 1st January, 1938, the Contracting Governments shall have the right to decide whether or not the Agreement is to be maintained in force.

5. Each signatory Government undertakes to ensure that so far as its territories are concerned the situation as regards production, export and import of sugar shall not be modified in a manner contrary to the aims of the Agreement during the period between the date of its signature and the date of entry into force of the Agreement. Any infringement of this undertaking shall be equivalent to a violation of the Agreement.

6. The signatory Governments take note of the following declaration, which was made to the Conference by the delegate of the Government of Canada:—

“I desire to make a brief statement regarding the position of the Government of Canada. After an examination of the Convention, necessarily hurried, the Government of Canada regret that they have not found it possible to authorise signature at the present time. They are, of course, sympathetic with the aim of the Conference of averting uneconomic production, but the position of Canada at this Conference as an importer and consumer of sugar is so different from that of almost all the other countries represented that they desire a further period of time to study the effect of the specific proposals of the Convention on that position; and in the light of that study to decide whether it would be possible to accede later. At the same time, the Government of Canada reiterate the assurance already given that they do not propose to stimulate the production of sugar in Canada during the term of this agreement by subsidy, increased protection, special remission of taxes, or by any other similar measures.”

7. The present Protocol shall enter into force for each signatory Government on the date of signature.

In faith whereof the undersigned, duly authorized thereto, have signed the present Protocol.

Done in London this sixth day of May, Nineteen hundred and thirty-seven. In accordance with the procedure followed by the World Monetary and Economic Conference, in continuation of which the International Sugar Conference was called, the present Agreement has been prepared in the French and English languages. It will also be drawn up in German and Russian. The four texts shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, by whom certified copies will be communicated to all the signatory Governments, the four texts being equally authentic.

Position of Canadian Government.

Dates of entry into force.

Pending the signature of the other texts, the signatures appended to the English text shall take effect as from to-day.

For the Government of the Union of South Africa:

C. T. TE WATER.

F. J. DU TOIT.

For the Government of the Commonwealth of Australia:

R. G. CASEY.

S. M. BRUCE.

For the Government of Belgium:

LUC. BEAUDUIN.

For the Government of Brazil:

DECIO COIMBRA.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

J. RAMSAY MACDONALD.

For the Government of China:

QUO TAI-CHI.

For the Government of the Republic of Cuba:

J. GOMEZ M.

AURELIO PORTUONDO.

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ARTURO MAÑAS.

For the Government of Czechoslovakia:

JAN MASARYK.

For the Government of the Dominican Republic:

R. P. PICHARDO.

For the Government of France:

CH. SPINASSE.

For the Government of Germany:

JOACHIM V. RIBBENTROP.

DR. ALFONS MORITZ.

LUDWIG SCHUSTER.

For the Government of Haiti:

LÉON DEFLY.

For the Government of Hungary:

CONSTANTIN DE MASIREVICH.

DR. G. VINNAY.

For the Government of India:

D. B. MEEK

For the Government of the Netherlands:

J. VAN GELDEREN.

For the Government of Peru:

FELIPE PARDO.
J. CHAMOT.
ALFREDO FERREYROS.

For the Government of Poland:

EDWARD RACZYNSKI.

For the Government of Portugal:

LUIZ FERREIRA DE CASTRO.

For the Government of the Union of Soviet Socialist Republics:

N. BOGOMOLOV.

For the Government of the United States of America:

NORMAN H. DAVIS.

(In respect of the Commonwealth of the Philippines):

URBANO A. ZAFRA.

For the Government of Yugoslavia:

V. MILANOVITCH.

Certified a true copy:

STEPHEN GASELEE,
*Librarian and Keeper of the
Papers at the Foreign Office.*

[SEAL]

LONDON

8th June, 1937

Ante, p. 941.

AND WHEREAS it is provided in the said Agreement and likewise in the said protocol annexed thereto that texts thereof in the French, English, German, and Russian languages shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, by whom certified copies will be communicated to all the signatory Governments, the four texts being equally authentic, and that pending the signature of the other texts, the signatures appended to the English text shall take effect as from the day of signature, namely, May 6, 1937;

AND WHEREAS the Government of the United States of America has received from the Government of the United Kingdom of Great Britain and Northern Ireland certified copies of the said Agreement and of the said protocol annexed thereto in the English language only;

AND WHEREAS the Senate of the United States of America by their Resolution of December 20 (legislative day of November 16), 1937, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Agreement and protocol, subject to the following reservation:

Reservation by
U. S. Government.

“The separate statement, viz., ‘I am instructed by my Government to state that, in the event that its existing legislation imposing quotas upon the importation and marketing of sugar lapses within the life of this Agreement, it will be its policy to maintain its tariff on full duty sugar at no higher rate than that now existing’, made

on the part of the United States at the time of the signing of this agreement (May 6, 1937, at London) shall not be regarded as constituting a part of this agreement.”;

AND WHEREAS, by an Act of the National Assembly of the Commonwealth of the Philippines (Commonwealth Act No. 256) approved by the President of the Philippines on March 17, 1938, and by the President of the United States of America on April 29, 1938, the commitments of the Commonwealth of the Philippines under the aforesaid Agreement and the protocol annexed thereto were confirmed and the President of the Philippines was authorized to enforce the terms, provisions, and restrictions of the said Agreement and protocol;

AND WHEREAS the said Agreement was duly ratified by the President of the United States of America on March 22, 1938, in terms as follows:

“NOW, THEREFORE, be it known that I, Franklin D. Roosevelt, President of the United States of America, having seen and considered the said agreement regarding the regulation of production and marketing of sugar, and having seen and considered the aforesaid action of the National Assembly of the Commonwealth of the Philippines confirming and implementing the commitments of the said Commonwealth thereunder, do hereby, in pursuance of the aforesaid advice and consent of the Senate of the United States of America, ratify and confirm the said agreement and every article and clause thereof, subject to the reservation hereinabove recited and made part of this ratification.”;

AND WHEREAS instruments of ratification of the said Agreement on the part of signatory Governments were deposited in accordance with Article 47 of the said Agreement as follows: Australia on July 21, 1937; Peru on July 30, 1937; the Dominican Republic on August 9, 1937; the United Kingdom of Great Britain and Northern Ireland on August 27, 1937; Germany on September 1, 1937; Czechoslovakia on September 1, 1937; Portugal on September 2, 1937; the Union of South Africa on September 9, 1937; the Republic of Cuba on September 22, 1937; India on January 13, 1938; the Union of Soviet Socialist Republics on February 26, 1938; Poland on March 14, 1938; the Netherlands on March 14, 1938; Haiti on March 22, 1938; Brazil on March 31, 1938; the United States of America (including the Commonwealth of the Philippines), subject to the reservation aforesaid, on April 4, 1938; Belgium on April 7, 1938; and Hungary on June 14, 1938;

Ante, p. 939.

AND WHEREAS it is provided by Article 48 of the said Agreement that the Agreement shall come into force on September 1, 1937 if at that date it has been ratified by all the signatory Governments;

Ante, p. 939.

AND WHEREAS the instruments of ratification of the said Agreement on the part of all the signatory Governments were not deposited by September 1, 1937;

AND WHEREAS, by reason of declarations made by certain of the signatory Governments pursuant to paragraph 4 of the protocol

Ante, p. 943.

annexed to the said Agreement, namely, by Hungary on June 29, 1937, by Haiti on July 19, 1937, by the Republic of Cuba on August 31, 1937, by Poland on August 31, 1937, by the Netherlands on September 4, 1937, and by Belgium on September 7, 1937, the said Agreement came into force provisionally as from September 1, 1937 in respect of the said Governments;

7 U. S. C. § 1100
et seq.

AND WHEREAS, under authority of the Act of the Congress of the United States of America, known as the Sugar Act of 1937, approved September 1, 1937 (50 Stat. 903), under authority of that Act as amended, and under authority of certain other Acts of the Congress of the United States of America, the Government of the United States of America has taken measures for cooperation with other Governments with a view to the international regulation of the production and marketing of sugar and has participated in the work of the International Sugar Council established under the provisions of the said Agreement;

Ante, p. 939.

AND WHEREAS it is provided further by Article 48 of the said Agreement that if at the date therein stated, namely, September 1, 1937, the instruments of ratification of all the signatories have not been deposited the Governments which have ratified the Agreement may decide to put it into force among themselves;

Ante, p. 940.

AND WHEREAS it is provided by Article 50 of the said Agreement that, subject to the provisions of Article 51 (relating to the right of Contracting Governments to withdraw from the said Agreement in certain circumstances and subject to certain conditions), the Agreement shall remain in force for a period of five years from the date of its entry into force and shall not be subject to denunciation, and that the Contracting Governments shall decide at least six months before the expiration of the Agreement whether it shall be continued for a further period and, if so, on what terms, and further that in the event of unanimity not being attained the Governments which desire to maintain the Agreement shall be entitled to do so as between themselves;

Ante, p. 939.

AND WHEREAS, in conformity to the provisions of Articles 48 and 50 of the said Agreement, a Protocol dated July 22, 1942, to enforce and to prolong after August 31, 1942, the International Agreement Regarding the Regulation of Production and Marketing of Sugar signed in London on May 6, 1937, was signed in London by the respective Plenipotentiaries of the Governments of the United States of America (for the Government of the United States of America, and in respect of the Commonwealth of the Philippines), the Union of South Africa, the Commonwealth of Australia, Brazil, Belgium, the United Kingdom of Great Britain and Northern Ireland, the Republic of Cuba, Czechoslovakia, the Dominican Republic, Haiti, the Netherlands, Peru, Portugal, and the Union of Soviet Socialist Republics, the original of which Protocol, in the English language, as certified by the Foreign Office of the Government of the United Kingdom of Great Britain and Northern Ireland in London, is word for word as follows:

**PROTOCOL TO ENFORCE AND TO PROLONG AFTER AUGUST 31, 1942,
THE INTERNATIONAL AGREEMENT REGARDING THE REGULATION
OF PRODUCTION AND MARKETING OF SUGAR, SIGNED IN LONDON
ON MAY 6, 1937.**

WHEREAS an Agreement regarding the Regulation of Production and Marketing of Sugar (hereafter referred to as the Agreement) was signed in London on the 6th May, 1937; and

Ante, p. 922.

Whereas Article 48 of the Agreement provides as follows:—

Ante, p. 939.

“(a) The present Agreement shall come into force on the 1st September, 1937, if at that date it has been ratified by all the signatory Governments;

(b) If by the above-mentioned date the instruments of ratification of all the signatories have not been deposited, the Governments which have ratified the Agreement may decide to put it into force among themselves”; and

Whereas the ratifications of all the signatories were not deposited by the 1st September, 1937; and

Whereas the Agreement has been ratified by the Governments of the following countries:—

Union of South Africa,	Haiti,
Commonwealth of Australia,	Hungary,
Brazil,	India,
Belgium,	Netherlands,
United Kingdom of Great Britain and Northern Ireland,	Peru,
Cuba,	Poland,
Czechoslovakia,	Portugal,
Dominican Republic,	Union of Soviet Socialist Republics,
Germany,	United States of America; and

Whereas it seems desirable that the said Agreement should be put in force between those Governments which have ratified it,

Now, therefore, the undersigned being duly authorised by their respective Governments have agreed as follows:—

ARTICLE 1.

The Agreement shall be regarded as having come into force in respect of the Governments signatories of the present Protocol, on the 1st September, 1937.

Entry into force.

ARTICLE 2.

After the 31st August, 1942, the Agreement shall continue in force among the said Governments for a period of two years from that date.

Continuance.

ARTICLE 3.

The present Protocol shall bear this day's date and shall remain open for signature until the 31st August, 1942. It shall take effect in respect of each signatory Government on the date of signature.

Effective dates of Protocol.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed the present Protocol.

Done in London on the 22nd day of July, 1942, in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, and of which certified copies shall be furnished to the signatory Governments.

For the Government of the Union of South Africa:
SIDNEY F. WATERSON.

For the Government of the Commonwealth of Australia:
S. M. BRUCE.

For the Government of Brazil:
J. C. DE ALENCAR NETTO.

For the Government of Belgium:
P. KRUNACKER.

For the Government of the United Kingdom of Great Britain
and Northern Ireland:
ANTHONY EDEN.

For the Government of the Republic of Cuba:
G. DE BLANCK.

For the Government of Czechoslovakia:
V. JANSÁ.

For the Government of the Dominican Republic:
R. PÉREZ-ALFONSECA.

For the Government of Haiti:
JOHN G. WINANT.

For the Government of the Netherlands:
E. MICHIELS V. VERDUYNEN.

For the Government of Peru:
E. LETTS S.

For the Government of Portugal:
ARMINDO MONTEIRO.

For the Government of the Union of Soviet Socialist Republics:
J. MAISKY.

For the Government of the United States of America:
JOHN G. WINANT.

(In respect of the Commonwealth of the Philippines):
JOHN G. WINANT.

[SEAL]
LONDON
4th Sept. 1942

Certified a true copy:
STEPHEN GASELEE,
*Librarian and Keeper of the
Papers at the Foreign Office.*

AND WHEREAS it is provided in Article 3 of the said Protocol that it shall bear the date specified therein, namely, July 22, 1942, and that it shall remain open for signature until August 31, 1942, taking effect in respect of each signatory Government on the date of signature;

AND WHEREAS the said Protocol was signed on July 22, 1942 for the Governments of the United States of America (including the Commonwealth of the Philippines), the Union of South Africa, the Commonwealth of Australia, Belgium, the United Kingdom of Great Britain and Northern Ireland, the Republic of Cuba, Czechoslovakia, the Dominican Republic, Haiti, the Netherlands, Peru, and the Union of Soviet Socialist Republics, and on August 28, 1942, in conformity to Article 3 of the said Protocol, for the Governments of Brazil and Portugal;

AND WHEREAS it is provided by Article 1 of the said Protocol dated July 22, 1942 that the said Agreement shall be regarded as having come into force on September 1, 1937 in respect of the Governments signatories of the said Protocol, and by Article 2 of the said Protocol that after August 31, 1942 the said Agreement shall continue in force among the said Governments for a period of two years from that date;

Ante, p. 949.

AND WHEREAS a Protocol dated August 31, 1944, to prolong after August 31, 1944, the International Agreement Regarding the Regulation of Production and Marketing of Sugar signed in London on May 6, 1937, as enforced and prolonged by the said Protocol dated July 22, 1942, was signed in London by the respective Plenipotentiaries of the Governments of the United States of America (for the Government of the United States of America with a reservation "Subject to ratification", and in respect of the Commonwealth of the Philippines), the Union of South Africa, the Commonwealth of Australia, Belgium, Brazil, the United Kingdom of Great Britain and Northern Ireland, the Republic of Cuba, Czechoslovakia, the Dominican Republic, Haiti, the Netherlands, Peru, Portugal, the Union of Soviet Socialist Republics, and Poland, the original of which Protocol, in the English language, as certified by the Foreign Office of the Government of the United Kingdom of Great Britain and Northern Ireland in London, is word for word as follows:

Infra.

Ante, p. 949.

PROTOCOL.

WHEREAS an International Agreement regarding the Regulation of the Production and Marketing of Sugar (hereinafter referred to as "the Agreement") was signed in London on the 6th May, 1937;

Ante, p. 922.

And whereas by a Protocol signed in London on the 22nd July, 1942, the Agreement was regarded as having come into force on the 1st September, 1937, in respect of the Governments signatory of the Protocol;

Ante, p. 949.

And whereas it was provided in the said Protocol that the Agreement should continue in force between the said Governments for a period of two years after the 31st August, 1942;

Now, therefore, the Governments signatory of the present Protocol, considering that it is expedient that the Agreement should be prolonged for a further term as between themselves, subject, in view of the present emergency, to the conditions stated below, have agreed as follows:—

ARTICLE 1.

Continuance in force.

Subject to the provisions of Article 2 hereof, the Agreement shall continue in force between the Governments signatory of this Protocol for a period of one year after the 31st August, 1944.

ARTICLE 2.

Inoperative provisions.
Ante, pp. 926, 930, 933.

During the period specified in Article 1 above the provisions of Chapters III, IV and V of the Agreement shall be inoperative.

ARTICLE 3.

Revision.

1. The Governments signatory of the present Protocol recognise that revision of the Agreement is necessary and should be undertaken as soon as the time appears opportune. Discussion of any such revision should take the existing Agreement as the starting point.

2. For the purposes of such revision due account shall be taken of any general principles of commodity policy embodied in any agreements which may be concluded under the auspices of the United Nations.

ARTICLE 4.

Renewal.

Before the conclusion of the period of one year specified in Article 1 the contracting Governments, if the steps contemplated in Article 3 have not been taken, will discuss the question of a further renewal of the Agreement.

ARTICLE 5.

The present Protocol shall bear the date the 31st August, 1944, and shall remain open for signature until the 30th September, 1944; provided however that any signatures appended after the 31st August, 1944, shall be deemed to have effect as from that date.

In witness whereof the undersigned being duly authorised thereto by their respective Governments have signed the present Protocol.

Done in London on the 31st day of August, 1944, in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, and of which certified copies shall be furnished to the signatory Governments.

For the Government of the Union of South Africa:

DENEYS REITZ.

For the Government of the Commonwealth of Australia:

S. M. BRUCE.

For the Government of Belgium:

VTE DE LANTSHEERE.

For the Government of Brazil:

MONIZ DE ARAGÃO.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

ANTHONY EDEN.

For the Government of the Republic of Cuba:

G. DE BLANCK.

For the Government of Czechoslovakia:

DR. V. JANSA.

For the Government of the Dominican Republic:

R. PÉREZ-ALFONSECA.

For the Government of Haiti:

JOHN G. WINANT.

For the Government of the Netherlands:

E. TEIXEIRA DE MATTOS.

For the Government of Peru:

F. BERCKEMEYER.

For the Government of Portugal:

PALMELLA.

For the Government of the Union of Soviet Socialist Republics:

F. GOUSEV.

For the Government of the United States of America:

JOHN G. WINANT

Subject to ratification.

(In respect of the Commonwealth of the Philippines):

JOHN G. WINANT.

For the Government of Poland:

Z. MERDINGER.

Certified a true copy.

[SEAL]

J. F. FRENCH

LONDON

-7 Oct 1944

*Acting Librarian and Keeper of the Papers for
the Secretary of State for Foreign Affairs.*

AND WHEREAS it is provided in Article 5 of the said Protocol that it shall bear the date of August 31, 1944, and shall remain open for signature until September 30, 1944, provided however that any signatures appended after August 31, 1944, shall be deemed to have effect as from that date;

AND WHEREAS the Senate of the United States of America by their Resolution of December 6 (legislative day of November 21), 1944, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Protocol dated August 31, 1944;

AND WHEREAS the commitments of the Commonwealth of the Philippines under the said Protocol dated August 31, 1944, and the authority of the President of the Philippines to enforce the terms, provisions, and restrictions of the said Agreement of May 6, 1937, as enforced and prolonged by the said Protocol dated July 22, 1942, and as prolonged by the said Protocol dated August 31, 1944, have been duly confirmed;

Ante, p. 949.

AND WHEREAS the said Protocol dated August 31, 1944 was duly ratified by the President of the United States of America on March 9, 1945, and the instrument of ratification on the part of the Government of the United States of America (including the Commonwealth of the Philippines) was duly deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland;

Now, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said International Agreement Regarding the Regulation of Production and Marketing of Sugar and the protocol annexed thereto signed in London on May 6, 1937, and the said Protocol dated July 22, 1942, and the said Protocol dated August 31, 1944, to the end that the same and every article and clause thereof shall be observed and fulfilled with good faith by the United States of America (including the Commonwealth of the Philippines), and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, and I do hereby proclaim and make public that the aforesaid Agreement of May 6, 1937 shall be regarded as having come into force on September 1, 1937, in conformity to the said Protocol dated July 22, 1942, in respect of the obligations of the United States of America (including the Commonwealth of the Philippines) thereunder, and as having continued in force in respect of such obligations for five years from that date in conformity to the provision of Article 50 (a) of the said Agreement, namely, until August 31, 1942, and as having been prolonged in force in respect of such obligations after August 31, 1942, for a period of two years, in conformity to the said Protocol dated July 22, 1942, and as having been further prolonged in force in respect of such obligations after August 31, 1944, for a period of one year, in conformity to the said Protocol dated August 31, 1944.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twentieth day of April, in the year of our Lord one thousand nine hundred forty-five, [SEAL] and of the Independence of the United States of America the one hundred sixty-ninth.

HARRY S TRUMAN

By the President:

E R STETTINIUS, Jr
Secretary of State

Ante, p. 922.

Ante, pp. 949, 951.

Ante, p. 940.

Convention between the United States of America and other powers respecting sanitary maritime navigation, modifying the convention of June 21, 1926. Opened for signature at Washington December 15, 1944; signed for the United States of America January 5, 1945; ratification advised by the Senate of the United States of America May 21, 1945; ratified by the President of the United States of America May 29, 1945; ratification deposited by the United States of America May 29, 1945; proclaimed by the President of the United States of America May 29, 1945; effective as to the United States of America May 29, 1945.

January 5, 1945
[T. S. 991]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS an international sanitary convention, which was opened for signature in the English and French languages at Washington on December 15, 1944 and was signed by the Plenipotentiaries of the United States of America (with a reservation "Subject to ratification") and seventeen other countries, is word for word as follows:

INTERNATIONAL SANITARY
CONVENTION, 1944

Modifying the International
Sanitary Convention of
June 21, 1926

CONVENTION SANITAIRE
INTERNATIONALE 1944

Portant Modification de la Con-
vention Sanitaire Internatio-
nale du 21 Juin 1926

The Governments signatory
hereto,

Les Gouvernements signataires,

Considering that the International Office of Public Health created by the Agreement signed at Rome on December 9, 1907, is unable for the time being to carry out effectively all of the duties and functions assigned to it in the Annex to that Agreement; in the International Sanitary Convention, 1926; in the International Sanitary Convention for Aerial Navigation, 1933; and in other Conventions or Agreements relating to the public health;

Considérant que l'Office international d'Hygiène publique, créé par l'Accord signé à Rome le 9 décembre 1907, ne peut, pour le moment, remplir effectivement toutes les tâches et fonctions qui lui ont été assignées par l'Annexe de cet Accord, par la Convention sanitaire internationale de 1926, par la Convention sanitaire internationale pour la Navigation aérienne de 1933 et par d'autres Conventions ou Accords ayant rapport à l'hygiène publique;

Having entrusted the task of solving this temporary problem by the preparation of emergency

Ayant, conformément à la résolution No. 8 (2) adoptée lors de sa première session par le Conseil de

35 Stat. 2061.

45 Stat. 2492.

49 Stat. 3279.

agreements and arrangements for the notification of epidemic diseases and for uniformity in quarantine regulations to the United Nations Relief and Rehabilitation Administration (hereinafter referred to as *UNRRA*), in accordance with Resolution No. 8 (2) adopted by the Council of *UNRRA* at its First Session, without prejudice however to the status of the International Office of Public Health which it is hoped will be able at the expiry of the present Convention to resume the above-mentioned duties and functions; and having received the recommendations of *UNRRA* in this connection;

Having agreed that, in regard to the American Republics, the Pan American Sanitary Bureau shall continue to act as the general coordinating sanitary agency, including the general collection and distribution of sanitary information to and from the said Republics, as specified in the Pan American Sanitary Code and recognized heretofore by the International Office of Public Health;

Desiring also to modify as between themselves the provisions of the International Sanitary Convention signed in Paris on June 21, 1926, as modified by the Sanitary Convention signed in Paris in 1938,¹ insofar as the provisions of the Convention of 1938 may be in force between the respective Governments (hereinafter referred to as *the 1926 Convention*), in the light of the present-day conditions which call for special measures to prevent the spread by land and

l'Administration des Nations Unies de Secours et de Restauration (dénommée ci-après *UNRRA*), confié à l'*UNRRA* la tâche de résoudre ce problème temporaire en élaborant, à titre de mesures d'urgence, des accords et arrangements pour la notification des maladies épidémiques ainsi que pour l'uniformisation des mesures de quarantaine, sans porter atteinte au statut de l'Office international d'Hygiène publique qui, il est permis de l'espérer, pourra, à l'expiration de la présente Convention, reprendre les tâches et fonctions mentionnées ci-dessus; et ayant reçu les recommandations de l'*UNRRA* à ce sujet;

Ayant convenu que, à l'égard des Républiques américaines, le Bureau sanitaire panaméricain jouera, comme par le passé, le rôle d'organe général de coordination en matière sanitaire, notamment pour la réunion et la distribution générales d'informations sanitaires qui proviennent des dites Républiques ou leur sont destinées, ainsi qu'il est spécifié dans le Code sanitaire panaméricain et comme cela a été accepté jusqu'ici par l'Office international d'Hygiène publique;

Désirant aussi modifier, en ce qui les concerne, les dispositions de la Convention sanitaire internationale signée à Paris le 21 juin 1926—telle qu'elle a été modifiée par la Convention sanitaire signée à Paris en 1938 et pour autant que les dispositions de la Convention de 1938 restent en vigueur entre les Gouvernements intéressés (dénommée ci-après *la Convention de 1926*)—pour tenir compte des conditions actuelles qui nécessitent des mesures spéciales pour em-

45 Stat. 2492.

¹ [198 League of Nations Treaty Series 205.]

sea across frontiers of epidemic or other communicable diseases;

pêcher la propagation des maladies épidémiques ou autres maladies contagieuses, par terre ou par mer à travers les frontières;

Have decided to conclude a Convention for these purposes, have agreed that, whereas the authentic text of the 1926 Convention is in the French language, the present Convention shall be in English and in French, both texts being equally authentic, and have accordingly appointed the undersigned plenipotentiaries who, having communicated their full powers, found in good and due form, have agreed that the 1926 Convention shall be amended as follows:

Ont décidé de conclure une Convention à cette fin, sont convenus que, alors que le texte authentique de la Convention de 1926 est rédigé en langue française, la présente Convention sera rédigée en anglais et en français, les deux textes faisant également foi, et ont en conséquence désigné les plénipotentiaires soussignés qui, s'étant communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus que la Convention sanitaire internationale de 1926 sera modifiée ainsi qu'il suit:

ARTICLE I

All references in the 1926 Convention to the International Office of Public Health shall be read as references to UNRRA.

ARTICLE I

Toute référence à l'Office international d'Hygiène publique contenue dans la Convention de 1926 sera considérée comme une référence à l'UNRRA.

UNRRA.

ARTICLE II

The second paragraph of Preliminary Provisions (2) shall be deleted and the following substituted:

The word *surveillance* means that persons are not isolated, that they may move about freely, but that the sanitary authorities of the place or places to which they are proceeding are notified of their coming. They may be subjected in the places of arrival to a medical examination and such inquiries as are necessary with a view to ascertaining their state of health; and, in any territory where the competent Contracting Party thinks fit, surveillance may include requirement to report on arrival and afterwards at such intervals during continuance of surveillance as may be specified, to

ARTICLE II

Au deuxième paragraphe des dispositions préliminaires (2) substituer ce qui suit:

Le mot *surveillance* signifie que les personnes ne sont pas isolées, qu'elles obtiennent tout de suite la libre pratique, mais que l'autorité sanitaire de la localité ou des localités où elles se rendent est prévenue de leur arrivée. Elles pourront être soumises au lieu d'arrivée à un examen médical, et l'on pourra leur poser les questions nécessaires à la constatation de leur état de santé. Dans tout territoire où la Partie Contractante compétente le juge nécessaire, la surveillance peut comprendre l'obligation de se présenter, lors de l'arrivée, et ensuite à intervalles fixes pendant la durée

45 Stat. 2555.

"Surveillance."

the Health Officer of the city, town, district, or place to which they proceed.

de la surveillance, devant l'Officier de santé de la ville, de la région ou de l'endroit où les intéressés se rendent.

ARTICLE III

ARTICLE III

Definitions.

The following definitions shall be added to the *Preliminary Provisions*:

Les définitions suivantes sont ajoutées aux *Dispositions préliminaires*:

(5) The term *typhus, typhus fever, or exanthematous typhus* in the 1926 Convention and in the present Convention shall be deemed to relate only to epidemic louse-borne typhus.

(5) Les termes *typhus, typhus fébrile et typhus exanthématique*, dans la Convention de 1926 et dans la présente Convention, seront considérés comme ne se rapportant qu'au typhus épidémique transmis par les poux.

(6) The term *Stegomyia, Stegomyia (Aedes aegypti), or Stegomyia calopus (Aedes aegypti)* shall be deemed to include *Aedes aegypti* and any potential mosquito vectors of yellow fever.

(6) Les termes *Stegomyia, Stegomyia (Aedes aegypti) et Stegomyia calopus (Aedes aegypti)* seront considérés comme comprenant *Aedes aegypti* et tous autres moustiques susceptibles d'être des vecteurs de fièvre jaune.

ARTICLE IV

ARTICLE IV

45 Stat. 2556.

To Article 1 the following shall be added:

A l'Article 1, ajouter ce qui suit:

Notice of disease outbreaks.

Every Contracting Party shall, in addition to the diseases specifically mentioned in this Article, to wit, plague, cholera, yellow fever, typhus, and smallpox, notify to UNRRA outbreaks of such other communicable diseases as, in the opinion of that Party or in the opinion of UNRRA, constitute a menace to other countries by their spread or potential spread across frontiers, and shall keep UNRRA regularly informed of the course of the disease and the measures taken to prevent its spread. The provisions of the 1926 Convention as amended or supplemented by the present Convention shall, unless clearly inapplicable, apply to the

Chaque Partie Contractante doit, en plus des maladies visées spécifiquement dans le présent Article, savoir: la peste, le choléra, la fièvre jaune, le typhus et la variole, aviser l'UNRRA de l'apparition de toutes autres maladies contagieuses qui, de l'avis de cette Partie ou de l'avis de l'UNRRA, constitue une menace pour d'autres pays, par leur propagation ou la possibilité de leur propagation à travers les frontières. Elle doit tenir l'UNRRA au courant du développement de la maladie et des mesures prises pour en empêcher l'extension. Les dispositions de la Convention de 1926, telles qu'elles ont été modifiées ou

45 Stat. 2492.

above-mentioned other communicable diseases.

complétées par la présente Convention, s'appliquent aux susdites autres maladies contagieuses, à moins qu'elles ne soient nettement inapplicables.

ARTICLE V

In Article 3 the word "Paris" in the second paragraph shall be deleted and the words "London or Washington" shall be substituted.

To Article 3 the following shall be added:

In order to facilitate the prompt and scrupulous fulfilment of the foregoing provisions, the Contracting Parties shall ensure priority for all communications which may enable UNRRA rapidly to appraise the situation concerning the outbreak of a disease and to inform governments in order that they may take appropriate measures against the spread of the disease across their frontiers.

ARTICLE VI

After Article 5 the following shall be inserted:

Article 5A. In addition to carrying out the system of notification and intelligence prescribed in Part I, Chapter I of the 1926 Convention, which remains in full force, the Parties to the present Convention shall transmit promptly to UNRRA the notifications and other information prescribed in Part I of the 1926 Convention.

Article 5B (1). In addition to the formal notification required above, the Contracting Parties shall, so far as possible, send to the Health Organization of UNRRA at regular intervals noti-

ARTICLE V

Dans l'Article 3, paragraphe 2, le mot "Paris" est supprimé et les mots "Londres ou Washington" sont substitués.

A l'Article 3 ajouter ce qui suit:

Afin de faciliter le prompt et scrupuleux accomplissement des dispositions précédentes, les Parties Contractantes accorderont priorité à toutes communications susceptibles de permettre à l'UNRRA de juger rapidement la situation résultant de l'apparition d'une de ces maladies et d'informer les gouvernements afin qu'ils puissent prendre les mesures nécessaires pour combattre la propagation de la maladie à travers leurs frontières.

ARTICLE VI

Après l'Article 5, insérer ce qui suit:

Article 5A. En outre, tout en appliquant le système de notification et d'information prescrit dans la Partie I, Chapitre I, de la Convention de 1926, qui reste pleinement en vigueur, les Parties à la présente Convention devront transmettre sans délai à l'UNRRA les notifications et autres renseignements prévus dans la Partie I de la Convention de 1926.

Article 5B (1). Outre la notification formelle exigée ci-dessus, les Parties Contractantes devront, autant que possible, adresser périodiquement à l'Organisation d'Hygiène de l'UNRRA des noti-

45 Stat. 2556.

Priority for communications.

45 Stat. 2557.

fications of communicable diseases notified in their countries.

(2). The Contracting Parties shall make the necessary arrangements with UNRRA for giving prompt information to all the governments concerned of the outbreak in their respective countries of a disease which, in the opinion of UNRRA, constitutes a menace to other countries and of the measures which are being taken to prevent the spread of the disease across frontiers.

ARTICLE VII

To Article 13 the following shall be added:

In a country where there exists a communicable disease, the subject of a formal notification under any international sanitary or quarantine convention for the time being in force, the Sanitary Authority in that country may prohibit the embarkation on board a ship on international voyage of persons suffering from the disease, and of persons in such relations to the sick as to render them liable to transmit the disease, unless the Medical Officer of the port of embarkation is satisfied that measures can be taken on board the ship to prevent the spread of the disease to the other persons on board. The Medical Officer of the port of embarkation, or other authorized officer of the sanitary authority, if he has reason to suspect any clothing, bedding, or other article of personal use which belongs to or is intended for use by persons embarking to be infected, may examine and require the disinfection of any such clothing, bedding, or other article of

fications concernant les maladies contagieuses qui ont fait l'objet de déclarations dans leurs pays.

(2). Les Parties Contractantes devront faire avec l'UNRRA les arrangements nécessaires pour tenir tous les gouvernements intéressés rapidement informés de l'apparition dans leur pays respectif d'une maladie qui, de l'avis de l'UNRRA, constitue un danger pour d'autres pays, ainsi que des mesures en cours d'exécution pour en empêcher l'extension à travers les frontières.

ARTICLE VII

A l'Article 13, ajouter ce qui suit:

Dans tout pays où l'on a constaté l'existence d'une maladie contagieuse dont la notification est obligatoire en vertu d'une convention sanitaire internationale ou d'une convention internationale de quarantaine actuellement en vigueur, l'autorité sanitaire de ce pays peut interdire l'embarquement à bord d'un navire, pour un voyage international, de personnes atteintes de cette maladie, ainsi que de personnes qui ont eu avec des malades des relations les rendant susceptibles de transmettre la maladie, à moins que l'Officier de santé du port d'embarquement ne se soit assuré que des mesures peuvent être prises à bord pour empêcher la propagation de la maladie aux autres personnes embarquées. L'Officier de santé du port d'embarquement, ou tout autre agent habilité par l'autorité sanitaire, s'il a des motifs de soupçonner que les vêtements, literie ou autres effets personnels appartenant aux passagers ou destinés à leur usage sont infectés, pourra les examiner et exiger que

45 Stat. 2550.

Prohibition of embarkation.

personal use before it is taken on board. les dits vêtements, literie ou autres effets personnels soient désinfectés avant d'être mis à bord.

The measures enumerated in this Article shall be taken as far in advance of the sailing date of the ship as possible in order not unduly to delay the ship's departure. Les mesures énumérées au présent Article devront être prises aussi longtemps que possible avant la date du départ du navire, afin de ne pas le retarder indûment.

Nothing in this Article shall affect the power of the Master of the ship to refuse to embark sick persons. Rien dans le présent Article ne porte atteinte au pouvoir que possède le Capitaine du navire de refuser l'embarquement à des malades.

ARTICLE VIII

ARTICLE VIII

In Article 15 the following shall be inserted between the third and fourth paragraphs:

Dans l'Article 15, entre les 3ème et 4ème paragraphes, insérer ce qui suit:

45 Stat. 2559.

If on the call or arrival of any ship at a port there is on board a case of infectious disease duly verified by the port medical officer, not being a case of plague, cholera, yellow fever, typhus, or smallpox, the usual measures in force in the country in which the port is situated shall be applied subject always to the provisions of Article 54 of the 1926 Convention.

Lorsqu'à une escale ou à l'arrivée d'un navire dans un port, il existe à bord un cas de maladie infectieuse dûment constaté par l'Officier de santé dudit port, autre qu'un cas de peste, de choléra, de fièvre jaune, de typhus ou de variole, on appliquera les mesures habituelles en vigueur dans le pays où se trouve ledit port, sous réserve des dispositions de l'Article 54 de la Convention de 1926.

45 Stat. 2571.

In carrying out measures for control of the spread of communicable disease across frontiers, particularly in regard to the movement of displaced populations conveyed by international maritime transport, the Contracting Parties will not delay any ship at any point of her voyage longer than is necessary for the medical examination of crew and passengers, for the disembarkation (if such is considered necessary) of persons suffering from communicable disease, and of their bedding and personal effects, and for the disinfection of the accommodation they occupied. The ship shall not

En appliquant les mesures destinées à éviter la propagation des maladies contagieuses à travers les frontières, et particulièrement en ce qui concerne le mouvement des "populations déplacées" par transport maritime international, les Parties Contractantes ne devront en aucun point du voyage retarder le navire au delà du temps requis pour l'examen médical de l'équipage et des passagers, pour le débarquement (si celui-ci est jugé nécessaire) de personnes atteintes de maladies contagieuses, de leur literie et de leurs effets personnels, et pour la désinfection des locaux qu'elles occupaient. Le navire ne

Movement of displaced populations.

be employed as a means of isolation of the sick, or of their contacts, unless such isolation can be effected without delaying or unduly interfering with her movements.

servira pas à l'isolement des malades ou des personnes qui ont été en contact avec eux, à moins qu'un tel isolement ne puisse être effectué sans retarder le navire ou gêner indûment ses mouvements.

ARTICLE IX

45 Stat. 2562.

The footnote to Article 25 shall be deleted and the following substituted:

Surveillance.

IN ALL CASES where this Convention provides for surveillance, surveillance may not be replaced by observation except

- (a) in circumstances in which it would not be practicable to carry out surveillance with sufficient thoroughness; or
- (b) if the risk of the introduction of infection into the country is considered to be exceptionally serious; or
- (c) if the person who would be subject to surveillance cannot furnish adequate sanitary guarantees.

Persons under observation or surveillance shall submit themselves to any examination which the competent sanitary authority may consider necessary.

ARTICLE X

45 Stat. 2566, 2567, 2569.

In Articles 35 (a), 36 (4), and 47 the words "200 meters" shall be deleted and the words "400 meters" shall be substituted.

ARTICLE XI

45 Stat. 2567.

To Article 40 the following shall be added:

Elimination of *Stegomyia*.

With a view to the elimination of *Stegomyia (Aedes aegypti)* as an important step in the control of the spread of yellow fever, the Contracting Parties shall, in the

ARTICLE IX

La note à l'Article 25 sera remplacée par ce qui suit:

DANS TOUS LES CAS où la présente Convention prescrit une surveillance, celle-ci ne pourra être remplacée par l'observation, excepté

- (a) dans les circonstances où la surveillance ne pourrait être exercée avec le soin nécessaire;
- (b) si le risque d'introduire une maladie infectieuse dans le pays est considéré comme exceptionnellement sérieux;
- (c) si la personne qui doit faire l'objet de la surveillance ne peut fournir les garanties sanitaires suffisantes.

Les personnes en observation ou sous surveillance se soumettront à tout examen que l'autorité sanitaire compétente pourrait juger nécessaire.

ARTICLE X

Dans les Articles 35(a), 36(4) et 47, aux mots "200 mètres" substituer les mots "400 mètres".

ARTICLE XI

A l'Article 40, ajouter ce qui suit:

En vue de l'élimination du *Stegomyia (Aedes aegypti)*, étape importante dans la lutte contre la fièvre jaune, les Parties Contractantes devront s'efforcer, à la

light of their knowledge and experience of the control of the yellow fever vector, render and maintain free from *Stegomyia (Aedes aegypti)* (a) ports and their surroundings in endemic areas, and (b) ports not situated in endemic areas but exposed to the risk of the introduction of the disease. They shall also use their best endeavors to secure that personnel employed in the handling of ships in ports in endemic areas and in ports specially exposed to risk shall be inoculated against yellow fever.

The Contracting Parties agree that all persons inoculated in compliance with the provisions of the preceding paragraph of this Article shall be furnished with and carry an inoculation certificate signed by the officer carrying out the inoculation. This certificate shall conform to the International Form of Certificate of Inoculation against yellow fever annexed hereto.

Persons in possession of a valid anti-yellow fever inoculation certificate shall not for the purpose of the control of yellow fever be subjected to quarantine restrictions.

In place of a valid anti-yellow fever inoculation certificate, a certificate that the bearer has recovered from an attack of yellow fever and that his blood contains immune bodies against yellow fever, as proved by a test carried out by an institute regularly carrying out biological tests for yellow fever and approved for this purpose by the government of the country concerned, will be accepted.

lumière de leurs connaissances et de leur expérience en matière de lutte contre le vecteur de la fièvre jaune, de rendre et maintenir libres de *Stegomyia (Aedes aegypti)* (a) les ports et leurs environs situés dans les zones d'endémicité; (b) les ports situés hors des zones d'endémicité mais dans lesquels la maladie risque d'être introduite. Les Parties Contractantes devront s'efforcer également de faire vacciner contre la fièvre jaune le personnel de manoeuvre et de manutention employé dans les ports des zones d'endémicité et dans les ports particulièrement exposés au risque de contagion.

Les Parties Contractantes conviennent que toutes personnes vaccinées en exécution des dispositions du paragraphe précédent du présent Article seront munies d'un certificat de vaccination signé par l'agent ayant effectué la vaccination et devront en être porteurs. Ce certificat doit être conforme à la formule internationale de certificat de vaccination contre la fièvre jaune annexée ci-après.

Les personnes en possession d'un certificat valable de vaccination contre la fièvre jaune ne seront pas soumises aux restrictions de quarantaine instituées pour combattre la fièvre jaune.

A défaut d'un certificat valable de vaccination contre la fièvre jaune, on acceptera un certificat attestant que le porteur est remis d'un accès de fièvre jaune et que son sang contient des anti-corps contre la fièvre jaune, la preuve en ayant été faite par l'emploi d'un test appliqué par un institut exécutant habituellement des tests biologiques de fièvre jaune et agréé à cet effet par le gouvernement du pays intéressé.

Inoculation certificate.

ARTICLE XII

45 Stat. 2567.

In Article 41 (4) and (5), before the word "disinsected" the words "disinfected and" shall be inserted.

To Article 41 the following shall be added:

The Contracting Parties will use their best endeavors to secure that ships trading with areas infected with typhus shall carry a sufficient quantity of an effective insecticide for the personal protection of the crew and passengers, and will give favorable consideration to the inoculation against typhus of all persons on board exposed to risk.

Ships in typhus-infected areas.

ARTICLE XII

A l'Article 41 (4) et (5) on fera précéder le mot "désinsectiser" des mots "désinfecter et".

A l'Article 41, ajouter ce qui suit:

Les Parties Contractantes s'efforceront d'obtenir que les navires faisant escale dans les régions contaminées par le typhus soient munis d'une quantité suffisante d'un insecticide efficace pour la protection personnelle de l'équipage et des passagers; elles examineront favorablement la possibilité de faire vacciner contre le typhus toutes les personnes se trouvant à bord qui seraient exposées au danger de contamination.

ARTICLE XIII

45 Stat. 2568.

Article 42 (3) shall be deleted and the following substituted:

(3) Other persons reasonably suspected to have been exposed to infection on board, and who, in the opinion of the sanitary authority, are not sufficiently protected by recent vaccination, or by a previous attack of smallpox, may be subjected to vaccination or to observation or to surveillance, or to vaccination followed by observation or surveillance, the period of observation or surveillance being specified according to the circumstances, but in any event not exceeding 14 days, reckoned from the date of arrival of the ship.

In Article 42 the following shall be inserted as the penultimate paragraph:

For the purpose of this Article "recent vaccination" shall be taken as meaning evidence of successful vaccination not more than 3 years

ARTICLE XIII

A l'Article 42 (3) substituer ce qui suit:

(3) Toute personne que l'on suspecte, à juste raison, d'avoir été exposée à l'infection à bord et qui, de l'avis de l'autorité sanitaire, n'est pas suffisamment protégée par une vaccination récente ou par une attaque antérieure de variole, peut être soumise soit à la vaccination, ou à l'observation, ou à la surveillance, soit à la vaccination, suivie d'observation ou de surveillance, la durée de l'observation ou de la surveillance étant fixée suivant les circonstances, mais ne devant en aucun cas dépasser quatorze jours à dater de l'arrivée du navire.

A l'Article 42, ajouter comme avant-dernier paragraphe:

Pour l'application du présent Article, l'expression "vaccination récente" sera considérée comme signifiant que preuve a été fournie

Smallpox.

or less than 14 days previously, or evidence of an immune reaction.

d'une vaccination faite avec succès au moins quatorze jours et pas plus de trois ans auparavant; ou que preuve a été fournie que le porteur présente une réaction d'immunité.

To Article 42 shall be added "Vaccination of such persons may be performed".

A l'Article 42 ajouter ce qui suit: On pourra procéder à la vaccination de ces personnes.

ARTICLE XIV

ARTICLE XIV

In Article 43 after the word "crew" in the first paragraph shall be added the words "and passengers".

A l'Article 43, paragraphe 1, après le mot "équipage" ajouter les mots "et des passagers".

ARTICLE XV

ARTICLE XV

Article 49 shall be deleted and the following substituted:

A l'Article 49 substituer ce qui suit:

45 Stat. 2570.

The Contracting Parties agree that bills of health and consular visas shall be abolished as soon as the conditions of hostilities permit the establishment of effective epidemiological communications. The Master of every foreign-going vessel approaching the first port in a territory shall ascertain the state of health of all persons on board and shall prepare and sign a Declaration of Health which shall be countersigned by the ship's surgeon, if one is carried, to be handed to the appropriate authority.

Les Parties Contractantes sont d'accord pour abolir les patentes de santé et les visas consulaires aussitôt que le cours des hostilités permettra d'établir des communications épidémiologiques effectives. Le Capitaine de tout navire employé à la navigation internationale devra, à l'approche du premier port d'un territoire, vérifier l'état de santé de toutes les personnes à bord et devra préparer et signer une "déclaration de santé" qui sera contresignée par le médecin du bord (s'il y en a un); cette déclaration sera remise à l'autorité appropriée.

Declaration of Health.

ARTICLE XVI

ARTICLE XVI

To Article 57 the following shall be added:

A l'Article 57 ajouter ce qui suit:

45 Stat. 2571.

The Contracting Parties will, so far as possible, adopt the International Form of Declaration of Health and the International Forms of Certificates of Inoculation or Vaccination against cholera,

Les Parties Contractantes adopteront, autant que possible, le modèle international de déclaration de santé ainsi que chacun des modèles internationaux de certificats de vaccination contre le

Adoption of international forms.

typhus, and smallpox, respectively, annexed hereto.*

choléra, le typhus et la variole figurant dans les Annexes ci-jointes.*

Incubation periods.

For the purposes of the present Convention the period of incubation is reckoned as 6 days in the case of plague, 5 days in the case of cholera, 6 days in the case of yellow fever, 12 days in the case of typhus, and 14 days in the case of smallpox.

Aux fins de la présente Convention, la période d'incubation est estimée à six jours pour la peste, à cinq jours pour le choléra, à six jours pour la fièvre jaune, à douze jours pour le typhus et à quatorze jours pour la variole.

ARTICLE XVII

ARTICLE XVII

45 Stat. 2571.

Article 58 shall be deleted and the following substituted:

A l'Article 58 substituer ce qui suit:

Observation.

Observation may, if considered necessary, be enforced at land frontiers. Persons may be directed to the places which have been designated for frontier traffic, and sanitary stations, equipped in accordance with the terms of Article 22 of the 1926 Convention, shall be set up at such places. These places and the measures taken shall be notified immediately to the countries concerned and to UNRRA. Individuals who have been in contact with a person suffering from a disease referred to in Article 1 of the 1926 Convention, and their bedding and effects, may be subjected to the appropriate sanitary measures. In the case of persons suffering from a communicable disease not referred to in Article 1, the measures in force in the country of arrival shall be applied.

L'observation peut, si elle est jugée nécessaire, être mise en vigueur aux frontières terrestres. Les intéressés pourront être dirigés sur les localités désignées pour le trafic frontalier, et des stations sanitaires équipées conformément aux termes de l'Article 22 de la Convention de 1926 seront établies en ces localités. La liste de ces localités et stations, de même que les mesures prises, seront notifiées immédiatement aux pays intéressés et à l'UNRRA. Les individus qui ont été en contact avec une personne souffrant d'une des maladies mentionnées à l'Article 1 de la Convention de 1926, ainsi que leur literie et leurs effets, pourront être soumis aux mesures sanitaires appropriées. Dans le cas de personnes souffrant d'une maladie contagieuse non mentionnée à l'Article 1, les mesures en vigueur dans le pays d'arrivée seront appliquées.

45 Stat. 2556.

ARTICLE XVIII

ARTICLE XVIII

45 Stat. 2572.

Article 63 shall be deleted and the following substituted:

A l'Article 63 substituer ce qui suit:

Detention of railway carriages.

Railway carriages for mails or luggage and goods trains may not

Les wagons-poste, les wagons de bagages et les trains de marchan-

*With regard to yellow fever see Article XI.

*Pour ce qui est de la fièvre jaune, voir l'Article XI.

be detained at the frontier longer than is necessary to apply the necessary sanitary measures for the prevention of the entry of communicable diseases into the country concerned.

dises ne seront pas retenus à la frontière plus longtemps que ne l'exige l'application des mesures sanitaires nécessaires pour empêcher l'introduction de maladies contagieuses dans le pays intéressé.

ARTICLE XIX

ARTICLE XIX

To Article 65 the following shall be added:

A l'Article 65 ajouter ce qui suit:

45 Stat. 2573.

In framing regulations under this Article, the Contracting Parties will consult UNRRA and will inform UNRRA of the regulations and of the date of their entry into force.

En élaborant des règlements en vertu du présent Article, les Parties Contractantes consulteront l'UNRRA et lui feront part desdits règlements et de leur date d'entrée en vigueur.

Regulations.

ARTICLE XX

ARTICLE XX

To Article 66 the following shall be added:

A l'Article 66 ajouter ce qui suit:

45 Stat. 2573.

In the application of Articles 58 to 66 inclusive of the 1926 Convention, as amended by the present Convention, to any persons coming within the category of "displaced persons", the Contracting Parties shall be entitled to make such modifications as may be required by any special international arrangements under schemes to be organized by governments and by UNRRA for dealing with such persons.

Pour l'application des Articles 58 à 66 inclusivement de la Convention de 1926, telle qu'elle a été modifiée par la présente Convention, à toute personne se trouvant dans la catégorie des "personnes éloignées de leur résidence habituelle", les Parties Contractantes auront le droit d'effectuer telles modifications qui pourraient être requises par un arrangement international spécial faisant partie d'un plan organisé par les gouvernements et par l'UNRRA à l'égard de ces personnes.

"Displaced persons."

And the Contracting Parties have further agreed as follows:

En outre, les Parties Contractantes sont convenues de ce qui suit:

ARTICLE XXI

ARTICLE XXI

The present Convention shall come into force as soon as it has been signed or acceded to on behalf of ten or more governments.

La présente Convention entrera en vigueur aussitôt qu'elle aura été acceptée, par voie de signature ou d'adhésion, par dix gouvernements au moins.

Entry into force.

ARTICLE XXII

ARTICLE XXII

The present Convention shall supplement and be read as one

plètera la Convention de 1926 et

Supplement to 1926 Convention.

with the 1926 Convention, which as hereby amended remains in full force between the Contracting Parties, and whenever any provision of the 1926 Convention contains a reference to another provision, the reference shall be deemed to be a reference to that provision as modified by any amendments effected thereto by the present Convention.

sera considérée comme formant un tout avec elle. Ladite Convention, telle qu'elle est modifiée par la présente Convention, demeure pleinement en vigueur entre les Parties Contractantes. Lorsqu'une disposition de la Convention de 1926 contient une référence à une autre disposition, cette référence sera considérée comme étant une référence à la disposition en question, telle qu'elle résulte de toutes modifications qui y sont apportées par la présente Convention.

ARTICLE XXIII

ARTICLE XXIII

Accessions.

After January 15, 1945 the present Convention shall be open to accession by any government not a signatory. Accessions shall be notified in writing to the Government of the United States of America.

A partir du 15 janvier 1945, la présente Convention sera ouverte à l'adhésion de tout gouvernement qui n'en est pas signataire. Les adhésions seront notifiées par écrit au Gouvernement des Etats-Unis d'Amérique.

Accessions notified after the entry into force of the present Convention shall become effective with respect to each government upon the notification of its accession.

Les adhésions notifiées après l'entrée en vigueur de la présente Convention deviendront effectives à l'égard de chaque gouvernement lors de la notification de son adhésion.

ARTICLE XXIV

ARTICLE XXIV

Declarations as to colonies, etc.

Any Contracting Party may on signature or accession declare that the present Convention does not apply to all or any of its colonies, overseas territories, territories under its protection, suzerainty, or authority, or territories in respect of which it exercises a mandate. The present Convention may at any time thereafter be applied to any such territory by notification in writing to the Government of the United States of America, and the Convention shall apply to the territory concerned from the date of the receipt of the notification by the Government of the United States of America.

Toute Partie Contractante peut, en signant la Convention ou en y adhérant, déclarer qu'elle ne s'applique pas à tout ou partie de ses colonies, territoires d'outre-mer, territoires placés sous sa protection, suzeraineté ou autorité, ou territoires pour lesquels elle exerce un mandat. La présente Convention pourra à tout moment ultérieur être rendue applicable à l'un quelconque de ces territoires par une notification écrite adressée au Gouvernement des Etats-Unis d'Amérique; la Convention s'appliquera à ce territoire à partir de la réception de la notification par le Gouvernement des Etats-Unis d'Amérique.

ARTICLE XXV

ARTICLE XXV

The Government of the United States of America shall give notice in writing to governments parties to the 1926 Convention and to governments parties to the present Convention, of all signatures and accessions to the present Convention and of all notifications regarding the territories to which the present Convention is to be applied.

Le Gouvernement des Etats-Unis d'Amérique informera par écrit les gouvernements parties à la Convention de 1926, ainsi que les gouvernements parties à la présente Convention, de toutes signatures et adhésions à la présente Convention, ainsi que de toutes notifications concernant les territoires auxquels la présente Convention est rendue applicable.

U. S. Government to notify parties of signatures, etc.

ARTICLE XXVI

ARTICLE XXVI

The present Convention shall remain in force as to each Contracting Party until either

La présente Convention demeurera en vigueur pour chaque Partie Contractante jusqu'à ce que

Duration.

- (1) such Party shall become bound by a further convention amending or superseding the 1926 Convention, or
- (2) the expiration of eighteen months from the date on which the present Convention enters into force,

- (1) cette Partie se trouve liée par une convention ultérieure modifiant ou remplaçant la Convention de 1926, ou que
- (2) une période de 18 mois se soit écoulée à dater du jour où la présente Convention entrera en vigueur,

whichever shall be the earlier.

selon que l'une ou l'autre circonstance se produira la première.

ARTICLE XXVII

ARTICLE XXVII

The original of the present Convention shall be deposited in the archives of the Government of the United States of America and shall be opened for signature at Washington on December 15, 1944, where it shall remain open for signature until January 15, 1945. Certified copies hereof shall be furnished by the Government of the United States of America to each of the governments on behalf of which this Convention is signed or acceded to and to each of the governments parties to the 1926 Convention.

Le texte original de la présente Convention sera déposé aux archives du Gouvernement des Etats-Unis d'Amérique et sera ouvert à la signature, le 15 décembre 1944, à Washington, où il demeurera ouvert à la signature jusqu'au 15 janvier 1945. Des copies certifiées conformes en seront fournies par le Gouvernement des Etats-Unis d'Amérique à chacun des gouvernements par lesquels cette Convention aura été acceptée, par voie de signature ou d'adhésion, ainsi qu'à chacun des gouvernements parties à la Convention de 1926.

Deposit of original.

45 Stat. 2492.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, having deposited their full powers, found to be in due and proper form, sign the present Convention in the English and French languages, both texts being equally authentic, on behalf of their respective governments, on the dates appearing opposite their signatures.

EN FOI DE QUOI, les plénipotentiaires soussignés ayant déposé leurs pleins pouvoirs trouvés en bonne et due forme, ont signé les textes anglais et français de la présente Convention, les deux versions faisant également foi, au nom de leurs gouvernements respectifs, aux dates figurant en regard de leurs signatures.

FOR THE FRENCH REPUBLIC:

ANDRÉ MAYER

January 5, 1945

FOR POLAND:

JAN CIECHANOWSKI.

January 5, 1945

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

At the time of signing the present Convention I declare that my signature does not cover any of the territories referred to in Article Twenty-Four of the International Sanitary Convention, 1944.

HALIFAX

January 5, 1945

FOR THE UNITED STATES OF AMERICA:

Subject to ratification.

E R STETTINIUS, Jr

January 5, 1945

FOR CHINA:

J HENG LIU

January 11, 1945

FOR THE UNION OF SOUTH AFRICA:

S. F. N. GIE.

January 13, 1945

FOR EGYPT:

With the following reservations:

1. That this signature does not affect in any way the relations of the Egyptian Government with the International Office of Public Health, Paris, or its obligations toward the Regional Office at Alexandria;
2. That this convention is subject to ratification by the Egyptian Parliament.

M HASSAN

January 15, 1945

FOR CZECHOSLOVAKIA:

Subject to ratification

V. S. HURBAN

January 15, 1945

FOR CANADA:

Subject to ratification.

L B PEARSON

January 15, 1945

FOR CUBA:

Esta Convención, previa la aprobación del Senado de la República, será ratificada por el Ejecutivo.

GMO BELT

January 15, 1945

FOR THE DOMINICAN REPUBLIC:

Con la reserva de que la República Dominicana no podrá ratificar esta Convención sin adherirse, al mismo tiempo, a las Convenciones de París y de La Haya, y que por virtud de disposiciones constitucionales de la República, estos procesos estarán subordinados a la previa sanción del Congreso Nacional.

EMILIO G. GODÓY

January 15, 1945

FOR NICARAGUA:

GUILLERMO SEVILLA SACASA

January 15, 1945

FOR PERU:

With the following reservations:

1. That this Convention is signed *ad referendum*;
2. That if the execution of the said Convention would not conform with the regulations contained in the Pan American Sanitary Code of Havana, Perú will give preference to the latter.

P. G. BELTRÁN.

January 15, 1945

FOR LUXEMBOURG:

HUGUES LE GALLAIS

January 15, 1945

FOR ECUADOR:

S. E. DURAN BALLEEN

January 15, 1945

FOR GREECE:

C. P. DIAMANTOPOULOS.

January 15, 1945

FOR HONDURAS:

JULIÁN R. CÁCERES

January 15, 1945

FOR HAITI:

J THÉBAUD.

January 15, 1945

LIST OF FORMS ATTACHED

1. Maritime Declaration of Health.
2. International Certificate of Inoculation Against Cholera.
3. International Certificate of Inoculation Against Yellow Fever.
4. International Certificate of Immunity Against Yellow Fever.
5. International Certificate of Inoculation Against Typhus Fever.
6. International Certificate of Vaccination Against Smallpox.

International Sanitary Convention, 1944

MARITIME DECLARATION OF HEALTH

(International Form)

(To be rendered by the masters of ships arriving from ports outside the Territory.)

Port of _____ Date _____
 Name of Vessel _____ From _____ to _____
 Nationality _____ Master's Name _____
 Net Registered Tonnage _____
 Deratization or } Certificate _____ Dated _____
 Deratization }
 Exemption } Issued at _____
 No. of Passen- } Cabin _____ No. of Crew _____
 gers } Deck _____

List of ports of call from commencement of voyage with dates of departure:

HEALTH QUESTIONS	ANSWER YES OR NO
1. Has there been on board during the voyage* any case or suspected case of plague, cholera, yellow fever, typhus fever, or smallpox? Give particulars in the Schedule.	_____
2. Has plague occurred or been suspected among the rats or mice on board during the voyage*, or has there been an unusual mortality among them?	_____
3. Has any person died on board during the voyage* otherwise than as a result of accident? Give particulars in Schedule.	_____
4. Is there on board or has there been during the voyage* any case of illness which you suspect to be of an infectious nature? Give particulars in Schedule.	_____
5. Is there any sick person on board now? Give particulars in Schedule.	_____

Note: In the absence of a surgeon, the Master should regard the following symptoms as ground for suspecting the existence of infectious disease: fever accompanied by prostration or persisting for several days, or attended with glandular swelling; or any acute skin rash or eruption with or without fever; severe diarrhoea with symptoms of collapse; jaundice accompanied by fever.

6. Are you aware of any other condition on board which may lead to infection or the spread of infectious disease? _____

I hereby declare that the particulars and answers to the questions given in this Declaration of Health (including the Schedule) are true and correct to the best of my knowledge and belief.

Signed _____
Master

Countersigned _____
Ship's Surgeon

Date _____

*If more than 6 weeks have elapsed since the voyage began, it will suffice to give particulars for the last 6 weeks.

SCHEDULE TO THE DECLARATION
Particulars of every case of illness or death occurring on board

Name	Class or Rating	Age	Sex	Nationality	Port of Embar- kation	Date of Embar- kation	Nature of Illness	Date of its Onset	Results of Illness*	Disposal of Case**

*State whether recovered: still ill; died.

**State whether still on board; landed at (give name of port); buried at sea.

International Sanitary Convention, 1944

INTERNATIONAL CERTIFICATE OF INOCULATION AGAINST CHOLERA

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below was on the dates indicated inoculated against cholera.

Date	Material		Inoculating Officer	
	Origin	Batch No. and Type	Signature	Official Title

(Signature of person inoculated)_____
(Home address)_____
(Date)

Official Stamp of Inoculating Officer
--

(This certificate is not valid for more than 6 months from date of issue.)

International Sanitary Convention, 1944

INTERNATIONAL CERTIFICATE OF INOCULATION AGAINST YELLOW FEVER

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below has this day been inoculated by me against yellow fever.

Origin and Batch No. of vaccine _____

Signature of inoculating officer _____

Official position _____

Place _____ Date _____

(Signature of person inoculated)

(Home address)

Official Stamp of
Inoculating Officer

Footnote:

This certificate is not valid:

- (a) unless the vaccine and the method employed have been approved by UNRRA;
- (b) until 10 days after the date of the inoculation except in the case of persons re-inoculated within 4 years;
- (c) for more than 4 years from the date of the last inoculation.

International Sanitary Convention, 1944

INTERNATIONAL CERTIFICATE OF IMMUNITY AGAINST YELLOW
FEVER

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below is immune to yellow fever as the result of an attack of the disease. This immunity has been demonstrated by the mouse protection test.

Date of bleeding _____ Place of bleeding _____

Name of Laboratory performing test _____

Location of Laboratory _____

Date of Test _____

Result of Test _____

Signature of Laboratory Director _____

Official Stamp of Laboratory

(Signature of person tested)

(Home address)
Footnote:

This certificate is not valid:

- (a) unless the laboratory performing the blood test and the method employed have been approved by UNRRA;
- (b) for more than ten years from the date of the blood test.

International Sanitary Convention, 1944

INTERNATIONAL CERTIFICATE OF INOCULATION AGAINST TYPHUS
FEVER

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below was on the dates
indicated inoculated against typhus fever.

Date	Material		Inoculating Officer	
	Origin	Batch No. and Type	Signature	Official Title

(Signature of person inoculated)_____
(Home address)_____
(Date)

Official Stamp of Inoculating Officer
--

(This certificate is not valid for more than
1 year from date of issue.)

International Sanitary Convention, 1944

INTERNATIONAL CERTIFICATE OF VACCINATION AGAINST SMALLPOX

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below has this day been vaccinated by me against smallpox.

Origin and Batch No. of vaccine _____

Signature of Vaccinator _____

Official Stamp

Official Position _____

Place _____ Date _____

Signature of person vaccinated _____

Home address _____

Important Note. In the case of primary vaccination the person vaccinated should be warned to report to a medical practitioner between the 8th and 14th day, in order that the result of the vaccination may be recorded on this certificate. In the case of revaccination the person should report within 48 hours for first inspection in order that any immune reaction which has developed may be recorded.

THIS IS TO CERTIFY THAT the above vaccination was inspected by me on the date(s) and with the result(s) shown hereunder:

Date of Inspection	Result
_____	_____
_____	_____
_____	_____

Signature of Doctor _____

Official Stamp

Official Position _____

Place _____ Date _____

Use one or other of the following terms in stating the result, viz: "Reaction of immunity", "Accelerated reaction (vaccinoid)", "Typical primary vaccinia". A certificate of "No reaction" will not be accepted.

Signature of person vaccinated _____

(This certificate is not valid for more than 3 years from date of issue.)

LISTE DES MODELES ANNEXÉS

1. Déclaration Maritime de Santé.
2. Certificat International de Vaccination Contre le Choléra.
3. Certificat International de Vaccination Contre la Fièvre Jaune.
4. Certificat International d'Immunité Contre la Fièvre Jaune.
5. Certificat International de Vaccination Contre le Typhus.
6. Certificat International de Vaccination Contre la Variole.

Convention Sanitaire Internationale, 1944

DÉCLARATION MARITIME DE SANTÉ
(Modèle International)

(A présenter par les capitaines des navires en provenance de
ports situés en dehors du territoire)

Port de _____ Date _____
 Nom du navire _____ Venant de _____ Allant à _____
 Nationalité _____ Nom du Capitaine _____
 Tonnage net _____
 Dératissage ou } Certificat _____ En date du _____
 Exemption de }
 dératissage } Délivré à _____
 Nombre } Cabine _____ Nombre de membres de l'équipage _____
 de }
 passagers } Pont _____
 Liste des escales depuis le début du voyage avec dates des départs:

QUESTIONNAIRE DE SANTÉ

**RÉPONDRE
PAR OUI
OU NON**

1. Y a-t-il eu à bord, en cours de voyage*, un cas (ou une présomption) de peste, de choléra, de fièvre jaune, de typhus ou de varicelle? Donner détails dans le tableau annexé. _____

2. Y a-t-il eu des cas (ou une présomption) de peste parmi les rats ou les souris, à bord*, en cours de voyage, ou bien la mortalité parmi eux a-t-elle été exceptionnelle? _____

3. Y a-t-il eu un décès à bord, en cours de voyage*, autrement que par accident? Donner les détails dans le tableau annexé. _____

4. Y a-t-il à bord, ou y a-t-il eu, en cours de voyage*, des cas de maladie que vous soupçonnez être de nature infectieuse? Donner les détails dans le tableau annexé. _____

5. Y a-t-il présentement des malades à bord? Donner les détails dans le tableau annexé. _____

Remarque: En l'absence d'un médecin, le capitaine doit considérer les symptômes suivants comme devant faire soupçonner l'existence d'une maladie infectieuse: fièvre accompagnée de prostration ou persistant plusieurs jours, ou avec gonflement des glandes; toute irritation de la peau ou éruption aiguës, avec ou sans fièvre; toute diarrhée grave avec symptômes d'affaiblissement caractérisé; jaunisse accompagnée de fièvre.

6. Avez-vous connaissance de toute autre circonstance qui, à bord, pourrait favoriser le développement d'une infection ou la propagation d'une maladie infectieuse?

Je déclare que les renseignements et réponses donnés dans la présente déclaration de santé (y compris le tableau annexé) sont, autant que je sache et suis fondé à croire, exacts et conformes à la vérité.

Signé _____

Capitaine

Contresigné _____

Médecin du bord

Date _____

*S'il s'est écoulé plus de 6 semaines depuis le début du voyage, il suffira de donner des renseignements pour les 6 dernières semaines.

TABLEAU ANNEXÉ A LA DÉCLARATION
Détails de chaque cas de maladie ou de décès survenus à bord

Nom	Classe ou fonction à bord	Âge	Sexe	Nationalité	Port d'embarquement	Date d'embarquement	Nature de la maladie	Date du début de la maladie	Résultats de la maladie*	Suite donnée**

*Indiquer si le malade est guéri, s'il est encore malade ou s'il est décédé.

**Indiquer si le malade est encore à bord, s'il a été débarqué (donner le nom du port), ou si son corps a été immergé.

Convention Sanitaire Internationale, 1944

CERTIFICAT INTERNATIONAL DE VACCINATION CONTRE LE
CHOLÉRA

LE PRÉSENT DOCUMENT CERTIFIE QUE _____
(Âge _____ Sexe _____) dont la signature apparaît ci-dessous a été vac-
ciné(e) contre le choléra aux dates indiquées.

Date	Produit		Fonctionnaire pratiquant la vaccination	
	Origine	No. du lot et type	Signature	Titre officiel

(Signature de la personne vaccinée)

(Domicile)

(Date)

Timbre officiel du fon- ctionnaire pratiquant la vaccination
--

(Ce certificat n'est valable que pour
6 mois à compter de la date de délivrance.)

Convention Sanitaire Internationale, 1944

CERTIFICAT INTERNATIONAL DE VACCINATION CONTRE LA FIÈVRE
JAUNE

LE PRESENT DOCUMENT CERTIFIE QUE _____

(Âge _____ Sexe _____) dont la signature apparaît ci-dessous a été vac-
ciné(e) aujourd'hui par moi contre la fièvre jaune.

Origine du vaccin et numéro du lot _____

Signature du fonctionnaire pratiquant la vaccination _____

Fonction officielle _____

Lieu _____ Date _____

(Signature de la personne vaccinée)_____
(Domicile)

Timbre officiel du fonction- naire pratiquant la vac- cination
--

Note:

Ce certificat n'est valable que:

- (a) si le vaccin et la méthode employée ont été approuvés par l'UNRRA;
- (b) après l'expiration des 10 jours suivant la date de la vaccination, excepté dans le cas de personnes revaccinées dans un délai de 4 ans;
- (c) pendant 4 ans à partir de la date de la dernière vaccination.

Convention Sanitaire Internationale, 1944

CERTIFICAT INTERNATIONAL D'IMMUNITÉ CONTRE LA FIÈVRE
JAUNE

CE DOCUMENT CERTIFIE QUE _____

(Âge _____ Sexe _____) soussigné est immunisé contre la fièvre jaune en raison d'avoir déjà eu cette maladie. Cette immunité a été démontrée par le test de protection, sur la souris.

Date de la saignée _____ Lieu de la saignée _____

Nom du laboratoire qui s'est chargé du test _____

Lieu où se trouve le laboratoire _____

Date du test _____

Résultat du test _____

Signature du Directeur du Laboratoire _____

Timbre officiel du Laboratoire

 (Signature de la personne soumise au test)

 (Domicile)
Note:

Ce certificat n'est pas valable:

- (a) si le laboratoire qui a procédé au test de protection et la méthode employée n'ont pas été approuvés par UNRRA;
- (b) si plus de dix ans se sont écoulés depuis la date d'exécution du test.

Convention Sanitaire Internationale, 1944

CERTIFICAT INTERNATIONAL DE VACCINATION CONTRE LE TYPHUS

LE PRÉSENT DOCUMENT CERTIFIE QUE _____

(Âge _____ Sexe _____) dont la signature apparaît ci-dessous a été vacciné(e) contre le typhus aux dates indiquées.

Date	Produit		Fonctionnaire pratiquant la vaccination	
	Origine	No. du lot et type	Signature	Titre officiel

(Signature de la personne vaccinée)_____
(Domicile)_____
(Date)

Timbre officiel du fonctionnaire pratiquant la vaccination

(Ce certificat n'est valable que pour un an à partir de la date de délivrance.)

Convention Sanitaire Internationale, 1944

CERTIFICAT INTERNATIONAL DE VACCINATION CONTRE LA VARIOLE

LE PRÉSENT DOCUMENT CERTIFIE QUE _____

(Âge _____ Sexe _____) dont la signature apparaît ci-dessous a été vacciné(e) aujourd'hui par moi contre la variole.

Origine du vaccin et numéro du lot _____

Signature de la personne pratiquant la vaccination _____

Timbre officiel

Fonction officielle _____

Lieu _____ Date _____

Signature de la personne vaccinée _____

Domicile _____

Observation importante. Dans le cas d'une première vaccination, la personne vaccinée doit être invitée à se présenter à un médecin entre le 8ème et le 14ème jour, afin que le résultat de cette vaccination puisse être porté sur le certificat. Dans le cas d'une revaccination, la personne vaccinée doit se présenter dans les 48 heures pour un premier examen, afin que toute réaction d'immunité qui se serait produite puisse être constatée.

LE PRÉSENT DOCUMENT CERTIFIE QUE la vaccination mentionnée ci-dessus a été contrôlée par moi à la date ou aux dates suivantes, et avec les résultats suivants:

Date du contrôle	Résultats
_____	_____
_____	_____
_____	_____

Signature du médecin _____

Timbre officiel

Fonction officielle _____

Lieu _____ Date _____

Employer les termes suivants pour indiquer les résultats: "Réaction d'immunité", "Réaction accélérée (vaccinoïde)", "Réaction primaire typique de vaccination". Un certificat portant "Sans réaction" ne sera pas valable.

Signature de la personne vaccinée _____

(Ce certificat n'est valable que pour trois ans à compter de la date de délivrance.)

I CERTIFY THAT the foregoing is a true copy of the International Sanitary Convention, 1944, opened for signature in the English and French languages at Washington, D. C., on December 15, 1944, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, Joseph C. Grew, Acting Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by an Assistant Chief, Division of Central Services of the said Department, at the city of Washington, in the District of Columbia, this twenty-sixth day of January, 1945.

[SEAL]

JOSEPH C. GREW
Acting Secretary of State
By M L KENESTRICK
*Assistant Chief, Division
of Central Services*

Ante, p. 967.

WHEREAS it is provided in Article XXI of the said convention that the convention shall come into force as soon as it has been signed or acceded to on behalf of ten or more governments;

WHEREAS the said convention was signed on or before January 15, 1945 by the respective plenipotentiaries of France, Poland, the United Kingdom of Great Britain and Northern Ireland, China, the Union of South Africa, Nicaragua, Luxembourg, Ecuador, Greece, Honduras, and Haiti without any reservation with respect to ratification;

WHEREAS, pursuant to the aforesaid provision of Article XXI of the said convention, the convention came into force on January 15, 1945 in respect of the aforementioned eleven countries on behalf of which the convention had been signed without any reservation with respect to ratification;

AND WHEREAS the said convention was duly ratified on behalf of the Government of the United States of America on May 29, 1945, and the instrument of ratification of the said Government was deposited on that same day in the archives of the United States of America;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said convention to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, on and after May 29, 1945.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-ninth day of May in the year of our Lord one thousand nine hundred [SEAL] forty-five, and of the Independence of the United States of America the one hundred sixty-ninth.

HARRY S TRUMAN

By the President:

JOSEPH C. GREW

Acting Secretary of State

Convention between the United States of America and other powers respecting sanitary aerial navigation, modifying the convention of April 12, 1933. Opened for signature at Washington December 15, 1944; signed for the United States of America January 5, 1945; ratification advised by the Senate of the United States of America May 21, 1945; ratified by the President of the United States of America May 29, 1945; ratification deposited by the United States of America May 29, 1945; proclaimed by the President of the United States of America May 29, 1945; effective as to the United States of America May 29, 1945.

January 5, 1945
[T. S. 992]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS an international sanitary convention for aerial navigation, which was opened for signature in the English and French languages at Washington on December 15, 1944 and was signed by the Plenipotentiaries of the United States of America (with a reservation "Subject to ratification") and seventeen other countries, is word for word as follows:

INTERNATIONAL SANITARY CON-
VENTION FOR AERIAL NAVIGA-
TION, 1944

CONVENTION SANITAIRE INTER-
NATIONALE POUR LA NAVIGA-
TION AERIENNE 1944

Modifying the International
Sanitary Convention for
Aerial Navigation of
April 12, 1933

Portant Modification de la Conven-
tion Sanitaire Internationale
pour la Navigation Ae-
rienne du 12 Avril 1933

The Governments signatory
hereto,

Les Gouvernements signataires,

Considering that the Inter-
national Office of Public Health
created by the Agreement signed
at Rome on December 9, 1907,
is unable for the time being to
carry out effectively all of the
duties and functions assigned to
it in the Annex to that Agree-
ment; in the International Sani-
tary Convention, 1926; in the
International Sanitary Conven-
tion for Aerial Navigation, 1933;
and in other Conventions or
Agreements relating to the public
health;

Considérant que l'Office inter-
national d'Hygiène publique, créé
par l'Accord signé à Rome le 9
décembre 1907, ne peut pour le
moment remplir effectivement
toutes les tâches et fonctions qui
lui ont été assignées par l'Annexe
de cet Accord, par la Convention
sanitaire internationale de 1926,
par la Convention sanitaire inter-
nationale pour la Navigation
aérienne de 1933 et par d'autres
Conventions ou Accords ayant
rapport à l'hygiène publique;

35 Stat. 2061.

45 Stat. 2492.

49 Stat. 3279.

Having entrusted the task of solving this temporary problem by the preparation of emergency agreements and arrangements for the notification of epidemic diseases and for uniformity in quarantine regulations to the United Nations Relief and Rehabilitation Administration (hereinafter referred to as *UNRRA*), in accordance with Resolution No. 8 (2) adopted by the Council of UNRRA at its First Session, without prejudice however to the status of the International Office of Public Health which it is hoped will be able at the expiry of the present Convention to resume the above-mentioned duties and functions; and having received the recommendations of UNRRA in this connection;

Having agreed that, in regard to the American Republics, the Pan American Sanitary Bureau shall continue to act as the general coordinating sanitary agency, including the general collection and distribution of sanitary information to and from the said Republics, as specified in the Pan American Sanitary Code and recognized heretofore by the International Office of Public Health;

Desiring also to modify as between themselves the provisions of the International Sanitary Convention for Aerial Navigation signed at The Hague on April 12, 1933 (hereinafter referred to as *the 1933 Convention*) in the light of the present-day conditions which call for special measures to prevent the spread by air across

Ayant, conformément à la résolution No. 8 (2) adoptée lors de sa première session par le Conseil de l'Administration des Nations Unies de Secours et de Restauration (dénommée ci-après *UNRRA*), confié à l'UNRRA la tâche de résoudre ce problème temporaire en élaborant, à titre de mesures d'urgence, des accords et arrangements pour la notification des maladies épidémiques ainsi que pour l'uniformisation des mesures de quarantaine, sans porter atteinte au statut de l'Office international d'Hygiène publique qui, il est permis de l'espérer, pourra, à l'expiration de la présente Convention, reprendre les tâches et fonctions mentionnées ci-dessus; et ayant reçu les recommandations de l'UNRRA à ce sujet;

Ayant convenu que, à l'égard des Républiques américaines, le Bureau sanitaire panaméricain jouera, comme par le passé, le rôle d'organe général de coordination en matière sanitaire, notamment pour la réunion et la distribution générales d'informations sanitaires qui proviennent desdites Républiques ou leur sont destinées, ainsi qu'il est spécifié dans le Code sanitaire panaméricain et comme cela a été accepté jusqu'ici par l'Office international d'Hygiène publique;

Désirant aussi modifier, en ce qui les concerne, les dispositions de la Convention sanitaire internationale pour la Navigation aérienne signée à la Haye le 12 avril 1933 (dénommée ci-après *la Convention de 1933*), pour tenir compte des conditions actuelles qui nécessitent des mesures spéciales pour empêcher la propaga-

frontiers of epidemic or other communicable diseases;

Have decided to conclude a Convention for these purposes, have agreed that, whereas the authentic text of the 1933 Convention is in the French language, the present Convention shall be in English and in French, both texts being equally authentic, and have accordingly appointed the undersigned plenipotentiaries who, having communicated their full powers, found in good and due form, have agreed that the 1933 Convention shall be amended as follows:

ARTICLE I

All references in the 1933 Convention to the International Office of Public Health shall be read as references to UNRRA.

ARTICLE II

The second paragraph of Article 1, subparagraph VI, shall be deleted and the following substituted:

The word *surveillance* means that persons are not isolated, that they may move about freely, but that the sanitary authorities of the place or places to which they are proceeding are notified of their coming. They may be subjected in the places of arrival to a medical examination and such inquiries as are necessary with a view to ascertaining their state of health; and, in any territory where the competent Contracting Party thinks fit, surveillance may include requirement to report on arrival and afterwards at such intervals during continuance of surveillance as may be specified, to

tion des maladies épidémiques ou autres maladies contagieuses par la voie des airs à travers les frontières;

Ont décidé de conclure une Convention à cette fin, sont convenus que, alors que le texte authentique de la Convention de 1933 est rédigé en langue française, la présente Convention sera rédigée en anglais et en français, les deux textes faisant également foi, et ont en conséquence désigné les plénipotentiaires soussignés qui, s'étant communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus que la Convention sanitaire internationale de 1933 sera modifiée ainsi qu'il suit:

ARTICLE I

Toute référence à l'Office international d'Hygiène publique contenue dans la Convention de 1933 sera considérée comme une référence à l'UNRRA.

ARTICLE II

Au deuxième paragraphe de l'Article 1er, alinéa VI, substituer ce qui suit:

Le mot *surveillance* signifie que les personnes ne sont pas isolées, qu'elles obtiennent tout de suite la libre pratique, mais que l'autorité sanitaire de la localité ou des localités où elles se rendent est prévenue de leur arrivée. Elles pourront être soumises au lieu d'arrivée à un examen médical, et l'on pourra leur poser les questions nécessaires à la constatation de leur état de santé. Dans tout territoire où la Partie Contractante compétente le juge nécessaire, la surveillance peut comprendre l'obligation de se présenter, lors de l'arrivée, et ensuite à intervalles fixes pendant la durée

UNRRA:

49 Stat. 3280.

"Surveillance."

the Health Officer of the city, town, district, or place to which they proceed.

de la surveillance, devant l'Officier de santé de la ville, de la région ou de l'endroit où les intéressés se rendent.

ARTICLE III

To Article 1 the following definitions shall be added:

VIII. The term *typhus, typhus fever, or exanthematous typhus* shall be deemed to relate only to epidemic louse-borne typhus.

IX. An *endemic yellow fever area* is a region in which yellow fever exists in a form recognizable clinically, biologically, or pathologically.

X. A *valid anti-yellow fever inoculation certificate* is one certifying that the bearer has been inoculated against yellow fever, with a vaccine and by a method approved by UNRRA, if there have elapsed:

- (1) More than 10 days and less than 4 years from the date of the inoculation.
- (2) Less than 4 years from the date of a re-inoculation performed within 4 years of the previous inoculation.
- (3) More than 10 days and less than 4 years from the date of re-inoculation performed after an interval of more than 4 years.

XI. The term *Stegomyia (Aedes aegypti)* shall be deemed to include *Aedes aegypti* and any potential mosquito vectors of yellow fever.

ARTICLE III

A l'Article 1er ajouter les définitions suivantes:

VIII. Les termes *typhus, typhus fébrile et typhus exanthématique* seront considérés comme ne se rapportant qu'au typhus épidémique transmis par les poux.

IX. Une *zone d'endémicité de la fièvre jaune* est une région dans laquelle la fièvre jaune existe sous une forme qui peut être décelée par des signes cliniques, biologiques ou anatomo-pathologiques.

X. Un *certificat valable de vaccination contre la fièvre jaune* est un certificat attestant que le porteur a été vacciné contre la fièvre jaune par un vaccin et au moyen d'une méthode approuvée par l'UNRRA, s'il s'est écoulé:

- (1) Plus de dix jours et moins de quatre ans depuis la date de la vaccination.
- (2) Moins de quatre ans depuis la date d'une revaccination pratiquée dans les quatre ans suivant la vaccination précédente.
- (3) Plus de dix jours et moins de quatre ans depuis la date d'une revaccination pratiquée après un intervalle de plus de quatre ans.

XI. Le terme *Stegomyia (Aedes aegypti)* sera considéré comme comprenant *Aedes aegypti* et tous autres moustiques susceptibles d'être des vecteurs de fièvre jaune.

ARTICLE IV

Article 9 shall be deleted and the following substituted:

(1) All passengers traveling by aircraft on international flight shall, on or just before arrival at the point of final disembarkation, or, if required, at any aerodrome where the journey is broken, complete a Personal Declaration of Origin and Health.

(2) The Commander of an aircraft on international flight shall, on or just before the arrival of the aircraft at the first authorized aerodrome in the country of entry, complete an Aircraft Declaration of Health to be handed to the aerodrome authority on arrival, and may be required to produce certificates concerning sanitary measures which such Declaration states were undergone by the aircraft before departure or at stopping places in application of the 1933 Convention as hereby amended.

(3) Aircraft shall not be required to carry Bills of Health.

(4) The Contracting Parties will, so far as possible, adopt the International Forms of Aircraft Declaration of Health, Personal Declaration of Origin and Health, and Certificates of Inoculation or Vaccination against cholera, typhus, and smallpox, respectively, annexed hereto.*

*With regard to yellow fever see Article XI (6).

ARTICLE IV

A l'Article 9 substituer ce qui suit:

(1) Les passagers faisant par aéronef un voyage international devront, soit à l'arrivée, soit immédiatement avant l'arrivée au point terminal de leur voyage, ou, s'ils en sont requis, à tout aérodro-
me où le voyage est interrompu, remplir une déclaration personnelle d'origine et de santé.

(2) Le Commandant d'un aéronef effectuant un voyage international devra, à l'arrivée ou immédiatement avant l'arrivée au premier aérodro-
me autorisé du pays où il pénètre, remplir une déclaration de santé d'aéronef qu'il remettra aux autorités de l'aérodro-
me dès son arrivée. Il peut être requis de produire des certificats concernant les mesures sanitaires auxquelles, d'après la déclaration, a été soumis l'aéronef avant le départ ou à des points d'arrêt, en application de la Convention de 1933, telle qu'elle a été modifiée par la présente Convention.

(3) Les aéronefs ne seront pas tenus d'être munis d'une patente de santé.

(4) Les Parties Contractantes adopteront, autant que possible, les modèles internationaux de déclaration de santé d'aéronef, de déclaration personnelle d'origine et de santé et chacun des certificats de vaccination contre le choléra, le typhus et la variole annexés ci-après.*

*Pour ce qui est de la fièvre jaune, voir Article XI (6).

49 Stat. 3284.

Personal Declaration of Origin and Health.

Aircraft Declaration of Health.

Bills of Health.

Adoption of International forms.

Post, p. 1013.

ARTICLE V

49 Stat. 3286.

To Article 13 the following shall be added:

Prohibition of embarkation.

Further, the embarkation of persons who do not present adequate sanitary guarantees may be prohibited, until the sanitary measures—delousing, disinfection of clothing, etc., or any other measures that are, in the opinion of the sanitary authority, necessary to prevent the carriage of the disease by aircraft, have been carried out.

ARTICLE VI

49 Stat. 3286.

To Article 16 after “sanitary measures” at the end of the first paragraph the words “including cleansing” shall be added.

ARTICLE VII

49 Stat. 3287.

Article 20 shall be deleted and the following substituted:

Notification to contracting Parties and UNRRA of certain diseases.

(1) Each Contracting Party shall immediately notify, by the most rapid means, the other Contracting Parties and UNRRA of:

- (a) The first recognized case of plague, cholera, or yellow fever discovered in its territory.
- (b) The first recognized case of plague, cholera, or yellow fever which occurs outside the limits of local areas already affected.
- (c) The existence of an epidemic of typhus or of small-pox.

(2) Every notification prescribed above shall be accompanied, or very promptly followed, by detailed information as to:

- (a) The place where the disease has appeared.

ARTICLE V

A l'Article 13 ajouter ce qui suit:

En outre, l'embarquement de personnes ne présentant pas de garanties sanitaires suffisantes peut être interdit jusqu'à ce qu'aient été prises les mesures sanitaires—épouillement, désinfection des vêtements, etc., ou toutes autres mesures qui, de l'avis des autorités sanitaires, seraient nécessaires pour prévenir la propagation de la maladie par aéronef.

ARTICLE VI

A l'Article 16, ajouter à la fin du premier paragraphe, après les mots “mesures sanitaires appropriées” les mots “y compris le nettoyage”.

ARTICLE VII

A l'Article 20, substituer ce qui suit:

(1) Chaque Partie Contractante notifiera, sans délai et par les voies les plus rapides, aux autres Parties Contractantes et à l'UNRRA:

- (a) Le premier cas de peste, de choléra ou de fièvre jaune constaté sur son territoire.
- (b) Le premier cas constaté de peste, de choléra ou de fièvre jaune apparaissant en dehors des limites des zones déjà affectées.
- (c) L'existence d'une épidémie de typhus ou de variole.

(2) Chacune des notifications prescrites ci-dessus devra être accompagnée ou suivie dans le plus bref délai d'informations détaillées sur les points suivants:

- (a) Lieu d'apparition de la maladie.

- | | |
|---|---|
| <p>(b) The date of its appearance, its source, and its type (including reports of pathological examinations as soon as available).</p> <p>(c) The number of recognized cases and the number of deaths.</p> <p>(d) The extent of the local area or areas affected.</p> <p>(e) In the case of plague, the existence of that disease, or of an unusual mortality, among rodents (including reports of bacteriological examinations as soon as available).</p> <p>(f) In the case of cholera, the number of germ carriers when any have been discovered.</p> <p>(g) In the case of yellow fever, the presence and relative prevalence (index) of <i>Stegomyia</i> (<i>Aedes aegypti</i>).</p> <p>(h) The measures taken.</p> <p>(3) Each Contracting Party shall, in addition to the diseases specifically mentioned in Article 18 of the 1933 Convention, to wit, plague, cholera, yellow fever, typhus, and smallpox, notify outbreaks of such other communicable diseases as, in the opinion of UNRRA, constitute a menace to other countries by their spread or potential spread across frontiers and shall keep UNRRA regularly informed of the course of the disease.</p> <p>(4) In addition to the formal notification required by paragraphs (1), (2), and (3) above, the Contracting Parties shall, so far as possible, send to UNRRA at regular intervals notifications of other communicable diseases notified in their countries.</p> | <p>(b) Date de son apparition, sa source et son type (y compris des comptes rendus d'examens anatomo-pathologiques, dès qu'on en disposera).</p> <p>(c) Nombre des cas constatés et nombre des décès.</p> <p>(d) Étendue de la ou des zones affectées.</p> <p>(e) Dans le cas de la peste, existence de la maladie ou d'une mortalité anormale parmi les rongeurs (y compris des comptes rendus d'examens bactériologiques, dès qu'on en disposera).</p> <p>(f) Dans le cas du choléra, nombre de porteurs de germes s'il en a été découvert.</p> <p>(g) Dans le cas de la fièvre jaune, présence ou prévalence relative (indice) de <i>Stegomyia</i> (<i>Aedes aegypti</i>).</p> <p>(h) Mesures prises.</p> <p>(3) Chaque Partie Contractante doit, en plus des maladies visées spécifiquement à l'Article 18 de la Convention de 1933, savoir: la peste, le choléra, la fièvre jaune, le typhus et la variole, notifier l'apparition de toute autre maladie contagieuse qui, de l'avis de l'UNRRA, constitue une menace pour d'autres pays, par leur propagation ou la possibilité de leur propagation à travers les frontières et doit tenir l'UNRRA régulièrement au courant du développement de la maladie.</p> <p>(4) Outre la notification formelle exigée par les paragraphes (1), (2) et (3) ci-dessus, les Parties Contractantes doivent, autant que possible, notifier périodiquement à l'UNRRA les autres maladies contagieuses constatées dans leurs pays.</p> |
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Other communicable diseases.

40 Stat. 3267.

(5) The Contracting Parties shall make the necessary arrangements with UNRRA for giving prompt information to all the governments concerned of the outbreak in any country of a disease which, in the opinion of UNRRA, constitutes a menace to other countries and of the measures which are being taken to prevent the spread of the disease across frontiers by aircraft.

Notifications to diplomatic missions, etc.

(6) The notifications contemplated in paragraphs (1) and (2) of this Article are to be addressed to the diplomatic missions, or, failing them, to consular offices in the capital of the infected country and shall be held at the disposition of consular offices established in its territory.

Notifications to UNRRA.

(7) These notifications shall also be addressed to UNRRA which shall communicate them immediately to all diplomatic missions, or, failing them, to the consulates in London or Washington as well as to the principal public health authorities of the participating countries. Those prescribed under paragraphs (1) and (2) of this Article shall be transmitted by telegraph or radio.

(8) The appropriate health authority of each Contracting Party shall transmit to the sanitary and authorized aerodromes of its country or within its jurisdiction all information contained in the epidemiological notifications and communications received from UNRRA (and the regional bureaus with which it has made agreements for this purpose) in execution of the provisions of the International Sanitary Convention of June 21, 1926 which may affect

45 Stat. 2492.

(5) Les Parties Contractantes feront avec l'UNRRA les arrangements nécessaires pour tenir rapidement informés tous les gouvernements intéressés de l'apparition dans leur pays respectif d'une maladie qui, de l'avis de l'UNRRA, constitue un danger pour d'autres pays, ainsi que des mesures en cours d'exécution pour en empêcher l'extension par aéronef à travers les frontières.

(6) Les notifications envisagées dans les paragraphes (1) et (2) du présent Article devront être adressées aux missions diplomatiques ou, à leur défaut, aux bureaux consulaires établis dans la capitale du pays infecté, et seront mises à la disposition des bureaux consulaires établis sur son territoire.

(7) Ces notifications seront également adressées à l'UNRRA, qui les communiquera immédiatement à toutes les missions diplomatiques ou, à leur défaut, aux consulats à Londres ou à Washington, ainsi qu'aux principales autorités sanitaires des pays participant à la Convention. Les notifications prescrites par les paragraphes (1) et (2) du présent Article devront être adressées par télégramme ou radio.

(8) L'autorité sanitaire appropriée de chaque Partie Contractante transmettra aux aérodromes sanitaires et autorisés, situés sur le territoire ou relevant de la juridiction de la Partie Contractante, toutes les informations contenues dans les notifications épidémiologiques et les communications reçues de l'UNRRA (ainsi que des bureaux régionaux avec lesquels des accords ont été conclus à cet effet), en exécution des dispositions de la Convention sani-

the exercise of sanitary control in those aerodromes.

taire internationale du 21 juin 1926, si ces informations peuvent affecter l'exercice du contrôle sanitaire dans ces aérodrômes.

(9) In order to facilitate the prompt and scrupulous fulfilment of the foregoing provisions, the Contracting Parties shall ensure priority for all communications which may enable UNRRA rapidly to appraise the situation concerning the outbreak of a disease and to inform governments in order that they may take appropriate measures against the spread of the disease across their frontiers.

(9) Afin de faciliter le prompt et scrupuleux accomplissement des dispositions précédentes, les Parties Contractantes accorderont priorité à toutes communications susceptibles de permettre à l'UNRRA de juger rapidement la situation résultant de l'apparition d'une de ces maladies et d'informer les gouvernements afin qu'ils puissent prendre les mesures nécessaires pour combattre la propagation de la maladie à travers leurs frontières.

Priority for communications.

ARTICLE VIII

The second paragraph of Article 32 shall be deleted.

ARTICLE VIII

Supprimer le deuxième paragraphe de l'Article 32.

49 Stat. 3293.

ARTICLE IX

In Article 34, paragraph (b), the following shall be inserted after sub-paragraph (3):

ARTICLE IX

A l'Article 34, paragraphe (b), après l'alinéa (3) insérer ce qui suit:

49 Stat. 3294.

(4) The Contracting Parties shall give favorable consideration to the inoculation against typhus of all persons on board exposed to risk.

(4) Les Parties Contractantes examineront favorablement la possibilité de faire vacciner contre le typhus toutes les personnes se trouvant à bord qui seraient exposées au danger de contamination.

Inoculation against typhus.

Sub-paragraphs (4) and (5) of Article 34 shall be renumbered (5) and (6) respectively.

Les alinéas (4) et (5) de l'Article 34 porteront respectivement les numéros (5) et (6).

49 Stat. 3294.

ARTICLE X

Article 35(b) (3) shall be deleted and the following substituted:

ARTICLE X

A l'Article 35(b) (3), substituer ce qui suit:

49 Stat. 3294.

(3) Other persons reasonably suspected to have been exposed to infection and who, in the opinion of the sanitary authority, are not sufficiently protected by recent vaccination, or by a previous attack of smallpox, may be subjected to vaccination or to observation

(3) Toute personne que, à juste raison, l'on suspecte d'avoir été exposée à l'infection et qui, de l'avis de l'autorité sanitaire, n'est pas suffisamment protégée par une vaccination récente ou par une attaque antérieure de variole, peut être soumise soit à la vaccination,

Vaccination, etc., for smallpox.

or to surveillance, or to vaccination followed by observation or surveillance, the period of observation or surveillance being specified according to the circumstances, but in any event not exceeding 14 days, reckoned from the date of arrival of the aircraft.

ou à l'observation, ou à la surveillance, soit à la vaccination suivie d'observation ou de surveillance, la durée de l'observation ou de la surveillance étant fixée suivant les circonstances, mais ne devant en aucun cas dépasser quatorze jours à dater de l'arrivée de l'aéronef.

49 Stat. 3295.

The final paragraph of Article 35 shall be deleted and the following substituted:

Au dernier paragraphe de l'Article 35 substituer ce qui suit:

"Recent vaccination."

For the purpose of this Article "recent vaccination" shall be taken as meaning evidence of successful vaccination not more than 3 years or less than 14 days previously, or evidence of an immune reaction.

Pour l'application du présent Article, l'expression "vaccination récente" sera considérée comme signifiant que preuve a été fournie d'une vaccination faite avec succès au moins quatorze jours et pas plus de trois ans auparavant; ou que preuve a été fournie que le porteur présente une réaction d'immunité.

ARTICLE XI

ARTICLE XI

49 Stat. 3295.

Article 36 shall be deleted and the following substituted:

A l'Article 36 substituer ce qui suit:

The Contracting Parties agree:

Les Parties Contractantes conviennent que:

Prohibition of embarkation of yellow fever sufferers.

(1) That persons suffering, or suspected to be suffering, from yellow fever shall not be allowed to embark on aircraft on international flight.

(1) Les personnes atteintes, ou soupçonnées d'être atteintes de fièvre jaune, ne pourront être admises à s'embarquer à bord d'un aéronef pour un voyage international.

Diagnosis in doubtful cases.

(2) That they will take all possible measures to establish the existence or non-existence of yellow fever within their territories. For this purpose, in territories where endemicity of yellow fever is suspected, in cases where the person dies within 10 days from the onset of any undiagnosed febrile illness, it is important that a specimen of liver tissue be taken, if necessary by viscerotome, for histopathological examination. In endemic areas a sample of

(2) Les Parties Contractantes prendront toutes les mesures possibles pour établir l'existence ou la non-existence de la fièvre jaune sur leurs territoires. A cette fin, dans les territoires où l'on suspecte la présence de la fièvre jaune à l'état endémique, s'il existe des cas de malades mourant dans les dix jours après le début d'une maladie fébrile non diagnostiquée, il est important qu'un spécimen des tissus du foie soit prélevé, si nécessaire par viscérotomie, pour

blood for a yellow fever immunity test should, in addition, wherever possible, be taken from all persons suffering from an undiagnosed fever, and if the cause of the fever remains doubtful and the patient recovers, a second sample should be collected at the end of the third week from the onset of illness.

examen histopathologique. En outre, dans les zones d'endémicité, on fera, si possible, un prélèvement de sang pour rechercher la réaction d'immunité à la fièvre jaune sur chaque personne atteinte d'une fièvre non diagnostiquée; si la cause de la fièvre reste douteuse, et si le malade guérit, un second prélèvement de sang devrait être fait à la fin de la troisième semaine à partir du début de la maladie.

(3) For the purpose of quarantine control, UNRRA in consultation with the governments concerned and, as regards the Western Hemisphere, with the Pan American Sanitary Bureau, shall define the boundaries of endemic yellow fever areas.

(3) Aux fins de l'application du régime de quarantaine, l'UNRRA devra, en consultation avec les gouvernements intéressés, et, en ce qui concerne l'hémisphère occidental, avec le Bureau d'hygiène panaméricain, délimiter les zones où la fièvre jaune existe à l'état endémique.

Boundaries of endemic yellow fever areas.

(4) That they shall use their best endeavors to secure that all persons who are likely to land in an endemic yellow fever area shall be inoculated against yellow fever 10 days before arrival in the area and that, so long as such persons remain in the area, they shall be re-inoculated every 4 years.

(4) Les Parties Contractantes s'efforceront de veiller à ce que toutes personnes qui pourraient être appelées à atterrir dans une zone d'endémicité de la fièvre jaune soient vaccinées contre la fièvre jaune dix jours avant l'arrivée dans cette zone et ensuite revaccinées tous les quatre ans aussi longtemps qu'elles y séjourneront.

Inoculation before arrival in area.

(5) (a) That inoculation against yellow fever shall be required for all regular staff employees and crews using authorized aerodromes situated in endemic yellow fever areas.

(5) (a) La vaccination contre la fièvre jaune sera obligatoire pour tout le personnel ordinaire et les équipages utilisant des aérodromes autorisés situés dans les zones d'endémicité de la fièvre jaune.

Inoculation required for staff employees and crews.

(b) That in areas in which yellow fever does not exist, but in which there may be conditions permitting of its development, inoculation of such personnel is recommended.

(b) Dans les régions où la fièvre jaune n'existe pas, mais où les conditions de son développement existent, la vaccination de ce personnel et des équipages est recommandée.

(6) That all persons inoculated in compliance with the provisions of paragraphs (4) and (5) of this Article shall be furnished with and carry an Inoculation Certificate

(6) Toutes les personnes vaccinées en exécution des dispositions des paragraphes (4) et (5) du présent Article seront munies d'un certificat de vaccination signé

Inoculation certificate.

signed by the officer carrying out the inoculation. This certificate shall conform to the International Form of Certificate of Inoculation against yellow fever annexed hereto.

(7) That persons in possession of a valid anti-yellow fever inoculation certificate shall not for the purpose of the control of yellow fever be subjected to quarantine restrictions.

(8) That in place of a valid anti-yellow fever inoculation certificate, a certificate that the bearer has recovered from an attack of yellow fever and that his blood contains immune bodies against yellow fever, as proved by a test carried out by an institute regularly carrying out biological tests for yellow fever and approved for this purpose by the government of the country concerned, will be accepted.

(9) That any person not in possession of a valid anti-yellow fever inoculation certificate shall be considered to have been exposed to the risk of contracting yellow fever during the period of his stay in an endemic yellow fever area.

(10) That UNRRA shall lay down standards with which yellow fever vaccine shall conform.

(11) That they will make arrangements to test at frequent intervals the activity of the yellow fever immunizing vaccine in use in order to ensure that its immunizing properties are satisfactory, and for this purpose agree that UNRRA in consultation with the governments concerned and, as regards the Western Hemisphere, with the Pan American Sanitary Bureau, shall designate

par l'agent ayant effectué la vaccination et devront en être porteurs. Ce certificat doit être conforme à le modèle international de certificat de vaccination contre la fièvre jaune annexée ci-après.

(7) Les personnes en possession d'un certificat valable de vaccination contre la fièvre jaune ne seront pas soumises aux restrictions de quarantaine instituées pour combattre la fièvre jaune.

(8) A défaut d'un certificat valable de vaccination contre la fièvre jaune, on acceptera un certificat attestant que le porteur est remis d'un accès de fièvre jaune et que son sang contient des anticorps contre la fièvre jaune, la preuve en ayant été faite par l'emploi d'un test appliqué par un institut exécutant habituellement des tests biologiques de fièvre jaune et agréé à cet effet par le gouvernement du pays intéressé.

(9) Toute personne ne possédant pas un certificat valable de vaccination contre la fièvre jaune sera considérée comme ayant été exposée au risque de contagion pendant la durée de son séjour dans une zone d'endémicité de la fièvre jaune.

(10) L'UNRRA établira les standards auxquels le vaccin contre la fièvre jaune devra répondre.

(11) Les Parties Contractantes prendront des dispositions pour vérifier à de fréquents intervalles l'efficacité du vaccin d'immunisation en usage contre la fièvre jaune. A cette fin, l'UNRRA désignera de temps à autre, en consultation avec les gouvernements intéressés, et, en ce qui concerne l'hémisphère occidental, avec le Bureau d'hygiène pan-américain, les instituts qui seront

from time to time institutes which are approved for the carrying out of such tests.

ARTICLE XII

Article 38 shall be deleted and the following substituted:

Notwithstanding Article 4 of the 1933 Convention, every aerodrome which receives aircraft to which the 1933 Convention as amended applies (Article 1, I, second paragraph) and which is situated in a region, that is to say, a part of a territory, in which yellow fever exists in a form clinically, biologically, or pathologically recognizable shall be made a sanitary aerodrome as defined in the 1933 Convention, and in addition, shall be:

(1) situated at an adequate distance from the nearest inhabited center;*

(2) provided with arrangements for a water supply completely protected against mosquitoes, and kept as free as possible from mosquitoes by systematic measures for the suppression of breeding places and the destruction of the insects in all stages of development;

(3) provided with mosquito-proofed dwellings for the crews of

*For the purpose of mosquito control the perimeter of the aerodrome should be defined as the line enclosing the area containing the aerodrome buildings and any land used or intended to be used for the parking of aircraft. A building-free zone of 400 meters should be maintained around the perimeter of all aerodromes on main air lines of communications within endemic yellow fever areas.

ARTICLE XII

A l'Article 38, substituer ce qui suit:

Nonobstant l'Article 4 de la Convention de 1933, tout aérodrome recevant un aéronef auquel s'applique la Convention de 1933, telle qu'elle a été modifiée par la présente Convention (Article 1, I, deuxième paragraphe), et qui est situé dans une région (c'est-à-dire une partie d'un territoire) où la fièvre jaune existe sous une forme cliniquement, biologiquement ou anatomo-pathologiquement décelable, sera désigné comme un aérodrome sanitaire, selon la définition de la Convention de 1933, et devra en outre:

(1) être situé à une distance adéquate des lieux habités les plus proches;*

(2) être pourvu d'un système d'approvisionnement en eau complètement protégé contre les moustiques, et être maintenu autant que possible libre de moustiques par des mesures systématiques de suppression des nids d'incubation et de destruction des insectes à tous les stades de leur développement;

(3) être pourvu d'habitations à l'épreuve des moustiques pour les

*Pour tout ce qui concerne la lutte contre les moustiques, le périmètre de l'aérodrome sera défini comme la ligne qui circonscrit la zone où se trouvent les bâtiments de l'aérodrome et tout terrain utilisé ou susceptible d'être utilisé pour le stationnement des aéronefs. Une zone non construite de 400 mètres doit être maintenue autour du périmètre de tout aérodrome situé sur les grandes lignes de communication aériennes et qui se trouve dans une zone d'endémicité de la fièvre jaune.

49 Stat. 3296.

Sanitary airdromes.
49 Stat. 3281.

49 Stat. 3279.

the aircraft and for the staff of the aerodrome; équipages et le personnel de l'aérodrome;

(4) provided with a mosquito-proofed dwelling in which passengers can be accommodated or hospitalized. (4) être pourvu d'habitations à l'épreuve des moustiques pour le logement et l'hospitalisation des passagers.

With a view to the elimination of insect vectors of yellow fever, the Contracting Parties will render and maintain free from such vectors (a) aerodromes and their surroundings in endemic yellow fever areas, and (b) aerodromes not situated in endemic yellow fever areas but exposed to the risk of the introduction of the disease. Afin d'éliminer les insectes vecteurs de la fièvre jaune, les Parties Contractantes rendront et maintiendront libres de ces insectes: (a) les aérodromes et leurs environs dans les zones d'endémicité de la fièvre jaune; (b) les aérodromes situés hors des zones d'endémicité, mais dans lesquels la maladie risque d'être introduite.

Disinsectization of aircraft.

As an immediate precaution against the carriage of vectors of yellow fever, disinsectization of aircraft shall be carried out at each aerodrome within an endemic yellow fever area, particularly on departure from the last aerodrome in an endemic yellow fever area. Comme mesure immédiate contre le transport des vecteurs de la fièvre jaune, une désinsectisation des aéronefs sera effectuée à chaque aérodrome situé dans une zone d'endémicité de la fièvre jaune et, particulièrement, au départ du dernier aérodrome situé dans une zone d'endémicité de la fièvre jaune.

Quarantine.

Health authorities in any territory within an endemic yellow fever area shall be at liberty to impose such quarantine restrictions against other territories within that area as may be authorized by the 1933 Convention as hereby amended. Detention of healthy passengers and crews not carrying valid Inoculation Certificates shall not be carried out at the aerodrome of departure. They shall be permitted to depart, the necessary quarantine measures being carried out at the first aerodrome of arrival in an area at risk. Dans tout territoire compris dans une zone d'endémicité de la fièvre jaune, les autorités sanitaires auront toute latitude pour imposer, à l'égard d'autres territoires situés dans cette même zone, les mesures de quarantaine qui sont autorisées par la Convention de 1933, telle qu'elle a été modifiée par la présente Convention. Les passagers en bonne santé et les membres de l'équipage non porteurs de certificat valable de vaccination ne pourront être retenus à l'aérodrome de départ. Ils seront autorisés à partir, les mesures de quarantaine nécessaires étant prises au premier aérodrome d'arrivée dans une zone menacée.

ARTICLE XIII

Articles 39 to 46 inclusive shall be deleted.*

ARTICLE XIV

Article 47 shall be deleted, and the following substituted:

(1) In territories in which yellow fever does not exist, but in which there may be conditions which permit of its development:

(a) authorized aerodromes shall conform to the requirements set forth in Article 38 of the 1933 Convention as hereby amended;

(b) upon arrival at the first aerodrome of call aircraft which have proceeded from endemic yellow fever areas shall be disinfected.

(2) All persons traveling by air from an endemic yellow fever area to one in which yellow fever does not exist but in which there may be conditions which permit of its development, shall be dealt with in the following manner, at the first stopping place in the latter area:

(a) if they are in possession of a valid anti-yellow fever inoculation certificate they shall be allowed to proceed without any quarantine restrictions with respect to yellow fever;

ARTICLE XIII

Les Articles 39 à 46 inclusive-ment sont supprimés.*

ARTICLE XIV

A l'Article 47 substituer ce qui suit:

(1) Dans les territoires où la fièvre jaune n'existe pas, mais où les conditions pourraient en permettre le développement:

(a) les aérodromes autorisés devront se conformer aux prescriptions de l'Article 38 de la Convention de 1933, telle qu'elle a été modifiée par la présente Convention;

(b) à l'arrivée au premier aérodrome, les aéronefs provenant d'une zone d'endémicité de la fièvre jaune seront désinsectisés.

(2) Toute personne faisant par voie aérienne un voyage d'une zone d'endémicité de la fièvre jaune vers une autre zone où la fièvre jaune n'existe pas, mais où les conditions pourraient en permettre le développement, sera traitée de la façon suivante au premier point d'arrêt dans cette autre zone:

(a) si elle est en possession d'un certificat valable de vaccination contre la fièvre jaune, elle sera autorisée à continuer son voyage sans subir les restrictions de quarantaine concernant la fièvre jaune;

49 Stat. 3297-3299.

49 Stat. 3300.

Uninfected regions, but possible of development.

49 Stat. 3296.

*In view of the deletion of Article 40, compliance with the requirements of Article 38 as amended shall no longer cause aerodromes situated in an endemic yellow fever area to be regarded as "antiamaril aerodromes" and separate local areas. Passengers landing at such aerodromes shall submit to the measures laid down in Article 38 as required.

*Par suite de la suppression de l'Article 40, l'application des prescriptions de l'Article 38, modifié, n'aura plus pour effet de faire considérer les aérodromes situés dans une zone d'endémicité de la fièvre jaune comme "aérodromes antiamaril" et comme zones séparées. Les passagers atterrissant à ces aérodromes seront soumis aux mesures définies à l'Article 38, selon les nécessités du cas.

- (b) if they are not in possession of a valid anti-yellow fever inoculation certificate, they may be isolated in properly screened quarters until the certificate becomes valid or until 6 days have elapsed, whichever is the lesser.
- (b) si elle n'est pas en possession d'un certificat valable de vaccination contre la fièvre jaune, elle pourra être isolée dans des locaux dûment pourvus de grillages jusqu'au moment où le certificat deviendra valable ou jusqu'à l'expiration d'un délai de six jours, suivant que l'une ou l'autre circonstance se produira la première.

Certificates of Urgency.

- (3) Notwithstanding the preceding provisions of this Article, the Contracting Parties may (but only in the most exceptional cases) issue Certificates of Urgency to non-inoculated persons whose unobstructed passage is absolutely and immediately essential on grounds of high policy, certifying that a passage without hindrance to the bearer of the Certificate is urgently necessary.
- (3) Nonobstant les dispositions précédentes du présent Article, les Parties Contractantes peuvent (mais seulement dans des cas tout à fait exceptionnels) délivrer à des personnes non-vaccinées dont le libre passage est absolument et immédiatement essentiel pour des raisons de haute politique, des certificats d'urgence attestant qu'il est de nécessité urgente de laisser passer sans entraves le porteur du certificat.

The precise form and method of issue of the Certificate and the nature of the certifying authority shall be a matter for arrangement and communication between governments concerned.

La forme exacte et le mode de délivrance du certificat, ainsi que le caractère de l'autorité qui aura qualité pour l'émettre, feront l'objet d'arrangements et de communications entre les gouvernements intéressés.

The Contracting Parties undertake to grant unimpeded passage to bearers of such Certificates but the movements of such Certificate holders will, whenever possible, be restricted during stops on air routes to adequately screened quarters which will not be left except to re-enter the aircraft.

Les Parties Contractantes s'engagent à accorder le libre passage aux porteurs de ces certificats, mais les déplacements de ces personnes seront, autant que possible, restreints pendant les escales sur les lignes aériennes à des locaux dûment pourvus de grillages qu'elles ne devront quitter que pour se rendre à l'aéronef.

ARTICLE XV

ARTICLE XV

The first line of Article 51 shall be altered to read "The following measures may be taken on arrival:".

A l'Article 51 la première ligne sera modifiée comme suit "Les mesures suivantes peuvent être prises à l'arrivée:".

ARTICLE XVI

Article 53 shall be deleted, and the following substituted:

Persons who, on their arrival at an aerodrome, are considered, under the terms of Part III of the 1933 Convention as hereby amended, liable to surveillance* up to the expiration of the period of incubation of the disease, may nevertheless continue the voyage on condition that the fact is notified to the authorities of subsequent landing places and of the place of arrival by some method sufficient to secure that they can be subjected to medical inspection in any subsequent aerodromes on the route.

Persons who are liable to observation* under the terms of Article 26 of the 1933 Convention shall not be authorized, until the expiration of the period of incubation, to continue their voyage except, in the case of diseases other than yellow fever, with the approval of the sanitary authorities of the next stopping place.

*IN ALL CASES where this Convention provides for surveillance, surveillance may not be replaced by observation except

- (a) in circumstances in which it would not be practicable to carry out surveillance with sufficient thoroughness; or
- (b) if the risk of the introduction of infection into the country is considered to be exceptionally serious; or
- (c) if the person who would be subject to surveillance cannot furnish adequate sanitary guarantees.

Persons under observation or surveillance shall submit themselves to any examination which the competent sanitary authority may consider necessary.

ARTICLE XVI

A l'Article 53, substituer ce qui suit:

Toute personne qui, à son arrivée dans un aéroport, est considérée, aux termes de la Partie III de la Convention de 1933, telle qu'elle a été modifiée par la présente Convention, comme astreinte à être placée en surveillance* jusqu'à la fin de la période d'incubation de la maladie, peut néanmoins continuer son voyage, à la condition que le fait soit notifié aux autorités des territoires où elle doit atterrir, ainsi qu'à celles du territoire d'arrivée, par une méthode garantissant que l'intéressé sera soumis à l'inspection médicale aux aéroports situés de long de la route.

Aucune personne astreinte à être mise en observation* aux termes de l'Article 26 de la Convention de 1933 ne sera autorisée, jusqu'à l'expiration de la période d'incubation, à continuer son voyage, excepté, dans le cas de maladies autres que la fièvre jaune, avec l'autorisation des autorités sanitaires du point d'arrêt suivant.

*DANS TOUS LES CAS où la présente Convention prescrit une surveillance, celle-ci ne pourra être remplacée par l'observation, excepté

- (a) dans les circonstances où la surveillance ne pourrait être exercée avec le soin nécessaire;
- (b) si le risque d'introduire une maladie infectieuse dans le pays est considéré comme exceptionnellement sérieux;
- (c) si la personne qui doit faire l'objet de la surveillance ne peut fournir les garanties sanitaires suffisantes.

Les personnes en observation ou sous surveillance se soumettront à tout examen que l'autorité sanitaire compétente pourrait juger nécessaire.

49 Stat. 3302.

Persons liable to surveillance in transit.

49 Stat. 3287.

Under observation.

49 Stat. 3290.

ARTICLE XVII

ARTICLE XVII

49 Stat. 3302.

The first paragraph of Article 54 shall be deleted and the following substituted:

Au paragraphe premier de l'Article 54, substituer ce qui suit:

Application of sanitary measures.

In applying sanitary measures to an aircraft coming from an infected local area, the sanitary authority of each aerodrome shall, to the greatest possible extent, take into account all measures which have already been applied to the aircraft, in another sanitary aerodrome abroad or in the same country, and which are duly noted in the Aircraft Declaration of Health referred to in Article IV of the present Convention.

En appliquant des mesures sanitaires à un aéronef provenant d'une zone infectée, l'autorité sanitaire de chaque aéroport doit, dans toute la mesure du possible, tenir compte de toutes mesures déjà appliquées à l'aéronef dans un autre aéroport sanitaire, soit à l'étranger, soit dans le pays même, et dûment constatées dans la déclaration de santé d'aéronef prévue par l'Article IV de la présente Convention.

Ante, p. 995.

To Article 54 the following paragraph shall be added:

A l'Article 54, ajouter le paragraphe suivant:

Disinsectization.

In view of the special risk of conveying insect vectors of malaria and other diseases by aircraft on international flight, all such aircraft leaving affected areas will be disinfected. Notwithstanding the terms of Article 54 of the 1933 Convention as hereby amended, further disinsectization of the aircraft on or before arrival may be required if there is reason to suspect the importation of insect vectors.

En raison du risque spécial de transport, par les aéronefs effectuant des voyages internationaux, d'insectes vecteurs de la malaria et d'autres maladies, tout aéronef quittant une zone infectée doit être désinsectisé au départ. Nonobstant les termes de l'Article 54 de la Convention de 1933, telle qu'elle a été modifiée par la présente Convention, une désinsectisation subséquente de l'aéronef peut être exigée avant l'arrivée ou à l'arrivée s'il y a des raisons de soupçonner l'importation d'insectes vecteurs.

49 Stat. 3302.

And the Contracting Parties have further agreed as follows:

En outre, les Parties Contractantes sont convenues de ce qui suit:

ARTICLE XVIII

ARTICLE XVIII

Entry into force.

The present Convention shall come into force as soon as it has been signed or acceded to on behalf of ten or more governments.

La présente Convention entrera en vigueur aussitôt qu'elle aura été acceptée, par voie de signature ou d'adhésion, par dix gouvernements au moins.

ARTICLE XIX

ARTICLE XIX

Supplement to 1933 Convention.

The present Convention shall supplement and be read as one

La présente Convention complètera la Convention de 1933 et

with the 1933 Convention, which as hereby amended remains in full force between the Contracting Parties, and whenever any provision of the 1933 Convention contains a reference to another provision, the reference shall be deemed to be a reference to that provision as modified by any amendments effected thereto by the present Convention.

ARTICLE XX

After January 15, 1945 the present Convention shall be open to accession by any government not a signatory. Accessions shall be notified in writing to the Government of the United States of America.

Accessions notified after the entry into force of the present Convention shall become effective with respect to each government upon the notification of its accession.

ARTICLE XXI

Any Contracting Party may on signature or accession declare that the present Convention does not apply to all or any of its colonies, overseas territories, territories under its protection, suzerainty, or authority, or territories in respect of which it exercises a mandate. The present Convention may at any time thereafter be applied to any such territory by notification in writing to the Government of the United States of America, and the Convention shall apply to the territory concerned from the date of the receipt of the notification by the Government of the United States of America.

sera considérée comme formant un tout avec elle. Ladite Convention, telle qu'elle est modifiée par la présente Convention, demeure pleinement en vigueur entre les Parties Contractantes. Lorsqu'une disposition de la Convention de 1933 contient une référence à une autre disposition, cette référence sera considérée comme étant une référence à la disposition en question, telle qu'elle résulte de toutes modifications qui y sont apportées par la présente Convention.

ARTICLE XX

A partir du 15 janvier 1945, la présente Convention sera ouverte à l'adhésion de tout gouvernement qui n'en est pas signataire. Les adhésions seront notifiées par écrit au Gouvernement des Etats-Unis d'Amérique.

Les adhésions notifiées après l'entrée en vigueur de la présente Convention deviendront effectives à l'égard de chaque gouvernement lors de la notification de son adhésion.

ARTICLE XXI

Toute Partie Contractante peut, en signant la présente Convention ou en y adhérant, déclarer qu'elle ne s'applique pas à tout ou partie de ses colonies, territoires d'outre-mer, territoires placés sous sa protection, suzeraineté ou autorité, ou territoires pour lesquels elle exerce un mandat. La présente Convention pourra à tout moment ultérieur être rendue applicable à l'un quelconque de ces territoires par une notification écrite adressée au Gouvernement des Etats-Unis d'Amérique; la Convention s'appliquera à ce territoire à partir de la réception de la notification par le Gouvernement des Etats-Unis d'Amérique.

49 Stat. 3279.

Accessions.

Declarations as to colonies, etc.

ARTICLE XXII

U. S. Government
to notify parties of
signatures, etc.

The Government of the United States of America shall give notice in writing to governments parties to the 1933 Convention and to governments parties to the present Convention, of all signatures and accessions to the present Convention and of all notifications regarding the territories to which the present Convention is to be applied.

49 Stat. 3279.

ARTICLE XXII

Le Gouvernement des Etats-Unis d'Amérique informera par écrit les gouvernements parties à la Convention de 1933 ainsi que les gouvernements parties à la présente Convention, de toutes signatures et adhésions à la présente Convention, ainsi que de toutes notifications concernant les territoires auxquels la présente Convention est rendue applicable.

ARTICLE XXIII

Duration.

The present Convention shall remain in force as to each Contracting Party until either

- (1) such Party shall become bound by a further Convention amending or superseding the 1933 Convention, or
- (2) the expiration of eighteen months from the date on which the present Convention enters into force,

whichever shall be the earlier.

ARTICLE XXIII

La présente Convention demeurera en vigueur pour chaque Partie Contractante jusqu'à ce que

- (1) cette Partie se trouve liée par une convention ultérieure modifiant ou remplaçant la Convention de 1933, ou que
- (2) une période de dix-huit mois se soit écoulée à dater du jour où la présente Convention entrera en vigueur,

selon que l'une ou l'autre circonstance se produira la première.

ARTICLE XXIV

Deposit of original.

The original of the present Convention shall be deposited in the archives of the Government of the United States of America and shall be opened for signature at Washington on December 15, 1944, where it shall remain open for signature until January 15, 1945. Certified copies hereof shall be furnished by the Government of the United States of America to each of the governments on behalf of which this Convention is signed or acceded to and to each of the governments parties to the 1933 Convention.

49 Stat. 3279.

ARTICLE XXIV

Le texte original de la présente Convention sera déposé aux archives du Gouvernement des Etats-Unis d'Amérique et sera ouvert à la signature le 15 décembre 1944, à Washington, où il demeurera ouvert à la signature jusqu'au 15 janvier 1945. Des copies certifiées conformes en seront fournies par le Gouvernement des Etats-Unis d'Amérique à chacun des gouvernements par lesquels cette Convention aura été acceptée, par voie de signature ou d'adhésion, ainsi qu'à chacun des gouvernements parties à la Convention de 1933.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, having deposited their full powers,

EN FOI DE QUOI, les plénipotentiaires soussignés, ayant déposé leurs pleins pouvoirs trouvés

found to be in due and proper en bonne et due forme, ont signé form, sign the present Conven- les textes anglais et français de la tion in the English and French présente Convention, les deux ver- languages, both texts being equally sions faisant également foi, au nom authentic, on behalf of their re- de leurs gouvernements respectifs, spective governments, on the dates aux dates figurant en regard de appearing opposite their signa- leurs signatures. tures.

FOR THE FRENCH REPUBLIC:

ANDRÉ MAYER

January 5, 1945

FOR POLAND:

JAN CIECHANOWSKI

January 5, 1945

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTH-
ERN IRELAND:

At the time of signing the present Convention I declare that my signature does not cover any of the territories referred to in Article Twenty-One of the International Sanitary Convention for Aerial Navigation, 1944.

HALIFAX

January 5, 1945

FOR THE UNITED STATES OF AMERICA:

Subject to ratification.

E R STETTINIUS, Jr

January 5, 1945

FOR CHINA:

J. HENG LIU

January 11, 1945

FOR THE UNION OF SOUTH AFRICA:

S. F. N. GIE

January 13, 1945

FOR EGYPT:

With the following reservations:

1. That this signature does not affect in any way the relations of the Egyptian Government with the International Office of Public Health, Paris, or its obligations toward the Regional Office at Alexandria;
2. That this convention is subject to ratification by the Egyptian Parliament.

M HASSAN

January 15, 1945

FOR CANADA:

Subject to ratification.

L B PEARSON

January 15, 1945

FOR CUBA:

Esta Convención, previa la aprobación del Senado de la República, será ratificada por el Ejecutivo.

GMO BELT

January 15, 1945

FOR THE DOMINICAN REPUBLIC:

Con la reserva de que la República Dominicana no podrá ratificar esta Convención sin adherirse, al mismo tiempo, a las Convenciones de Paris y de La Haya, y que por virtud de disposiciones constitucionales de la República, estos procesos estarán subordinados a la previa sanción del Congreso Nacional.

EMILIO G GODOY.

January 15, 1945

FOR BOLIVIA:

Sujeto a ratificación

V ANDRADE

January 15, 1945

FOR NICARAGUA:

GUILLERMO SEVILLA SACASA

January 15, 1945

FOR PERU:

With the following reservations:

1. That this Convention is signed *ad referendum*;
2. That if the execution of the said Convention would not conform with the regulations contained in the Pan American Sanitary Code of Havana, Perú will give preference to the latter.

P. G. BELTRÁN.

January 15, 1945

FOR LUXEMBOURG:

HUGUES LE GALLAIS

January 15, 1945

FOR ECUADOR:

S. E. DURAN BALLEEN.

January 15, 1945

FOR GREECE:

C. P. DIAMANTOPOULOS

January 15, 1945

FOR HONDURAS:

JULIÁN R CÁCERES

January 15, 1945

FOR HAITI:

J. THÉBAUD

January 15, 1945

LIST OF FORMS ATTACHED

1. Aircraft Declaration of Health.
2. Personal Declaration of Origin and Health.
3. International Certificate of Inoculation Against Cholera.
4. International Certificate of Inoculation Against Yellow Fever.
5. International Certificate of Immunity Against Yellow Fever.
6. International Certificate of Inoculation Against Typhus Fever.
7. International Certificate of Vaccination Against Smallpox.

International Sanitary Convention for
Aerial Navigation, 1944

AIRCRAFT DECLARATION OF HEALTH
(International Form)

(To be completed by the Commander of an arriving aircraft and handed to the
Health Officer of the aerodrome)

Airport of Entry

- (1) Aircraft License No. _____ Nationality _____
or Registration Mark _____
- (2) Aerodrome and Date of Departure _____
- (3) Aerodromes at which the aircraft alighted during the voyage and date of
departure from each:

Aerodrome	Date	Aerodrome	Date

- (4) Number of crew _____
- (5) Number of passengers _____
- (6) Number of passengers disembarking _____
- (7) Has any person left the aircraft during the voyage on account of illness? _____
- (8) Has there been any case of illness (other than air sickness) during the
voyage? _____
- (9) Has the aircraft been disinsectized? _____
Give particulars of last three disinsectizations.

By whom	Place	Method	Date

- (10) Have any other sanitary measures been carried out on the aircraft during
the voyage? _____
- (11) Have you on board any living animals, birds, insects, bacterial cultures,
or viruses? _____

I declare that the foregoing statements are true and correct to the best
of my knowledge and belief.

Date _____ Signature of Commander _____

Note: The reverse side of this form may be used by the Health Officer for
the record of the disposition of aircraft and passengers.

International Sanitary Convention for
Aerial Navigation, 1944

PERSONAL DECLARATION OF ORIGIN AND HEALTH
(International Form)

(For passengers on aircraft)

Port of Arrival: _____

1. Name in full _____
(BLOCK LETTERS, Surname first)
2. Nationality: _____
3. Passport number: _____
4. Permanent (home) address: _____
5. Precise address to which immediately proceeding: _____
6. State where you spent the fourteen nights prior to arrival in this country:

Last night _____	8 nights ago _____
2 nights ago _____	9 nights ago _____
3 nights ago _____	10 nights ago _____
4 nights ago _____	11 nights ago _____
5 nights ago _____	12 nights ago _____
6 nights ago _____	13 nights ago _____
7 nights ago _____	14 nights ago _____
7. I am in possession of a certificate of inoculation or vaccination against:
 - Cholera
 - Yellow fever
 - Typhus
 - Smallpox
8. I declare that I have had no illness within the past fourteen days except as follows: _____

I declare that the information given above is correct to the best of my knowledge and belief.

Signature: _____

Date: _____

International Sanitary Convention for
Aerial Navigation, 1944

INTERNATIONAL CERTIFICATE OF INOCULATION
AGAINST CHOLERA

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below was on the dates indicated inoculated against cholera.

Date	Material		Inoculating Officer	
	Origin	Batch No. and Type	Signature	Official Title

(Signature of person inoculated)

(Home address)

(Date)

<p>Official Stamp of Inoculating Officer</p>
--

(This certificate is not valid for more
than 6 months from date of issue.)

International Sanitary Convention for
Aerial Navigation, 1944

INTERNATIONAL CERTIFICATE OF INOCULATION
AGAINST YELLOW FEVER

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below has this day been inoculated by me against yellow fever.

Origin and Batch No. of vaccine _____

Signature of inoculating officer _____

Official position _____

Place _____ Date _____

(Signature of person inoculated)

(Home address)

Official Stamp of
Inoculating Officer

Footnote:

This certificate is not valid:

- (a) unless the vaccine and the method employed have been approved by UNRRA;
- (b) until 10 days after the date of the inoculation except in the case of persons re-inoculated within 4 years;
- (c) for more than 4 years from the date of the last inoculation.

International Sanitary Convention for
Aerial Navigation, 1944

INTERNATIONAL CERTIFICATE OF IMMUNITY
AGAINST YELLOW FEVER

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below is immune to yellow fever as the result of an attack of the disease. This immunity has been demonstrated by the mouse protection test.

Date of bleeding _____ Place of bleeding _____

Name of Laboratory performing test. _____

Location of Laboratory _____

Date of Test _____

Result of Test _____

Signature of Laboratory Director _____

(Signature of person tested)

Official Stamp
of Laboratory

(Home address)

Footnote:

This certificate is not valid:

- (a) unless the Laboratory performing the blood test and the method employed have been approved by UNRRA;
- (b) for more than ten years from the date of the blood test.

International Sanitary Convention for
Aerial Navigation, 1944

**INTERNATIONAL CERTIFICATE OF INOCULATION
AGAINST TYPHUS FEVER**

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below was on the dates indicated inoculated against typhus fever.

Date	Material		Inoculating Officer	
	Origin	Batch No. and Type	Signature	Official Title

(Signature of person inoculated)

(Home address)

(Date)

Official Stamp
of
Inoculating Officer

(This certificate is not valid for more
than 1 year from date of issue.)

International Sanitary Convention for
Aerial Navigation, 1944

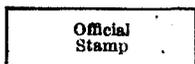
INTERNATIONAL CERTIFICATE OF VACCINATION
AGAINST SMALLPOX

THIS IS TO CERTIFY THAT _____

(Age _____ Sex _____) whose signature appears below has this day been vaccinated by me against smallpox.

Origin and Batch No. of vaccine _____

Signature of Vaccinator _____



Official Position _____

Place _____ Date _____

Signature of person vaccinated _____

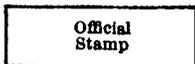
Home address _____

Important Note. In the case of primary vaccination the person vaccinated should be warned to report to a medical practitioner between the 8th and 14th day, in order that the result of the vaccination may be recorded on this certificate. In the case of revaccination the person should report within 48 hours for first inspection in order that any immune reaction which has developed may be recorded.

THIS IS TO CERTIFY THAT the above vaccination was inspected by me on the date(s) and with the result(s) shown hereunder:

Date of Inspection	Result
_____	_____
_____	_____
_____	_____

Signature of Doctor _____



Official Position _____

Place _____ Date _____

Use one or other of the following terms in stating the result, viz: "Reaction of immunity", "Accelerated reaction (vaccinoid)", "Typical primary vaccinia". A certificate of "No reaction" will not be accepted.

Signature of person vaccinated _____

(This certificate is not valid for
more than 3 years from date of issue.)

LISTE DES MODELES ANNEXES

1. Déclaration de Santé d'Aéronef.
2. Déclaration Personnelle d'Origine et de Santé.
3. Certificat International de Vaccination Contre le Choléra.
4. Certificat International de Vaccination Contre la Fièvre Jaune.
5. Certificat International d'Immunité Contre la Fièvre Jaune.
6. Certificat International de Vaccination Contre le Typhus.
7. Certificat International de Vaccination Contre la Variole.

Convention Sanitaire Internationale
pour la Navigation Aérienne, 1944

DÉCLARATION DE SANTÉ D'AÉRONEF
(Modèle International)

(A remplir à l'atterrissage par le Commandant d'un aéronef et à remettre à l'Officier de santé de l'aérodrome)

Aérodrome d'entrée

- (1) No. de licence de l'aéronef Nationalité
ou marque d'immatriculation
- (2) Aérodrome et date de départ
- (3) Aérodromes où l'aéronef s'est posé et d'où il est parti au cours du voyage.
Dates d'arrivée et de départ, pour chacun des aérodromes:

Aérodrome	Date	Aérodrome	Date

- (4) Nombre de membres de l'équipage
- (5) Nombre de passagers
- (6) Nombre de passagers débarquants
- (7) Quelqu'un a-t-il quitté l'aéronef, au cours du voyage, pour cause de maladie?
- (8) Y a-t-il eu des cas de maladie pendant le voyage?
- (9) L'aéronef a-t-il été désinsectisé?
Donnez des détails sur les trois dernières désinsectisations.

Par qui?	Où?	Méthode	Date

- (10) D'autres mesures sanitaires ont-elles été prises à l'égard de l'aéronef au cours du voyage?
- (11) Avez-vous à bord, vivants, des animaux, des oiseaux, des insectes ou des cultures bactériologiques ou des virus?

Je déclare que les mentions figurant ci-dessus sont, autant que je sache et suis fondé à croire, exactes et conformes à la vérité.

Date _____ Signature du Commandant _____

Note: Le verso de cette formule peut être utilisé par l'Officier de santé pour y noter la décision prise à l'égard de l'aéronef et des passagers.

Convention Sanitaire Internationale
pour la Navigation Aérienne, 1944

DECLARATION PERSONNELLE D'ORIGINE ET DE SANTE
(Modèle International)

(Pour les passagers d'aéronefs)

Port d'arrivée:

1. Nom et prénoms _____
(CARACTERES D'IMPRIMERIE, Nom d'abord)

2. Nationalité:

3. Numéro du passeport:

4. Adresse permanente (domicile):

5. Adresse précise de la destination immédiate:

6. Indiquer où vous avez passé les quatorze dernières nuits précédant l'arrivée dans ce pays:

Hier soir _____ Il y a huit jours _____

Avant-hier soir _____ Il y a neuf jours _____

Il y a trois jours _____ Il y a dix jours _____

Il y a quatre jours _____ Il y a onze jours _____

Il y a cinq jours _____ Il y a douze jours _____

Il y a six jours _____ Il y a treize jours _____

Il y a sept jours _____ Il y a quatorze jours _____

7. J'ai en ma possession un certificat de vaccination contre:

le Choléra

la Fièvre jaune

le Typhus

la Variole

8. Je déclare que je n'ai pas été malade durant les quatorze derniers jours, à l'exception de:

Je déclare que les informations ci-dessus sont exactes autant que je sache et suis fondé à croire.

Signature: _____

Date: _____

Convention Sanitaire Internationale
pour la Navigation Aérienne, 1944

**CERTIFICAT INTERNATIONAL DE VACCINATION
CONTRE LE CHOLERA**

LE PRESENT DOCUMENT CERTIFIE QUE _____

(Âge _____ Sexe _____) dont la signature apparait ci-dessous a été vac-
ciné(e) contre le choléra aux dates indiquées.

Date	Produit		Fonctionnaire pratiquant la vaccination	
	Origine	No. du lot et type	Signature	Titre officiel

(Signature de la personne vaccinée)

(Domicile)

(Date)

Timbre officiel du fonctionnaire
pratiquant la vaccination

(Ce certificat n'est valable que pour 6
mois à compter de la date de délivrance.)

Convention Sanitaire Internationale
pour la Navigation Aérienne, 1944

CERTIFICAT INTERNATIONAL DE VACCINATION
CONTRE LA FIÈVRE JAUNE

LE PRÉSENT DOCUMENT CERTIFIE QUE _____
(Âge _____ Sexe _____) dont la signature apparaît ci-dessous a été vacciné(e)
aujourd'hui par moi contre la fièvre jaune.

Origine du vaccin et numéro du lot _____

Signature du fonctionnaire pratiquant la vaccination _____

Fonction officielle _____

Lieu _____ Date _____

(Signature de la personne vaccinée)

(Domicile)

Timbre officiel du fonctionnaire
pratiquant la vaccination

Note:

Ce certificat n'est valable que:

- (a) si le vaccin et la méthode employée ont été approuvés par l'UNRRA;
- (b) après l'expiration des 10 jours suivant la date de la vaccination, excepté dans le cas de personnes revaccinées dans un délai de 4 ans;
- (c) pendant 4 ans à partir de la date de la dernière vaccination.

Convention Sanitaire Internationale
pour la Navigation Aérienne, 1944

CERTIFICAT INTERNATIONAL D'IMMUNITÉ
CONTRE LA FIÈVRE JAUNE

CE DOCUMENT CERTIFIE QUE _____
(Age _____ Sexe _____) soussigné est immunisé contre la fièvre jaune en
raison d'avoir déjà eu cette maladie. Cette immunité a été démontrée par le
test de protection, sur la souris.

Date de la saignée _____ Lieu de la saignée _____

Nom du laboratoire qui s'est chargé du test _____

Lieu où se trouve le laboratoire _____

Date du test _____

Résultat du test _____

Signature du Directeur du Laboratoire _____

<p>Timbre officiel du Laboratoire</p>

(Signature de la personne soumise au test)

(Domicile)

Note:

Ce certificat n'est pas valable:

- (a) si le laboratoire qui a procédé au test de protection et la méthode employée n'ont pas été approuvés par UNRRA;
- (b) si plus de dix ans se sont écoulés depuis la date d'exécution du test.

Convention Sanitaire Internationale
pour la Navigation Aérienne, 1944

**CERTIFICAT INTERNATIONAL DE VACCINATION
CONTRE LE TYPHUS**

LE PRÉSENT DOCUMENT CERTIFIE QUE _____
(Âge _____ Sexe _____) dont la signature apparaît ci-dessous a été vac-
ciné(e) contre le typhus aux dates indiquées.

Date	Produit		Fonctionnaire pratiquant la vaccination	
	Origine	No. du lot et type	Signature	Titre officiel

(Signature de la personne vaccinée)

(Domicile)

(Date)

Timbre officiel du fonctionnaire
pratiquant la vaccination

(Ce certificat n'est valable que pour un
an à partir de la date de délivrance.)

Convention Sanitaire Internationale
pour la Navigation Aérienne, 1944

CERTIFICAT INTERNATIONAL DE VACCINATION
CONTRE LA VARIOLE

LE PRÉSENT DOCUMENT CERTIFIE QUE _____
(Âge _____ Sexe _____) dont la signature apparaît ci-dessous
a été vacciné(e) aujourd'hui par moi contre la variole.
Origine du vaccin et numéro du lot _____

Timbre
officiel

Signature de la personne
pratiquant la vaccination _____
Fonction officielle _____
Lieu _____ Date _____

Signature de la personne vaccinée _____
Domicile _____

Observation importante. Dans le cas d'une première vaccination, la personne vaccinée doit être invitée à se présenter à un médecin entre le 8ème et le 14ème jour, afin que le résultat de cette vaccination puisse être porté sur le certificat. Dans le cas d'une revaccination, la personne vaccinée doit se présenter dans les 48 heures pour un premier examen, afin que toute réaction d'immunité qui se serait produite puisse être constatée.

LE PRÉSENT DOCUMENT CERTIFIE QUE la vaccination
mentionnée ci-dessus a été contrôlée par moi à la date ou aux
dates suivantes, et avec les résultats suivants:

Date du contrôle	Résultats
_____	_____
_____	_____
_____	_____

Timbre
officiel

Signature du médecin _____
Fonction officielle _____
Lieu _____ Date _____

Employer les termes suivants pour indiquer les résultats: "Réaction d'immunité", "Réaction accélérée (vaccinoïde)", "Réaction primaire typique de vaccination". Un certificat portant "Sans réaction" ne sera pas valable.

Signature de la personne vaccinée _____

(Ce certificat n'est valable que pour trois
ans à compter de la date de délivrance.)

I CERTIFY THAT the foregoing is a true copy of the International Sanitary Convention for Aerial Navigation, 1944, opened for signature in the English and French languages at Washington, D. C., on December 15, 1944, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, Joseph C. Grew, Acting Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by an Assistant Chief, Division of Central Services of the said Department, at the city of Washington, in the District of Columbia, this twenty-sixth day of January, 1945.

[SEAL]

JOSEPH C. GREW
Acting Secretary of State
By M L KENESTRICK
*Assistant Chief, Division
of Central Services*

Ante, p. 1008.

WHEREAS it is provided in Article XVIII of the said convention that the convention shall come into force as soon as it has been signed or acceded to on behalf of ten or more governments;

WHEREAS the said convention was signed on or before January 15, 1945 by the respective plenipotentiaries of France, Poland, the United Kingdom of Great Britain and Northern Ireland, China, the Union of South Africa, Nicaragua, Luxembourg, Ecuador, Greece, Honduras, and Haiti without any reservation with respect to ratification;

WHEREAS, pursuant to the aforesaid provision of Article XVIII of the said convention, the convention came into force on January 15, 1945 in respect of the aforementioned eleven countries on behalf of which the convention had been signed without any reservation with respect to ratification;

AND WHEREAS the said convention was duly ratified on behalf of the Government of the United States of America on May 29, 1945, and the instrument of ratification of the said Government was deposited on that same day in the archives of the United States of America;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said convention to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America, and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof, on and after May 29, 1945.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-ninth day of May
in the year of our Lord one thousand nine hundred
[SEAL] forty-five, and of the Independence of the United States of
America the one hundred sixty-ninth.

HARRY S TRUMAN

By the President:

JOSEPH C. GREW

Acting Secretary of State

Charter of the United Nations¹ and Statute of the International Court of Justice. Signed at San Francisco June 26, 1945; ratification advised by the Senate of the United States of America July 28, 1945; ratified by the President of the United States of America August 8, 1945; ratification deposited August 8, 1945; proclaimed by the President of the United States of America October 31, 1945; effective October 24, 1945.

June 26, 1945
[T. S. 993]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Charter of the United Nations, with the Statute of the International Court of Justice annexed thereto, was formulated at the United Nations Conference on International Organization and was signed in San Francisco on June 26, 1945 by the Plenipotentiaries of the United States of America and the respective Plenipotentiaries of forty-nine other Governments, and was signed in Washington on October 15, 1945 by the Plenipotentiary of one other Government, the original of which Charter, with annexed Statute, in the Chinese, French, Russian, English, and Spanish languages, as certified by the Department of State of the United States of America, is word for word as follows:

¹ [The text of the Charter printed herein was reproduced photographically from the certified copy proclaimed by the President of the United States. That certified copy was printed at San Francisco on the press run which produced the original document; the text is therefore typographically identical with the signed original of the Charter.]

All of the signatures herein have been reproduced photographically from the proclaimed certified copy. Signatures affixed to the original of the Charter at San Francisco on June 26, 1945 were reproduced in that certified copy by lithographic process. Subsequent to that date the signatures of Cordell Hull for the United States of America and W. Rzymowski for Poland were affixed to both the original and this Government's certified copy and are accordingly reproduced herein. Signatures which, subsequent to June 26, 1945, were affixed only to the original of the Charter have not been reproduced.

For a romanization of the facsimile signatures see p. 1215.]¹

CHARTER OF THE UNITED NATIONS
AND
STATUTE OF THE
INTERNATIONAL COURT OF JUSTICE



SAN FRANCISCO · 1945

CHARTER OF THE UNITED NATIONS

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbors, and

to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

CHAPTER I PURPOSES AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and
4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.
2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.
3. All Members shall settle their international

disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

CHAPTER II MEMBERSHIP

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by United Nations of January 1, 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

CHAPTER III ORGANS

Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

CHAPTER IV THE GENERAL ASSEMBLY

*Composition**Article 9*

1. The General Assembly shall consist of all the Members of the United Nations.

2. Each Member shall have not more than five representatives in the General Assembly.

*Functions and Powers**Article 10*

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a

Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

- a. promoting international cooperation in the political field and encouraging the progressive development of international law and its codification;

- b. promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

2. The further responsibilities, functions, and powers of the General Assembly with respect to matters mentioned in paragraph 1(b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

Voting

Article 18

1. Each member of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1(c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions

due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

Procedure

Article 20

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

CHAPTER V

THE SECURITY COUNCIL

Composition

Article 23

1. The Security Council shall consist of eleven Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect six other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the

United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.

3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Se-

curity Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Voting

Article 27

1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.

2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.

3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

CHAPTER VI

PACIFIC SETTLEMENT OF DISPUTES

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to inter-

national friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

CHAPTER VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be

employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not

represented on it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Mem-

ber of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

CHAPTER VIII

REGIONAL ARRANGEMENTS

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or

agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

CHAPTER IX

INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a. higher standards of living, full employment, and conditions of economic and social progress and development;
- b. solutions of international economic, social, health, and related problems; and inter-

national cultural and educational cooperation; and

c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the coordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in

the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

CHAPTER X

THE ECONOMIC AND SOCIAL COUNCIL

Composition

Article 61

1. The Economic and Social Council shall consist of eighteen Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, six members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election, eighteen members of the Economic and Social Council shall be chosen. The term of office of six members so chosen shall expire at the end of one year, and of six other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

Functions and Powers

Article 62

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General

Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

Voting

Article 67

1. Each member of the Economic and Social Council shall have one vote.

2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

Procedure

Article 68

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrange-

ments may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

CHAPTER XI

DECLARATION REGARDING NON-SELF-GOVERNING TERRITORIES

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighborliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

CHAPTER XII

INTERNATIONAL TRUSTEESHIP SYSTEM

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system,

in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

a. to further international peace and security;

b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;

c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and

d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

a. territories now held under mandate;

b. territories which may be detached from enemy states as a result of the Second World War; and

c. territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories

will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the

administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for local defense and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with

regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

CHAPTER XIII

THE TRUSTEESHIP COUNCIL

Composition

Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:

a. those Members administering trust territories;

b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and

c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

Functions and Powers

Article 87

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

a. consider reports submitted by the administering authority;

- b. accept petitions and examine them in consultation with the administering authority;
- c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and
- d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Voting

Article 89

1. Each member of the Trusteeship Council shall have one vote.
2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

Procedure

Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.
2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

CHAPTER XIV

THE INTERNATIONAL COURT OF JUSTICE

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice.
2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.
2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

CHAPTER XV THE SECRETARIAT

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secre-

tary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

CHAPTER XVI MISCELLANEOUS PROVISIONS

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of

this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

CHAPTER XVII
TRANSITIONAL SECURITY
ARRANGEMENTS

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin

the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, October 30, 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

CHAPTER XVIII
AMENDMENTS

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

CHAPTER XIX

RATIFICATION AND SIGNATURE

Article 110

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

Article 111

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

IN FAITH WHEREOF the representatives of the Governments of the United Nations have signed the present Charter.

DONE at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Article 1

THE INTERNATIONAL COURT OF JUSTICE established by the Charter of the United Nations as the principal judicial organ of the United Nations shall be constituted and shall function in accordance with the provisions of the present Statute.

CHAPTER I

ORGANIZATION OF THE COURT

Article 2

The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

Article 3

1. The Court shall consist of fifteen members, no two of whom may be nationals of the same state.

2. A person who for the purposes of membership in the Court could be regarded as a national of more than one state shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

Article 4

1. The members of the Court shall be elected by the General Assembly and by the Security Council from a list of persons nominated by the national groups in the Permanent Court of Arbitration, in accordance with the following provisions.

2. In the case of Members of the United Nations not represented in the Permanent Court of Arbitration, candidates shall be nominated by national groups appointed for this purpose by their governments under the same conditions as

those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.

3. The conditions under which a state which is a party to the present Statute but is not a Member of the United Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the General Assembly upon recommendation of the Security Council.

Article 5

1. At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the states which are parties to the present Statute, and to the members of the national groups appointed under Article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

2. No group may nominate more than four persons, not more than two of whom shall be of their own nationality. In no case may the number of candidates nominated by a group be more than double the number of seats to be filled.

Article 6

Before making these nominations, each national group is recommended to consult its highest court of justice, its legal faculties and schools of law, and its national academies and national sections of international academies devoted to the study of law.

Article 7

1. The Secretary-General shall prepare a list

in alphabetical order of all the persons thus nominated. Save as provided in Article 12, paragraph 2, these shall be the only persons eligible.

2. The Secretary-General shall submit this list to the General Assembly and to the Security Council.

Article 8

The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court.

Article 9

At every election, the electors shall bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

Article 10

1. Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.

2. Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12, shall be taken without any distinction between permanent and non-permanent members of the Security Council.

3. In the event of more than one national of the same state obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the eldest of these only shall be considered as elected.

Article 11

If, after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place.

Article 12

1. If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing by the vote of an absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance.

2. If the joint conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its list, even though he was not included in the list of nominations referred to in Article 7.

3. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected shall, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

4. In the event of an equality of votes among the judges, the eldest judge shall have a casting vote.

Article 13

1. The members of the Court shall be elected for nine years and may be re-elected; provided, however, that of the judges elected at the first election, the terms of five judges shall expire at the end of three years and the terms of five more judges shall expire at the end of six years.

2. The judges whose terms are to expire at the end of the above-mentioned initial periods of three and six years shall be chosen by lot to be drawn by the Secretary-General immediately after the first election has been completed.

3. The members of the Court shall continue to

discharge their duties until their places have been filled. Though replaced, they shall finish any cases which they may have begun.

4. In the case of the resignation of a member of the Court, the resignation shall be addressed to the President of the Court for transmission to the Secretary-General. This last notification makes the place vacant.

Article 14

Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council.

Article 15

A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

Article 16

1. No member of the Court may exercise any political or administrative function, or engage in any other occupation of a professional nature.

2. Any doubt on this point shall be settled by the decision of the Court.

Article 17

1. No member of the Court may act as agent, counsel, or advocate in any case.

2. No member may participate in the decision of any case in which he has previously taken part as agent, counsel, or advocate for one of the parties, or as a member of a national or international court, or of a commission of enquiry, or in any other capacity.

3. Any doubt on this point shall be settled by the decision of the Court.

Article 18

1. No member of the Court can be dismissed unless, in the unanimous opinion of the other members, he has ceased to fulfil the required conditions.

2. Formal notification thereof shall be made to the Secretary-General by the Registrar.

3. This notification makes the place vacant.

Article 19

The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

Article 20

Every member of the Court shall, before taking up his duties, make a solemn declaration in open court that he will exercise his powers impartially and conscientiously.

Article 21

1. The Court shall elect its President and Vice-President for three years; they may be re-elected.

2. The Court shall appoint its Registrar and may provide for the appointment of such other officers as may be necessary.

Article 22

1. The seat of the Court shall be established at The Hague. This, however, shall not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable.

2. The President and the Registrar shall reside at the seat of the Court.

Article 23

1. The Court shall remain permanently in session, except during the judicial vacations, the dates and duration of which shall be fixed by the Court.

2. Members of the Court are entitled to peri-

odic leave, the dates and duration of which shall be fixed by the Court, having in mind the distance between The Hague and the home of each judge.

3. Members of the Court shall be bound, unless they are on leave or prevented from attending by illness or other serious reasons duly explained to the President, to hold themselves permanently at the disposal of the Court.

Article 24

1. If, for some special reason, a member of the Court considers that he should not take part in the decision of a particular case, he shall so inform the President.

2. If the President considers that for some special reason one of the members of the Court should not sit in a particular case, he shall give him notice accordingly.

3. If in any such case the member of the Court and the President disagree, the matter shall be settled by the decision of the Court.

Article 25

1. The full Court shall sit except when it is expressly provided otherwise in the present Statute.

2. Subject to the condition that the number of judges available to constitute the Court is not thereby reduced below eleven, the Rules of the Court may provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

3. A quorum of nine judges shall suffice to constitute the Court.

Article 26

1. The Court may from time to time form one or more chambers, composed of three or more judges as the Court may determine, for dealing with particular categories of cases; for example, labor cases and cases relating to transit and communications.

2. The Court may at any time form a chamber

for dealing with a particular case. The number of judges to constitute such a chamber shall be determined by the Court with the approval of the parties.

3. Cases shall be heard and determined by the chambers provided for in this Article if the parties so request.

Article 27

A judgment given by any of the chambers provided for in Articles 26 and 29 shall be considered as rendered by the Court.

Article 28

The chambers provided for in Articles 26 and 29 may, with the consent of the parties, sit and exercise their functions elsewhere than at The Hague.

Article 29

With a view to the speedy despatch of business, the Court shall form annually a chamber composed of five judges which, at the request of the parties, may hear and determine cases by summary procedure. In addition, two judges shall be selected for the purpose of replacing judges who find it impossible to sit.

Article 30

1. The Court shall frame rules for carrying out its functions. In particular, it shall lay down rules of procedure.

2. The Rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

Article 31

1. Judges of the nationality of each of the parties shall retain their right to sit in the case before the Court.

2. If the Court includes upon the Bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. Such person shall be chosen preferably from among

those persons who have been nominated as candidates as provided in Articles 4 and 5.

3. If the Court includes upon the Bench no judge of the nationality of the parties, each of these parties may proceed to choose a judge as provided in paragraph 2 of this Article.

4. The provisions of this Article shall apply to the case of Articles 26 and 29. In such cases, the President shall request one or, if necessary, two of the members of the Court forming the chamber to give place to the members of the Court of the nationality of the parties concerned, and, failing such, or if they are unable to be present, to the judges specially chosen by the parties.

5. Should there be several parties in the same interest, they shall, for the purpose of the preceding provisions, be reckoned as one party only. Any doubt upon this point shall be settled by the decision of the Court.

6. Judges chosen as laid down in paragraphs 2, 3, and 4 of this Article shall fulfil the conditions required by Articles 2, 17 (paragraph 2), 20, and 24 of the present Statute. They shall take part in the decision on terms of complete equality with their colleagues.

Article 32

1. Each member of the Court shall receive an annual salary.

2. The President shall receive a special annual allowance.

3. The Vice-President shall receive a special allowance for every day on which he acts as President.

4. The judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.

5. These salaries, allowances, and compensation shall be fixed by the General Assembly. They may not be decreased during the term of office.

6. The salary of the Registrar shall be fixed by

the General Assembly on the proposal of the Court.

7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar, and the conditions under which members of the Court and the Registrar shall have their traveling expenses refunded.

8. The above salaries, allowances, and compensation shall be free of all taxation.

Article 33

The expenses of the Court shall be borne by the United Nations in such a manner as shall be decided by the General Assembly.

CHAPTER II

COMPETENCE OF THE COURT

Article 34

1. Only states may be parties in cases before the Court.

2. The Court, subject to and in conformity with its Rules, may request of public international organizations information relevant to cases before it, and shall receive such information presented by such organizations on their own initiative.

3. Whenever the construction of the constituent instrument of a public international organization or of an international convention adopted thereunder is in question in a case before the Court, the Registrar shall so notify the public international organization concerned and shall communicate to it copies of all the written proceedings.

Article 35

1. The Court shall be open to the states parties to the present Statute.

2. The conditions under which the Court shall be open to other states shall, subject to the special provisions contained in treaties in force, be laid

down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court.

3. When a state which is not a Member of the United Nations is a party to a case, the Court shall fix the amount which that party is to contribute towards the expenses of the Court. This provision shall not apply if such state is bearing a share of the expenses of the Court.

Article 36

1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.

2. The states parties to the present Statute may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

- a. the interpretation of a treaty;
- b. any question of international law;
- c. the existence of any fact which, if established, would constitute a breach of an international obligation;
- d. the nature or extent of the reparation to be made for the breach of an international obligation.

3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time.

4. Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.

5. Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the

International Court of Justice for the period which they still have to run and in accordance with their terms.

6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 37

Whenever a treaty or convention in force provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice, the matter shall, as between the parties to the present Statute, be referred to the International Court of Justice.

Article 38

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:

- a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
- b. international custom, as evidence of a general practice accepted as law;
- c. the general principles of law recognized by civilized nations;
- d. subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

2. This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*, if the parties agree thereto.

CHAPTER III PROCEDURE

Article 39

1. The official languages of the Court shall be French and English. If the parties agree that the

case shall be conducted in French, the judgment shall be delivered in French. If the parties agree that the case shall be conducted in English, the judgment shall be delivered in English.

2. In the absence of an agreement as to which language shall be employed, each party may, in the pleadings, use the language which it prefers; the decision of the Court shall be given in French and English. In this case the Court shall at the same time determine which of the two texts shall be considered as authoritative.

3. The Court shall, at the request of any party, authorize a language other than French or English to be used by that party.

Article 40

1. Cases are brought before the Court, as the case may be, either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject of the dispute and the parties shall be indicated.

2. The Registrar shall forthwith communicate the application to all concerned.

3. He shall also notify the Members of the United Nations through the Secretary-General, and also any other states entitled to appear before the Court.

Article 41

1. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

2. Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council.

Article 42

1. The parties shall be represented by agents.
2. They may have the assistance of counsel or advocates before the Court.
3. The agents, counsel, and advocates of par-

ties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

Article 43

1. The procedure shall consist of two parts: written and oral.

2. The written proceedings shall consist of the communication to the Court and to the parties of memorials, counter-memorials and, if necessary, replies; also all papers and documents in support.

3. These communications shall be made through the Registrar, in the order and within the time fixed by the Court.

4. A certified copy of every document produced by one party shall be communicated to the other party.

5. The oral proceedings shall consist of the hearing by the Court of witnesses, experts, agents, counsel, and advocates.

Article 44

1. For the service of all notices upon persons other than the agents, counsel, and advocates, the Court shall apply direct to the government of the state upon whose territory the notice has to be served.

2. The same provision shall apply whenever steps are to be taken to procure evidence on the spot.

Article 45

The hearing shall be under the control of the President or, if he is unable to preside, of the Vice-President; if neither is able to preside, the senior judge present shall preside.

Article 46

The hearing in Court shall be public, unless the Court shall decide otherwise, or unless the parties demand that the public be not admitted.

Article 47

1. Minutes shall be made at each hearing and signed by the Registrar and the President.
2. These minutes alone shall be authentic.

Article 48

The Court shall make orders for the conduct of the case, shall decide the form and time in which each party must conclude its arguments, and make all arrangements connected with the taking of evidence.

Article 49

The Court may, even before the hearing begins, call upon the agents to produce any document or to supply any explanations. Formal note shall be taken of any refusal.

Article 50

The Court may, at any time, entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion.

Article 51

During the hearing any relevant questions are to be put to the witnesses and experts under the conditions laid down by the Court in the rules of procedure referred to in Article 30.

Article 52

After the Court has received the proofs and evidence within the time specified for the purpose, it may refuse to accept any further oral or written evidence that one party may desire to present unless the other side consents.

Article 53

1. Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favor of its claim.

2. The Court must, before doing so, satisfy itself, not only that it has jurisdiction in accordance with Articles 36 and 37, but also that the claim is well founded in fact and law.

Article 54

1. When, subject to the control of the Court, the agents, counsel, and advocates have completed their presentation of the case, the President shall declare the hearing closed.
2. The Court shall withdraw to consider the judgment.
3. The deliberations of the Court shall take place in private and remain secret.

Article 55

1. All questions shall be decided by a majority of the judges present.
2. In the event of an equality of votes, the President or the judge who acts in his place shall have a casting vote.

Article 56

1. The judgment shall state the reasons on which it is based.
2. It shall contain the names of the judges who have taken part in the decision.

Article 57

If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

Article 58

The judgment shall be signed by the President and by the Registrar. It shall be read in open court, due notice having been given to the agents.

Article 59

The decision of the Court has no binding force except between the parties and in respect of that particular case.

Article 60

The judgment is final and without appeal. In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party.

Article 61

1. An application for revision of a judgment may be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence.

2. The proceedings for revision shall be opened by a judgment of the Court expressly recording the existence of the new fact, recognizing that it has such a character as to lay the case open to revision, and declaring the application admissible on this ground.

3. The Court may require previous compliance with the terms of the judgment before it admits proceedings in revision.

4. The application for revision must be made at latest within six months of the discovery of the new fact.

5. No application for revision may be made after the lapse of ten years from the date of the judgment.

Article 62

1. Should a state consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene.

2. It shall be for the Court to decide upon this request.

Article 63

1. Whenever the construction of a convention to which states other than those concerned in the case are parties is in question, the Registrar shall notify all such states forthwith.

2. Every state so notified has the right to intervene in the proceedings; but if it uses this right, the construction given by the judgment will be equally binding upon it.

Article 64

Unless otherwise decided by the Court, each party shall bear its own costs.

CHAPTER IV ADVISORY OPINIONS

Article 65

1. The Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request.

2. Questions upon which the advisory opinion of the Court is asked shall be laid before the Court by means of a written request containing an exact statement of the question upon which an opinion is required, and accompanied by all documents likely to throw light upon the question.

Article 66

1. The Registrar shall forthwith give notice of the request for an advisory opinion to all states entitled to appear before the Court.

2. The Registrar shall also, by means of a special and direct communication, notify any state entitled to appear before the Court or international organization considered by the Court, or, should it not be sitting, by the President, as likely to be able to furnish information on the question, that the Court will be prepared to receive, within a time limit to be fixed by the President, written statements, or to hear, at a public sitting to be held for the purpose, oral statements relating to the question.

3. Should any such state entitled to appear before the Court have failed to receive the special communication referred to in paragraph 2 of this Article, such state may express a desire to submit a written statement or to be heard; and the Court will decide.

4. States and organizations having presented written or oral statements or both shall be permitted to comment on the statements made by other states or organizations in the form, to the extent, and within the time limits which the Court, or, should it not be sitting, the President, shall decide in each particular case. Accordingly, the Registrar shall in due time communicate any such written statements to states and organizations having submitted similar statements.

Article 67

The Court shall deliver its advisory opinions in open court, notice having been given to the Secretary-General and to the representatives of Members of the United Nations, of other states and of international organizations immediately concerned.

Article 68

In the exercise of its advisory functions the

Court shall further be guided by the provisions of the present Statute which apply in contentious cases to the extent to which it recognizes them to be applicable.

CHAPTER V
AMENDMENT

Article 69

Amendments to the present Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendments to that Charter, subject however to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of states which are parties to the present Statute but are not Members of the United Nations.

Article 70

The Court shall have power to propose such amendments to the present Statute as it may deem necessary, through written communications to the Secretary-General, for consideration in conformity with the provisions of Article 69.

CHARTE DES NATIONS UNIES
ET
STATUT DE LA COUR
INTERNATIONALE DE JUSTICE



SAN FRANCISCO · 1945

CHARTRE DES NATIONS UNIES

NOUS, PEUPLES DES NATIONS UNIES

RESOLUS

à préserver les générations futures du fléau de la guerre qui deux fois en l'espace d'une vie humaine a infligé à l'humanité d'indescriptibles souffrances,

à proclamer à nouveau notre foi dans les droits fondamentaux de l'homme, dans la dignité et la valeur de la personne humaine, dans l'égalité de droits des hommes et des femmes, ainsi que des nations, grandes et petites,

à créer les conditions nécessaires au maintien de la justice et du respect des obligations nées des traités et autres sources du droit international,

à favoriser le progrès social et instaurer de meilleures conditions de vie dans une liberté plus grande,

ET A CES FINS

à pratiquer la tolérance, à vivre en paix l'un avec l'autre dans un esprit de bon voisinage,

à unir nos forces pour maintenir la paix et la sécurité internationales,

à accepter des principes et instituer des méthodes garantissant qu'il ne sera pas fait usage de la force des armes, sauf dans l'intérêt commun,

à recourir aux institutions internationales pour favoriser le progrès économique et social de tous les peuples,

AVONS DECIDE D'ASSOCIER NOS EFFORTS

POUR REALISER CES DESSEINS

En conséquence, nos Gouvernements respectifs, par l'intermédiaire de leurs représentants, réunis en la ville de San Francisco, et munis de pleins pouvoirs reconnus en bonne et due forme, ont adopté la présente Charte des Nations Unies et établissent par les présentes une organisation internationale qui prendra le nom de Nations Unies.

CHAPITRE I BUTS ET PRINCIPES

Article 1

Les Buts des Nations Unies sont les suivants:

1. Maintenir la paix et la sécurité internationales et à cette fin: prendre des mesures collectives efficaces en vue de prévenir et d'écarter les menaces à la paix et de réprimer tout acte d'agression ou autre rupture de la paix, et réaliser, par des moyens pacifiques, conformément aux principes de la justice et du droit international, l'ajustement ou le règlement de différends ou de situations, de caractère international, susceptibles de mener à une rupture de la paix;

2. Développer entre les nations des relations amicales fondées sur le respect du principe de l'égalité de droits des peuples et de leur droit à disposer d'eux-mêmes, et prendre toutes autres mesures propres à consolider la paix du monde;

3. Réaliser la coopération internationale en résolvant les problèmes internationaux d'ordre économique, social, intellectuel ou humanitaire, en développant et en encourageant le respect des droits de l'homme et des libertés fondamentales pour tous sans distinction de race, de sexe, de langue ou de religion;

4. Etre un centre où s'harmonisent les efforts des nations vers ces fins communes.

Article 2

L'Organisation des Nations Unies et ses Membres, dans la poursuite des Buts énoncés à l'article 1, doivent agir conformément aux Principes suivants:

1. L'Organisation est fondée sur le principe de l'égalité souveraine de tous ses Membres.

2. Les Membres de l'Organisation, afin d'assurer à tous la jouissance des droits et avantages résultant de leur qualité de Membre, doivent remplir de bonne foi les obligations qu'ils ont assumées aux termes de la présente Charte.

3. Les Membres de l'Organisation règlent leurs différends internationaux par des moyens pacifiques, de telle manière que la paix et la sécurité internationales ainsi que la justice ne soient pas mises en danger.

4. Les Membres de l'Organisation s'abstiennent, dans leurs relations internationales, de recourir à la menace ou à l'emploi de la force, soit contre l'intégrité territoriale ou l'indépendance politique de tout Etat, soit de toute autre manière incompatible avec les Buts des Nations Unies.

5. Les Membres de l'Organisation donnent à celle-ci pleine assistance dans toute action entreprise par elle conformément aux dispositions de la présente Charte et s'abstiennent de prêter assistance à un Etat contre lequel l'Organisation entreprend une action préventive ou coercitive.

6. L'Organisation fait en sorte que les Etats qui ne sont pas Membres des Nations Unies agissent conformément à ces Principes dans la mesure nécessaire au maintien de la paix et de la sécurité internationales.

7. Aucune disposition de la présente Charte n'autorise les Nations Unies à intervenir dans des affaires qui relèvent essentiellement de la compétence nationale d'un Etat ni n'oblige les Membres à soumettre des affaires de ce genre à une procédure de règlement aux termes de la présente Charte; toutefois ce principe ne porte en rien atteinte à l'application des mesures de coercition prévues au chapitre VII.

CHAPITRE II MEMBRES

Article 3

Sont Membres originaires des Nations Unies les Etats qui, ayant participé à la Conférence des Nations Unies pour l'Organisation Internationale à San Francisco ou ayant antérieurement signé la Déclaration des Nations Unies, en date

du 1^{er} janvier 1942, signant la présente Charte et la ratifient conformément à l'article 110.

Article 4

1. Peuvent devenir Membres des Nations Unies tous autres États pacifiques qui acceptent les obligations de la présente Charte et, au jugement de l'Organisation, sont capables de les remplir et disposés à le faire.

2. L'admission comme Membre des Nations Unies de tout État remplissant ces conditions se fait par décision de l'Assemblée Générale sur recommandation du Conseil de Sécurité.

Article 5

Un Membre de l'Organisation contre lequel une action préventive ou coercitive a été entreprise par le Conseil de Sécurité, peut être suspendu par l'Assemblée Générale, sur recommandation du Conseil de Sécurité, de l'exercice des droits et privilèges inhérents à la qualité de Membre. L'exercice de ces droits et privilèges peut être rétabli par le Conseil de Sécurité.

Article 6

Si un Membre de l'Organisation enfreint de manière persistante les Principes énoncés dans la présente Charte, il peut être exclu de l'Organisation par l'Assemblée Générale sur recommandation du Conseil de Sécurité.

CHAPITRE III

ORGANES

Article 7

1. Il est créé comme organes principaux de l'Organisation des Nations Unies: une Assemblée Générale, un Conseil de Sécurité, un Conseil Economique et Social, un Conseil de Tutelle, une Cour Internationale de Justice et un Secrétariat.

2. Les organes subsidiaires qui se révéleraient nécessaires pourront être créés conformément à la présente Charte.

Article 8

Aucune restriction ne sera imposée par l'Organisation à l'accès des hommes et des femmes, dans des conditions égales, à toutes les fonctions, dans ses organes principaux et subsidiaires.

CHAPITRE IV

ASSEMBLEE GENERALE

Composition

Article 9

1. L'Assemblée Générale se compose de tous les Membres des Nations Unies.

2. Chaque Membre a cinq représentants au plus à l'Assemblée Générale.

Fonctions et Pouvoirs

Article 10

L'Assemblée Générale peut discuter toutes questions ou affaires rentrant dans le cadre de la présente Charte ou se rapportant aux pouvoirs et fonctions de l'un quelconque des organes prévus dans la présente Charte, et, sous réserve des dispositions de l'article 12, formuler sur ces questions ou affaires des recommandations aux Membres de l'Organisation des Nations Unies, au Conseil de Sécurité, ou aux Membres de l'Organisation et au Conseil de Sécurité.

Article 11

1. L'Assemblée Générale peut étudier les principes généraux de coopération pour le maintien de la paix et de la sécurité internationales, y compris les principes régissant le désarmement et la réglementation des armements, et faire, sur ces principes, des recommandations soit aux Membres de l'Organisation, soit au Conseil de Sécurité, soit

aux Membres de l'Organisation et au Conseil de Sécurité.

2. L'Assemblée Générale peut discuter toutes questions se rattachant au maintien de la paix et de la sécurité internationales, dont elle aura été saisie par l'une quelconque des Nations Unies, ou par le Conseil de Sécurité, ou par un Etat qui n'est pas Membre de l'Organisation, conformément aux dispositions de l'article 35, paragraphe 2, et, sous réserve de l'article 12, faire sur toutes questions de ce genre des recommandations soit à l'Etat ou aux Etats intéressés, soit au Conseil de Sécurité, soit aux Etats et au Conseil de Sécurité. Toute question de ce genre qui appelle une action est renvoyée au Conseil de Sécurité par l'Assemblée Générale, avant ou après discussion.

3. L'Assemblée Générale peut attirer l'attention du Conseil de Sécurité sur les situations qui semblent devoir mettre en danger la paix et la sécurité internationales.

4. Les pouvoirs de l'Assemblée Générale énumérés dans le présent article ne limitent pas la portée générale de l'article 10.

Article 12

1. Tant que le Conseil de Sécurité remplit, à l'égard d'un différend ou d'une situation quelconque, les fonctions qui lui sont attribuées par la présente Charte, l'Assemblée Générale ne doit faire aucune recommandation sur ce différend ou cette situation, à moins que le Conseil de Sécurité ne le lui demande.

2. Le Secrétaire Général, avec l'assentiment du Conseil de Sécurité, porte à la connaissance de l'Assemblée Générale, lors de chaque session, les affaires relatives au maintien de la paix et de la sécurité internationales dont s'occupe le Conseil de Sécurité; il avise de même l'Assemblée Générale ou, si l'Assemblée Générale ne siège pas, les Membres de l'Organisation, dès que le Conseil de Sécurité cesse de s'occuper desdites affaires.

Article 13

1. L'Assemblée Générale provoque des études et fait des recommandations en vue de:

a. développer la coopération internationale dans le domaine politique et encourager le développement progressif du droit international et sa codification;

b. développer la coopération internationale dans les domaines économique, social, de la culture intellectuelle et de l'éducation, de la santé publique, et faciliter pour tous, sans distinction de race, de sexe, de langue ou de religion, la jouissance des droits de l'homme et des libertés fondamentales.

2. Les autres responsabilités, fonctions et pouvoirs de l'Assemblée Générale, relativement aux questions mentionnées au paragraphe 1 b ci-dessus sont énoncés aux chapitres IX et X.

Article 14

Sous réserve des dispositions de l'article 12, l'Assemblée Générale peut recommander les mesures propres à assurer l'ajustement pacifique de toute situation, quelle qu'en soit l'origine, qui lui semble de nature à nuire au bien général ou à compromettre les relations amicales entre nations, y compris les situations résultant d'une infraction aux dispositions de la présente Charte où sont énoncés les Buts et les Principes des Nations Unies.

Article 15

1. L'Assemblée Générale reçoit et étudie les rapports annuels et les rapports spéciaux du Conseil de Sécurité; ces rapports comprennent un compte-rendu des mesures que le Conseil de Sécurité a décidées ou prises pour maintenir la paix et la sécurité internationales.

2. L'Assemblée Générale reçoit et étudie les rapports des autres organes de l'Organisation.

Article 16

L'Assemblée Générale remplit, en ce qui concerne le régime international de Tutelle, les fonctions qui lui sont dévolues en vertu des chapitres XII et XIII; entre autres, elle approuve les accords de Tutelle relatifs aux zones non désignées comme zones stratégiques.

Article 17

1. L'Assemblée Générale examine et approuve le budget de l'Organisation.

2. Les dépenses de l'Organisation sont supportées par les Membres selon la répartition fixée par l'Assemblée Générale.

3. L'Assemblée Générale examine et approuve tous arrangements financiers et budgétaires passés avec les institutions spécialisées visées à l'article 57 et examine les budgets administratifs desdites institutions en vue de leur adresser des recommandations.

*Vote**Article 18*

1. Chaque membre de l'Assemblée Générale dispose d'une voix.

2. Les décisions de l'Assemblée Générale sur les questions importantes sont prises à la majorité des deux-tiers des membres présents et votant. Sont considérées comme questions importantes: les recommandations relatives au maintien de la paix et de la sécurité internationales, l'élection des membres non permanents du Conseil de Sécurité, l'élection des membres du Conseil Economique et Social, l'élection des membres du Conseil de Tutelle conformément au paragraphe 1 c de l'article 86, l'admission de nouveaux Membres dans l'Organisation, la suspension des droits et privilèges de Membres, l'exclusion de Membres, les questions relatives au fonctionnement du régime de Tutelle et les questions budgétaires.

3. Les décisions sur d'autres questions, y compris la détermination de nouvelles catégories de

questions à trancher à la majorité des deux-tiers, sont prises à la majorité des membres présents et votant.

Article 19

Un Membre des Nations Unies en retard dans le paiement de sa contribution aux dépenses de l'Organisation ne peut participer au vote à l'Assemblée Générale si le montant de ses arriérés est égal ou supérieur à la contribution due par lui pour les deux années complètes écoulées. L'Assemblée Générale peut néanmoins autoriser ce Membre à participer au vote si elle constate que le manquement est dû à des circonstances indépendantes de sa volonté.

*Procédure**Article 20*

L'Assemblée Générale tient une session annuelle régulière et, lorsque les circonstances l'exigent, des sessions extraordinaires. Celles-ci sont convoquées par le Secrétaire Général sur la demande du Conseil de Sécurité ou de la majorité des Membres des Nations Unies.

Article 21

L'Assemblée Générale établit son règlement intérieur. Elle désigne son Président pour chaque session.

Article 22

L'Assemblée Générale peut créer les organes subsidiaires qu'elle juge nécessaires à l'exercice de ses fonctions.

CHAPITRE V**CONSEIL DE SECURITE***Composition**Article 23*

1. Le Conseil de Sécurité se compose de onze Membres de l'Organisation. La République de Chine, la France, l'Union des Républiques Socialistes, le Royaume-Uni de Grande-

Bretagne et d'Irlande du Nord et les Etats-Unis d'Amérique sont membres permanents du Conseil de Sécurité. Six autres Membres de l'Organisation sont élus, à titre de membres non permanents du Conseil de Sécurité, par l'Assemblée Générale qui tient spécialement compte, en premier lieu, de la contribution des Membres de l'Organisation au maintien de la paix et de la sécurité internationales et aux autres fins de l'Organisation, et aussi d'une répartition géographique équitable.

2. Les membres non permanents du Conseil de Sécurité sont élus pour une période de deux ans. Toutefois, lors de la première élection des membres non permanents, trois seront élus pour une période d'un an. Les membres sortants ne sont pas immédiatement rééligibles.

3. Chaque membre du Conseil de Sécurité a un représentant au Conseil.

Fonctions et Pouvoirs

Article 24

1. Afin d'assurer l'action rapide et efficace de l'Organisation, ses Membres confèrent au Conseil de Sécurité la responsabilité principale du maintien de la paix et de la sécurité internationales et reconnaissent qu'en s'acquittant des devoirs que lui impose cette responsabilité, le Conseil de Sécurité agit en leur nom.

2. Dans l'accomplissement de ces devoirs, le Conseil de Sécurité agit conformément aux Buts et Principes des Nations Unies. Les pouvoirs spécifiques accordés au Conseil de Sécurité pour lui permettre d'accomplir lesdits devoirs sont définis aux chapitres VI, VII, VIII et XII.

3. Le Conseil de Sécurité soumet pour examen des rapports annuels et, le cas échéant, des rapports spéciaux à l'Assemblée Générale.

Article 25

Les Membres de l'Organisation conviennent d'accepter et d'appliquer les décisions du Con-

seil de Sécurité conformément à la présente Charte.

Article 26

Afin de favoriser l'établissement et le maintien de la paix et de la sécurité internationales en ne détournant vers les armements que le minimum des ressources humaines et économiques du monde, le Conseil de Sécurité est chargé, avec l'assistance du Comité d'Etat-Major prévu à l'article 47, d'élaborer des plans qui seront soumis aux Membres de l'Organisation en vue d'établir un système de réglementation des armements.

Vote

Article 27

1. Chaque membre du Conseil de Sécurité dispose d'une voix.

2. Les décisions du Conseil de Sécurité sur des questions de procédure sont prises par un vote affirmatif de sept membres.

3. Les décisions du Conseil de Sécurité sur toutes autres questions sont prises par un vote affirmatif de sept de ses membres dans lequel sont comprises les voix de tous les membres permanents, étant entendu que, dans les décisions prises aux termes du chapitre VI et du paragraphe 3 de l'article 52, une partie à un différend s'abstient de voter.

Procédure

Article 28

1. Le Conseil de Sécurité est organisé de manière à pouvoir exercer ses fonctions en permanence. A cet effet, chaque membre du Conseil de Sécurité doit avoir en tout temps un représentant au siège de l'Organisation.

2. Le Conseil de Sécurité tient des réunions périodiques auxquelles chacun de ses membres peut, s'il le désire, se faire représenter par un membre de son gouvernement ou par quelqu'autre représentant spécialement désigné.

3. Le Conseil de Sécurité peut tenir des réunions à tous endroits autres que le siège de l'Organisation qu'il juge les plus propres à faciliter sa tâche.

Article 29

Le Conseil de Sécurité peut créer les organes subsidiaires qu'il juge nécessaires à l'exercice de ses fonctions.

Article 30

Le Conseil de Sécurité établit son règlement intérieur, dans lequel il fixe le mode de désignation de son Président.

Article 31

Tout Membre de l'Organisation qui n'est pas membre du Conseil de Sécurité, peut participer, sans droit de vote, à la discussion de toute question soumise au Conseil de Sécurité, chaque fois que celui-ci estime que les intérêts de ce Membre sont particulièrement affectés.

Article 32

Tout Membre des Nations Unies qui n'est pas membre du Conseil de Sécurité ou tout Etat qui n'est pas Membre des Nations Unies, s'il est partie à un différend examiné par le Conseil de Sécurité, est convié à participer, sans droit de vote, aux discussions relatives à ce différend. Le Conseil de Sécurité détermine les conditions qu'il estime juste de mettre à la participation d'un Etat qui n'est pas Membre de l'Organisation.

CHAPITRE VI

REGLEMENT PACIFIQUE DES DIFFERENDS

Article 33

1. Les parties à tout différend dont la prolongation est susceptible de menacer le maintien de la

paix et de la sécurité internationales, doivent en rechercher la solution, avant tout, par voie de négociation, d'enquête, de médiation, de conciliation, d'arbitrage, de règlement judiciaire, de recours aux organismes ou accords régionaux, ou par d'autres moyens pacifiques de leur choix.

2. Le Conseil de Sécurité, s'il le juge nécessaire, invite les parties à régler leur différend par de tels moyens.

Article 34

Le Conseil de Sécurité peut enquêter sur tout différend ou toute situation qui pourrait entraîner un désaccord entre nations ou engendrer un différend, afin de déterminer si la prolongation de ce différend ou de cette situation semble devoir menacer le maintien de la paix et de la sécurité internationales.

Article 35

1. Tout Membre de l'Organisation peut attirer l'attention du Conseil de Sécurité ou de l'Assemblée Générale sur un différend ou une situation de la nature visée dans l'article 34.

2. Un Etat qui n'est pas Membre de l'Organisation peut attirer l'attention du Conseil de Sécurité ou de l'Assemblée Générale sur tout différend auquel il est partie, pourvu qu'il accepte préalablement, aux fins de ce différend, les obligations de règlement pacifique prévues dans la présente Charte.

3. Les actes de l'Assemblée Générale relative aux affaires portées à son attention en vertu du présent article sont soumis aux dispositions des articles 11 et 12.

Article 36

1. Le Conseil de Sécurité peut, à tout moment de l'évolution d'un différend de la nature mentionnée à l'article 33 ou d'une situation analogue, recommander les procédures ou méthodes d'ajustement appropriées.

2. Le Conseil de Sécurité devra prendre en considération toutes procédures déjà adoptées par les parties pour le règlement de ce différend.

3. En faisant les recommandations prévues au présent article, le Conseil de Sécurité doit aussi tenir compte du fait que, d'une manière générale, les différends d'ordre juridique devraient être soumis par les parties à la Cour Internationale de Justice conformément aux dispositions du Statut de la Cour.

Article 37

1. Si les parties à un différend de la nature mentionnée à l'article 33 ne réussissent pas à le régler par les moyens indiqués audit article, elles le soumettent au Conseil de Sécurité.

2. Si le Conseil de Sécurité estime que la prolongation du différend semble, en fait, menacer le maintien de la paix et de la sécurité internationales, il décide s'il doit agir en application de l'article 36 ou recommander tels termes de règlement qu'il juge appropriés.

Article 38

Sans préjudice des dispositions des articles 33 à 37, le Conseil de Sécurité peut, si toutes les parties à un différend le demandent, faire des recommandations à celles-ci en vue d'un règlement pacifique de ce différend.

CHAPITRE VII

ACTION EN CAS DE MENACE CONTRE LE PAIX, DE RUPTURE DE LA PAIX ET D'ACTE D'AGRESSION

Article 39

Le Conseil de Sécurité constate l'existence d'une menace contre la paix, d'une rupture de la paix ou d'un acte d'agression et fait des recommandations ou décide quelles mesures seront

prises conformément aux articles 41 et 42 pour maintenir ou rétablir la paix et la sécurité internationales.

Article 40

Afin d'empêcher la situation de s'aggraver, le Conseil de Sécurité, avant de faire les recommandations ou de décider des mesures à prendre conformément à l'article 39, peut inviter les parties intéressées à se conformer aux mesures provisoires qu'il juge nécessaires ou souhaitables. Ces mesures provisoires ne préjugent en rien les droits, les prétentions ou la position des parties intéressées. En cas de non exécution de ces mesures provisoires, le Conseil de Sécurité tient dûment compte de cette défaillance.

Article 41

Le Conseil de Sécurité peut décider quelles mesures n'impliquant pas l'emploi de la force armée doivent être prises pour donner effet à ses décisions, et peut inviter les Membres des Nations Unies à appliquer ces mesures. Celles-ci peuvent comprendre l'interruption complète ou partielle des relations économiques et des communications ferroviaires, maritimes, aériennes, postales, télégraphiques, radio-électriques et des autres moyens de communication, ainsi que la rupture des relations diplomatiques.

Article 42

Si le Conseil de Sécurité estime que les mesures prévues à l'article 41 seraient inadéquates ou qu'elles se sont révélées telles, il peut entreprendre, au moyen de forces aériennes, navales ou terrestres, toute action qu'il juge nécessaire au maintien ou au rétablissement de la paix et de la sécurité internationales. Cette action peut comprendre des démonstrations, des mesures de blocus et d'autres opérations exécutées par des forces aériennes, navales ou terrestres de Membres des Nations Unies.

Article 43

1. Tous les Membres des Nations Unies, afin de contribuer au maintien de la paix et de la sécurité internationales, s'engagent à mettre à la disposition du Conseil de Sécurité, sur son invitation et conformément à un accord spécial ou à des accords spéciaux, les forces armées, l'assistance et les facilités, y compris le droit de passage, nécessaires au maintien de la paix et de la sécurité internationales.

2. L'accord ou les accords susvisés fixeront les effectifs et la nature de ces forces, leur degré de préparation et leur emplacement général, ainsi que la nature des facilités et de l'assistance à fournir.

3. L'accord ou les accords seront négociés aussitôt que possible, sur l'initiative du Conseil de Sécurité. Ils seront conclus entre le Conseil de Sécurité et des Membres de l'Organisation, ou entre le Conseil de Sécurité et des groupes de Membres de l'Organisation, et devront être ratifiés par les Etats signataires selon leurs règles constitutionnelles respectives.

Article 44

Lorsque le Conseil de Sécurité a décidé de recourir à la force, il doit, avant d'inviter un Membre non représenté au Conseil à fournir des forces armées en exécution des obligations contractées en vertu de l'article 43, convier ledit Membre, si celui-ci le désire, à participer aux décisions du Conseil de Sécurité touchant l'emploi de contingents des forces armées de ce Membre.

Article 45

Afin de permettre à l'Organisation de prendre d'urgence des mesures d'ordre militaire, des Membres des Nations Unies maintiendront des contingents nationaux de forces aériennes immédiatement utilisables en vue de l'exécution combinée d'une action coercitive internationale. Dans les

limites prévues par l'accord spécial ou les accords spéciaux mentionnés à l'article 43, le Conseil de Sécurité, avec l'aide du Comité d'Etat-Major, fixe l'importance et le degré de préparation de ces contingents et établit des plans prévoyant leur action combinée.

Article 46

Les plans pour l'emploi de la force armée sont établis par le Conseil de Sécurité avec l'aide du Comité d'Etat-Major.

Article 47

1. Il est établi un Comité d'Etat-Major chargé de conseiller et d'assister le Conseil de Sécurité pour tout ce qui concerne les moyens d'ordre militaire nécessaires au Conseil pour maintenir la paix et la sécurité internationales, l'emploi et le commandement des forces mises à sa disposition, la réglementation des armements et le désarmement éventuel.

2. Le Comité d'Etat-Major se compose des chefs d'Etat-Major des membres permanents du Conseil de Sécurité ou de leurs représentants. Il convie tout Membre des Nations Unies qui n'est pas représenté au Comité d'une façon permanente à s'associer à lui, lorsque la participation de ce Membre à ses travaux lui est nécessaire pour la bonne exécution de sa tâche.

3. Le Comité d'Etat-Major est responsable, sous l'autorité du Conseil de Sécurité, de la direction stratégique de toutes forces armées mises à la disposition du Conseil. Les questions relatives au commandement de ces forces seront réglées ultérieurement.

4. Des sous-comités régionaux du Comité d'Etat-Major peuvent être établis par lui avec l'autorisation du Conseil de Sécurité et après consultation des organismes régionaux appropriés.

Article 48

1. Les mesures nécessaires à l'exécution des

décisions du Conseil de Sécurité pour le maintien de la paix et de la sécurité internationales sont prises par tous les Membres des Nations Unies ou certains d'entre eux, selon l'appréciation du Conseil.

2. Ces décisions sont exécutées par les Membres des Nations Unies directement et grâce à leur action dans les organismes internationaux appropriés dont ils font partie.

Article 49

Les Membres des Nations Unies s'associent pour se prêter mutuellement assistance dans l'exécution des mesures arrêtées par le Conseil de Sécurité.

Article 50

Si un Etat est l'objet de mesures préventives ou coercitives prises par le Conseil de Sécurité, tout autre Etat, qu'il soit ou non Membre des Nations Unies, s'il se trouve en présence de difficultés économiques particulières dues à l'exécution desdites mesures, a le droit de consulter le Conseil de Sécurité au sujet de la solution de ces difficultés.

Article 51

Aucune disposition de la présente Charte ne porte atteinte au droit naturel de légitime défense, individuelle ou collective, dans le cas où un Membre des Nations Unies est l'objet d'une agression armée, jusqu'à ce que le Conseil de Sécurité ait pris les mesures nécessaires pour maintenir la paix et la sécurité internationales. Les mesures prises par des Membres dans l'exercice de ce droit de légitime défense sont immédiatement portées à la connaissance du Conseil de Sécurité et n'affectent en rien le pouvoir et le devoir qu'a le Conseil, en vertu de la présente Charte, d'agir à tout moment de la manière qu'il juge nécessaire pour maintenir ou rétablir la paix et la sécurité internationales.

CHAPITRE VIII ACCORDS REGIONAUX

Article 52

1. Aucune disposition de la présente Charte ne s'oppose à l'existence d'accords ou d'organismes régionaux destinés à régler les affaires qui, touchant au maintien de la paix et de la sécurité internationales, se prêtent à une action de caractère régional, pourvu que ces accords ou ces organismes et leur activité soient compatibles avec les Buts et les Principes des Nations Unies.

2. Les Membres des Nations Unies qui concluent ces accords ou constituent ces organismes doivent faire tous leurs efforts pour régler d'une manière pacifique, par le moyen desdits accords ou organismes, les différends d'ordre local, avant de les soumettre au Conseil de Sécurité.

3. Le Conseil de Sécurité encourage le développement du règlement pacifique des différends d'ordre local par le moyen de ces accords ou de ces organismes régionaux, soit sur l'initiative des Etats intéressés, soit sur renvoi du Conseil de Sécurité.

4. Le présent article n'affecte en rien l'application des articles 34 et 35.

Article 53

1. Le Conseil de Sécurité utilise, s'il y a lieu, les accords ou organismes régionaux pour l'application des mesures coercitives prises sous son autorité. Toutefois, aucune action coercitive ne sera entreprise en vertu d'accords régionaux ou par des organismes régionaux sans l'autorisation du Conseil de Sécurité; sont exceptées les mesures contre tout Etat ennemi au sens de la définition donnée au paragraphe 2 du présent article, prévues en application de l'article 107 ou dans les accords régionaux dirigés contre la reprise, par un tel Etat, d'une politique d'agression, jusqu'au moment où l'Organisation pourra, à la demande

des gouvernements intéressés, être chargée de la tâche de prévenir toute nouvelle agression de la part d'un tel Etat.

2. Le terme "Etat ennemi," employé au paragraphe 1 du présent article, s'applique à tout Etat qui, au cours de la seconde guerre mondiale, a été l'ennemi de l'un quelconque des signataires de la présente Charte.

Article 54

Le Conseil de Sécurité doit, en tout temps, être tenu pleinement au courant de toute action entreprise ou envisagée en vertu d'accords régionaux ou par des organismes régionaux, pour le maintien de la paix et de la sécurité internationales.

CHAPITRE IX

COOPERATION ECONOMIQUE ET SOCIALE INTERNATIONALE

Article 55

En vue de créer les conditions de stabilité et de bien-être nécessaires pour assurer entre les nations des relations pacifiques et amicales fondées sur le respect du principe de l'égalité des droits des peuples et de leur droit à disposer d'eux-mêmes, les Nations Unies favoriseront:

a. le relèvement des niveaux de vie, le plein emploi et des conditions de progrès et de développement dans l'ordre économique et social;

b. la solution des problèmes internationaux dans les domaines économique, social, de la santé publique et autres problèmes connexes; et la coopération internationale dans les domaines de la culture intellectuelle et de l'éducation;

c. le respect universel et effectif des droits de l'homme et des libertés fondamentales pour

tous, sans distinction de race, de sexe, de langue ou de religion.

Article 56

Les Membres s'engagent, en vue d'atteindre les buts énoncés à l'article 55, à agir, tant conjointement que séparément, en coopération avec l'Organisation.

Article 57

1. Les diverses institutions spécialisées créées par accords intergouvernementaux et pourvues, aux termes de leurs statuts, d'attributions internationales étendues dans les domaines économique, social, de la culture intellectuelle et de l'éducation, de la santé publique et autres domaines connexes, sont reliées à l'Organisation conformément aux dispositions de l'article 63.

2. Les institutions ainsi reliées à l'Organisation sont désignées ci-après par l'expression "Institutions spécialisées".

Article 58

L'Organisation fait des recommandations en vue de coordonner les programmes et activités des institutions spécialisées.

Article 59

L'Organisation provoque, lorsqu'il y a lieu, des négociations entre les Etats intéressés en vue de la création de toutes nouvelles institutions spécialisées nécessaires pour atteindre les buts énoncés à l'article 55.

Article 60

L'Assemblée Générale et, sous son autorité, le Conseil Economique et Social qui dispose à cet effet des pouvoirs qui lui sont attribués aux termes du Chapitre X, sont chargés de remplir les fonctions de l'Organisation énoncées au présent chapitre.

CHAPITRE X

CONSEIL ECONOMIQUE ET SOCIAL

Composition

Article 61

1. Le Conseil Economique et Social se compose de dix-huit Membres des Nations Unies, élus par l'Assemblée Générale.

2. Sous réserve des dispositions du paragraphe 3, six membres du Conseil Economique et Social sont élus chaque année pour une période de trois ans. Les membres sortants sont immédiatement rééligibles.

3. Dix-huit membres du Conseil Economique et Social sont désignés lors de la première élection. Le mandat de six de ces membres expirera au bout d'un an et celui de six autres membres, au bout de deux ans, selon les dispositions prises par l'Assemblée Générale.

4. Chaque membre du Conseil Economique et Social a un représentant au Conseil.

Fonctions et Pouvoirs

Article 62

1. Le Conseil Economique et Social peut faire ou provoquer des études et des rapports sur des questions internationales dans les domaines économique, social, de la culture intellectuelle et de l'éducation, de la santé publique et autres domaines connexes et peut adresser des recommandations sur toutes ces questions à l'Assemblée Générale, aux Membres de l'Organisation et aux institutions spécialisées intéressées.

2. Il peut faire des recommandations en vue d'assurer le respect effectif des droits de l'homme et des libertés fondamentales pour tous.

3. Il peut, sur des questions de sa compétence, préparer des projets de convention pour les soumettre à l'Assemblée Générale.

4. Il peut convoquer, conformément aux règles fixées par l'Organisation, des conférences internationales sur des questions de sa compétence.

Article 63

1. Le Conseil Economique et Social peut conclure avec toute institution visée à l'article 57, des accords fixant les conditions dans lesquelles cette institution sera reliée à l'Organisation. Ces accords sont soumis à l'approbation de l'Assemblée Générale.

2. Il peut coordonner l'activité des institutions spécialisées en se concertant avec elles, en leur adressant des recommandations, ainsi qu'en adressant des recommandations à l'Assemblée Générale et aux Membres des Nations Unies.

Article 64

1. Le Conseil Economique et Social peut prendre toutes mesures utiles pour recevoir des rapports réguliers des institutions spécialisées. Il peut s'entendre avec les Membres de l'Organisation et avec les institutions spécialisées afin de recevoir des rapports sur les mesures prises en exécution de ses propres recommandations et des recommandations de l'Assemblée Générale sur des objets relevant de la compétence du Conseil.

2. Il peut communiquer à l'Assemblée Générale ses observations sur ces rapports.

Article 65

Le Conseil Economique et Social peut fournir des informations au Conseil de Sécurité et l'assister si celui-ci le demande.

Article 66

1. Le Conseil Economique et Social, dans l'exécution des recommandations de l'Assemblée Générale, s'acquitte de toutes les fonctions qui entrent dans sa compétence.

2. Il peut, avec l'approbation de l'Assemblée Générale, rendre les services qui lui seraient demandés par des Membres de l'Organisation ou par des institutions spécialisées.

3. Il s'acquitte des autres fonctions qui lui sont dévolues dans d'autres parties de la présente

Charte ou qui peuvent lui être attribuées par l'Assemblée Générale.

Vote

Article 67

1. Chaque membre du Conseil Economique et Social dispose d'une voix.

2. Les décisions du Conseil Economique et Social sont prises à la majorité des membres présents et votant.

Procédure

Article 68

Le Conseil Economique et Social institue des commissions pour les questions économiques et sociales et le progrès des droits de l'homme ainsi que toutes autres commissions nécessaires à l'exercice de ses fonctions.

Article 69

Le Conseil Economique et Social, lorsqu'il examine une question qui intéresse particulièrement un Membre de l'Organisation, convie celui-ci à participer, sans droit de vote, à ses délibérations.

Article 70

Le Conseil Economique et Social peut prendre toutes dispositions pour que des représentants des institutions spécialisées participent, sans droit de vote, à ses délibérations et à celles des commissions instituées par lui, et pour que ses propres représentants participent aux délibérations des institutions spécialisées.

Article 71

Le Conseil Economique et Social peut prendre toutes dispositions utiles pour consulter les organisations non gouvernementales qui s'occupent de questions relevant de sa compétence. Ces dispositions peuvent s'appliquer à des organisations internationales et, s'il y a lieu, à des organisations

nationales après consultation du Membre intéressé de l'Organisation.

Article 72

1. Le Conseil Economique et Social adopte son règlement intérieur dans lequel il fixe le mode de désignation de son Président.

2. Il se réunit selon les besoins conformément à son règlement; celui-ci comportera des dispositions prévoyant la convocation du Conseil sur la demande de la majorité de ses membres.

CHAPITRE XI

DECLARATION RELATIVE AUX TERRITOIRES NON AUTONOMES

Article 73

Les Membres des Nations Unies qui ont ou qui assument la responsabilité d'administrer des territoires dont les populations ne s'administrent pas encore complètement elles-mêmes, reconnaissent le principe de la primauté des intérêts des habitants de ces territoires. Ils acceptent comme une mission sacrée l'obligation de favoriser dans toute la mesure du possible leur prospérité, dans le cadre du système de paix et de sécurité internationales établi par la présente Charte et, à cette fin:

a. d'assurer, en respectant la culture des populations en question, leur progrès politique, économique et social, ainsi que le développement de leur instruction, de les traiter avec équité et de les protéger contre les abus;

b. de développer leur capacité de s'administrer elles-mêmes, de tenir compte des aspirations politiques des populations et de les aider dans le développement progressif de leurs libres institutions politiques, dans la mesure appropriée aux conditions particulières de chaque territoire et de ses populations et à leurs degrés variables de développement;

c. d'affermir la paix et la sécurité internationales;

d. de favoriser des mesures constructives de développement, d'encourager des travaux de recherche, de coopérer entre eux et, quand les circonstances s'y prêteront, avec les organismes internationaux spécialisés, en vue d'atteindre effectivement les buts sociaux, économiques et scientifiques énoncés au présent article;

e. de communiquer régulièrement au Secrétaire Général, à titre d'information, sous réserve des exigences de la sécurité et de considérations d'ordre constitutionnel, des renseignements statistiques et autres de nature technique relatifs aux conditions économiques, sociales et de l'instruction dans les territoires dont ils sont respectivement responsables, autres que ceux auxquels s'appliquent les chapitres XII et XIII.

Article 74

Les Membres de l'Organisation reconnaissent aussi que leur politique doit être fondée, autant dans les territoires auxquels s'applique le présent chapitre que dans leurs territoires métropolitains, sur le principe général du bon voisinage dans le domaine social, économique et commercial, compte tenu des intérêts et de la prospérité du reste du monde.

CHAPITRE XII

REGIME INTERNATIONAL DE TUTELLE

Article 75

L'Organisation des Nations Unies établira, sous son autorité, un régime international de Tutelle pour l'administration et la surveillance des territoires qui pourront être placés sous ce régime en vertu d'accords particuliers ultérieurs. Ces territoires sont désignés ci-après par l'expression "territoires sous Tutelle".

Article 76

Conformément aux Buts des Nations Unies, énoncés à l'article I de la présente Charte, les fins essentielles du régime de Tutelle sont les suivantes:

a. affermir la paix et la sécurité internationales;

b. favoriser le progrès politique, économique et social des populations des territoires sous Tutelle ainsi que le développement de leur instruction; favoriser également leur évolution progressive vers la capacité à s'administrer eux-mêmes ou l'indépendance, compte tenu des conditions particulières à chaque territoire et à ses populations, des aspirations librement exprimées des populations intéressées et des dispositions qui pourront être prévues dans chaque accord de Tutelle;

c. encourager le respect des droits de l'homme et des libertés fondamentales pour tous, sans distinction de race, de sexe, de langue ou de religion, et développer le sentiment de l'interdépendance des peuples du monde;

d. assurer l'égalité de traitement dans le domaine social, économique et commercial à tous les Membres de l'Organisation et à leurs ressortissants; assurer de même à ces derniers l'égalité de traitement dans l'administration de la justice, sans porter préjudice à la réalisation des fins énoncées ci-dessus, et sous réserve des dispositions de l'article 80.

Article 77

1. Le régime de Tutelle s'appliquera aux territoires entrant dans les catégories ci-dessous et qui viendraient à être placés sous ce régime en vertu d'accords de Tutelle:

a. territoires actuellement sous mandat;

b. territoires qui peuvent être détachés d'Etats ennemis par suite de la seconde guerre mondiale;

c. territoires volontairement placés sous ce

régime par les Etats responsables de leur administration.

2. Un accord ultérieur déterminera quels territoires, entrant dans les catégories susmentionnées, seront placés sous le régime de Tutelle, et dans quelles conditions.

Article 78

Le régime de Tutelle ne s'appliquera pas aux pays devenus Membres des Nations Unies, les relations entre celles-ci devant être fondées sur le respect du principe de l'égalité souveraine.

Article 79

Les termes du régime de Tutelle, pour chacun des territoires à placer sous ce régime, de même que les modifications et amendements qui peuvent y être apportés, feront l'objet d'un accord entre les Etats directement intéressés, y compris la Puissance mandataire dans le cas de territoires sous mandat d'un Membre des Nations Unies, et seront approuvés conformément aux articles 83 et 85.

Article 80

1. A l'exception de ce qui peut être convenu dans les accords particuliers de Tutelle conclus conformément aux articles 77, 79 et 81 et plaçant chaque territoire sous le régime de Tutelle, et jusqu'à ce que ces accords aient été conclus, aucune disposition du présent chapitre ne sera interprétée comme modifiant directement ou indirectement en aucune manière, les droits quelconques d'aucun Etat ou d'aucun peuple ou les dispositions d'actes internationaux en vigueur auxquels des Membres de l'Organisation peuvent être parties.

2. Le paragraphe 1 du présent article ne doit pas être interprété comme motivant un retard ou un ajournement de la négociation et de la conclusion d'accords destinés à placer sous le régime de Tutelle des territoires sous mandat ou d'autres territoires ainsi qu'il est prévu à l'article 77.

Article 81

L'accord de Tutelle comprend dans chaque cas, les conditions dans lesquelles le territoire sous Tutelle sera administré et désigne l'autorité qui en assurera l'administration. Cette autorité, désignée ci-après par l'expression "autorité chargée de l'administration", peut être constituée par un ou plusieurs Etats ou par l'Organisation elle-même.

Article 82

Un accord de Tutelle peut désigner une ou plusieurs zones stratégiques pouvant comprendre tout ou partie du territoire sous Tutelle auquel l'accord s'applique, sans préjudice de tout accord spécial ou de tous accords spéciaux conclus en application de l'article 43.

Article 83

1. En ce qui concerne les zones stratégiques, toutes les fonctions dévolues à l'Organisation, y compris l'approbation des termes des accords de Tutelle ainsi que de la modification ou de l'amendement éventuels de ceux-ci, sont exercées par le Conseil de Sécurité.

2. Les fins essentielles énoncées à l'article 76 valent pour la population de chacune des zones stratégiques.

3. Le Conseil de Sécurité, eu égard aux dispositions des accords de Tutelle et sous réserve des exigences de la sécurité, aura recours à l'assistance du Conseil de Tutelle dans l'exercice des fonctions assumées par l'Organisation au titre du régime de Tutelle, en matière politique, économique et sociale, et en matière d'instruction, dans les zones stratégiques.

Article 84

L'autorité chargée de l'administration a le devoir de veiller à ce que le territoire sous Tutelle apporte sa contribution au maintien de la paix et de la sécurité internationales. A cette fin, elle peut utiliser des contingents de volontaires, les

facilités et l'aide du territoire sous Tutelle pour remplir les obligations qu'elle a contractées à cet égard envers le Conseil de Sécurité ainsi que pour assurer la défense locale et le maintien de l'ordre à l'intérieur du territoire sous Tutelle.

Article 85

1. En ce qui concerne les accords de Tutelle relatifs à toutes les zones qui ne sont pas désignées comme zones stratégiques, les fonctions de l'Organisation, y compris l'approbation des termes des accords de Tutelle et de leur modification ou amendement, sont exercées par l'Assemblée Générale.

2. Le Conseil de Tutelle, agissant sous l'autorité de l'Assemblée Générale, assiste celle-ci dans l'accomplissement de ces tâches.

CHAPITRE XIII CONSEIL DE TUTELLE

Composition

Article 86

1. Le Conseil de Tutelle se compose des Membres suivants des Nations Unies:

a. les Membres chargés d'administrer des territoires sous Tutelle;

b. ceux des Membres désignés nommément à l'article 23 qui n'administrent pas de territoires sous Tutelle;

c. autant d'autres Membres élus pour trois ans, par l'Assemblée Générale, qu'il sera nécessaire pour que le nombre total des membres du Conseil de Tutelle se partage également entre les Membres des Nations Unies qui administrent des territoires sous Tutelle et ceux qui n'en administrent pas.

2. Chaque membre du Conseil de Tutelle désigne une personne particulièrement qualifiée pour le représenter au Conseil.

Fonctions et Pouvoirs

Article 87

L'Assemblée Générale et, sous son autorité, le Conseil de Tutelle, dans l'exercice de leurs fonctions, peuvent:

a. examiner les rapports soumis par l'autorité chargée de l'administration;

b. recevoir des pétitions et les examiner en consultation avec ladite autorité;

c. faire procéder à des visites périodiques dans les territoires administrés par ladite autorité, à des dates convenues avec elle;

d. prendre ces dispositions et toutes autres conformément aux termes des accords de Tutelle.

Article 88

Le Conseil de Tutelle établit un questionnaire portant sur les progrès des habitants de chaque territoire sous Tutelle dans les domaines politique, économique et social et dans celui de l'instruction; l'autorité chargée de l'administration de chaque territoire sous Tutelle relevant de la compétence de l'Assemblée Générale adresse à celle-ci un rapport annuel fondé sur le questionnaire précité.

Vote

Article 89

1. Chaque membre du Conseil de Tutelle dispose d'une voix.

2. Les décisions du Conseil de Tutelle sont prises à la majorité des membres présents et votant.

Procédure

Article 90

1. Le Conseil de Tutelle adopte son règlement intérieur dans lequel il fixe le mode de désignation de son Président.

2. Il se réunit selon les besoins, conformément à son règlement; celui-ci comprend des disposi-

tions prévoyant la convocation du Conseil à la demande de la majorité de ses membres.

Article 91

Le Conseil de Tutelle recourt, quand il y a lieu, à l'assistance du Conseil Economique et Social et à celle des institutions spécialisées, pour les questions qui relèvent de leurs compétences respectives.

CHAPITRE XIV

COUR INTERNATIONALE DE JUSTICE

Article 92

La Cour Internationale de Justice constitue l'organe judiciaire principal des Nations Unies. Elle fonctionne conformément à un Statut établi sur la base du Statut de la Cour Permanente de Justice Internationale et annexé à la présente Charte dont il fait partie intégrante.

Article 93

1. Tous les Membres des Nations Unies sont *ipso facto* parties au Statut de la Cour Internationale de Justice.

2. Les conditions dans lesquelles les Etats qui ne sont pas Membres de l'Organisation peuvent devenir parties au Statut de la Cour Internationale de Justice sont déterminées, dans chaque cas, par l'Assemblée Générale sur recommandation du Conseil de Sécurité.

Article 94

1. Chaque Membre des Nations Unies s'engage à se conformer à la décision de la Cour Internationale de Justice dans tout litige auquel il est partie.

2. Si une partie à un litige ne satisfait pas aux obligations qui lui incombent en vertu d'un arrêt rendu par la Cour, l'autre partie peut recourir au Conseil de Sécurité et celui-ci, s'il le juge

nécessaire, peut faire des recommandations ou décider des mesures à prendre pour faire exécuter l'arrêt.

Article 95

Aucune disposition de la présente Charte n'empêche les Membres de l'Organisation de confier la solution de leurs différends à d'autres tribunaux en vertu d'accords déjà existants ou qui pourront être conclus à l'avenir.

Article 96

1. L'Assemblée Générale ou le Conseil de Sécurité peut demander à la Cour Internationale de Justice un avis consultatif sur toute question juridique.

2. Tous autres organes de l'Organisation et institutions spécialisées qui peuvent, à un moment quelconque, recevoir de l'Assemblée Générale une autorisation à cet effet, ont également le droit de demander à la Cour des avis consultatifs sur des questions juridiques qui se poseraient dans le cadre de leur activité.

CHAPITRE XV

SECRETARIAT

Article 97

Le Secrétariat comprend un Secrétaire Général et le personnel que peut exiger l'Organisation. Le Secrétaire Général est nommé par l'Assemblée Générale sur recommandation du Conseil de Sécurité. Il est le plus haut fonctionnaire de l'Organisation.

Article 98

Le Secrétaire Général agit en cette qualité à toutes les réunions de l'Assemblée Générale, du Conseil de Sécurité, du Conseil Economique et Social et du Conseil de Tutelle. Il remplit toutes autres fonctions dont il est chargé par ces organes. Il présente à l'Assemblée Générale un rapport annuel sur l'activité de l'Organisation.

Article 99

Le Secrétaire Général peut attirer l'attention du Conseil de Sécurité sur toute affaire qui, à son avis, pourrait mettre en danger le maintien de la paix et de la sécurité internationales.

Article 100

1. Dans l'accomplissement de leurs devoirs, le Secrétaire Général et le personnel ne solliciteront ni n'accepteront d'instructions d'aucun gouvernement ni d'aucune autorité extérieure à l'Organisation. Ils s'abstiendront de tout acte incompatible avec leur situation de fonctionnaires internationaux et ne sont responsables qu'envers l'Organisation.

2. Chaque Membre de l'Organisation s'engage à respecter le caractère exclusivement international des fonctions du Secrétaire Général et du personnel et à ne pas chercher à les influencer dans l'exécution de leur tâche.

Article 101

1. Le personnel est nommé par le Secrétaire Général conformément aux règles fixées par l'Assemblée Générale.

2. Un personnel spécial est affecté d'une manière permanente au Conseil Economique et Social, au Conseil de Tutelle et, s'il y a lieu, à d'autres organes de l'Organisation. Ce personnel fait partie du Secrétariat.

3. La considération dominante dans le recrutement et la fixation des conditions d'emploi du personnel doit être la nécessité d'assurer à l'Organisation les services de personnes possédant les plus hautes qualités de travail, de compétence et d'intégrité. Sera dûment prise en considération l'importance d'un recrutement effectué sur une base géographique aussi large que possible.

CHAPITRE XVI

DISPOSITIONS DIVERSES

Article 102

1. Tout traité ou accord international conclu par un membre des Nations Unies après l'entrée en vigueur de la présente Charte sera, le plus tôt possible, enregistré au Secrétariat et publié par lui.

2. Aucune partie à un traité ou accord international qui n'aura pas été enregistré conformément aux dispositions du paragraphe 1 du présent article ne pourra invoquer ledit traité ou accord devant un organe de l'Organisation.

Article 103

En cas de conflit entre les obligations des Membres des Nations Unies en vertu de la présente Charte et leurs obligations en vertu de tout autre accord international, les premières prévaudront.

Article 104

L'Organisation jouit, sur le territoire de chacun de ses Membres, de la capacité juridique qui lui est nécessaire pour exercer ses fonctions et atteindre ses buts.

Article 105

1. L'Organisation jouit, sur le territoire de chacun de ses Membres, des privilèges et immunités qui lui sont nécessaires pour atteindre ses buts.

2. Les représentants des Membres des Nations Unies et les fonctionnaires de l'Organisation jouissent également des privilèges et immunités qui leur sont nécessaires pour exercer en toute indépendance leurs fonctions en rapport avec l'Organisation.

3. L'Assemblée Générale peut faire des recommandations en vue de fixer les détails d'application

des paragraphes 1 et 2 du présent article ou proposer aux Membres des Nations Unies des conventions à cet effet.

CHAPITRE XVII

DISPOSITIONS TRANSITOIRES DE SECURITE

Article 106

En attendant l'entrée en vigueur des accords spéciaux mentionnés à l'article 43, qui, de l'avis du Conseil de Sécurité, lui permettront de commencer à assumer les responsabilités lui incombant en application de l'article 42, les parties à la Déclaration des Quatre Nations signée à Moscou le 30 octobre 1943 et la France se concerteront entre elles et, s'il y a lieu, avec d'autres Membres de l'Organisation, conformément aux dispositions du paragraphe 5 de cette Déclaration, en vue d'entreprendre en commun, au nom des Nations Unies, toute action qui pourrait être nécessaire pour maintenir la paix et la sécurité internationales.

Article 107

Aucune disposition de la présente Charte n'affecte ou n'interdit vis-à-vis d'un Etat qui, au cours de la seconde guerre mondiale, a été l'ennemi de l'un quelconque des signataires de la présente Charte, une action entreprise ou autorisée, comme suite de cette guerre, par les gouvernements qui ont la responsabilité de cette action.

CHAPITRE XVIII

AMENDEMENTS

Article 108

Les amendements à la présente Charte entrent en vigueur pour tous les Membres des Nations

Unies quand ils auront été adoptés à la majorité des deux-tiers des membres de l'Assemblée Générale et ratifiés, conformément à leurs règles constitutionnelles respectives, par les deux-tiers des Membres de l'Organisation, y compris tous les membres permanents du Conseil de Sécurité.

Article 109

1. Une Conférence Générale des Membres des Nations Unies, aux fins d'une révision de la présente Charte, pourra être réunie au lieu et date qui seront fixés par un vote de l'Assemblée Générale à la majorité des deux-tiers et par un vote de sept quelconques des membres du Conseil de Sécurité. Chaque Membre de l'Organisation disposera d'une voix à la conférence.

2. Toute modification à la présente Charte recommandée par la conférence à la majorité des deux-tiers prendra effet lorsqu'elle aura été ratifiée conformément à leurs règles constitutionnelles respectives, par les deux-tiers des Membres des Nations Unies, y compris tous les membres permanents du Conseil de Sécurité.

3. Si cette conférence n'a pas été réunie avant la dixième session annuelle de l'Assemblée Générale qui suivra l'entrée en vigueur de la présente Charte, une proposition en vue de la convoquer sera inscrite à l'ordre du jour de cette session, et la conférence sera réunie, s'il en est ainsi décidé par un vote de la majorité de l'Assemblée Générale et par un vote de sept quelconques des membres du Conseil de Sécurité.

CHAPITRE XIX

RATIFICATION ET SIGNATURE

Article 110

1. La présente Charte sera ratifiée par les Etats signataires conformément à leurs règles constitutionnelles respectives.

2. Les ratifications seront déposées auprès du

Gouvernement des Etats-Unis d'Amérique, qui notifiera chaque dépôt à tous les Etats signataires ainsi qu'au Secrétaire Général de l'Organisation, lorsque celui-ci aura été nommé.

3. La présente Charte entrera en vigueur après le dépôt des ratifications par la République de Chine, la France, l'Union des Républiques Socialistes, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, les Etats-Unis d'Amérique et par la majorité des autres Etats signataires. Un procès-verbal de dépôt des ratifications sera ensuite dressé par le Gouvernement des Etats-Unis d'Amérique qui en communiquera copie à tous les Etats signataires.

4. Les Etats signataires de la présente Charte qui la ratifieront après son entrée en vigueur de-

viendront Membres originaires des Nations Unies à la date du dépôt de leurs ratifications respectives.

Article III

La présente Charte, dont les textes chinois, français, russe, anglais et espagnol feront également foi, sera déposée dans les archives du Gouvernement des Etats-Unis d'Amérique. Des copies dûment certifiées conformes en seront remises par lui aux Gouvernements des autres Etats signataires.

EN FOI DE QUOI, les représentants des Gouvernements des Nations Unies ont signé la présente Charte.

FAIT à San Francisco, le vingt-six juin mil neuf cent quarante cinq.

STATUT DE LA COUR INTERNATIONALE DE JUSTICE

Article 1

LA COUR INTERNATIONALE DE JUSTICE instituée par la Charte des Nations Unies comme organe judiciaire principal de l'Organisation sera constituée et fonctionnera conformément aux dispositions du présent Statut.

CHAPITRE I ORGANISATION DE LA COUR

Article 2

La Cour est un corps de magistrats indépendants, élus, sans égard à leur nationalité, parmi les personnes jouissant de la plus haute considération morale, et qui réunissent les conditions requises pour l'exercice, dans leurs pays respectifs, des plus hautes fonctions judiciaires, ou qui sont des juristes possédant une compétence notoire en matière de droit international.

Article 3

1. La Cour se compose de quinze membres. Elle ne pourra comprendre plus d'un ressortissant du même Etat.

2. A cet égard celui qui pourrait être considéré comme le ressortissant de plus d'un Etat, sera censé être ressortissant de celui où il exerce habituellement ses droits civils et politiques.

Article 4

1. Les membres de la Cour sont élus par l'Assemblée Générale et par le Conseil de Sécurité sur une liste de personnes présentées par les groupes nationaux de la Cour Permanente d'Arbitrage, conformément aux dispositions suivantes.

2. En ce qui concerne les Membres des Nations Unies qui ne sont pas représentés à la Cour Perma-

nente d'Arbitrage, les candidats seront présentés par des groupes nationaux, désignés à cet effet par leurs gouvernements, dans les mêmes conditions que celles stipulées pour les membres de la Cour Permanente d'Arbitrage par l'article 44 de la Convention de La Haye de 1907 sur le règlement pacifique des conflits internationaux.

3. En l'absence d'accord spécial, l'Assemblée Générale, sur la recommandation du Conseil de Sécurité, règlera les conditions auxquelles peut participer à l'élection des membres de la Cour un Etat qui, tout en étant partie au présent Statut, n'est pas Membre des Nations Unies.

Article 5

1. Trois mois au moins avant la date de l'élection, le Secrétaire Général des Nations Unies invite par écrit les membres de la Cour Permanente d'Arbitrage appartenant aux Etats qui sont parties au présent Statut, ainsi que les membres des groupes nationaux désignés conformément au paragraphe 2 de l'article 4, à procéder dans un délai déterminé, par groupes nationaux, à la présentation de personnes en situation de remplir les fonctions de membre de la Cour.

2. Chaque groupe ne peut, en aucun cas, présenter plus de quatre personnes dont deux au plus de sa nationalité. En aucun cas, il ne peut être présenté un nombre de candidats plus élevé que le double des sièges à pourvoir.

Article 6

Avant de procéder à cette désignation, il est recommandé à chaque groupe national de consulter la plus haute cour de justice, les facultés et écoles de droit, les académies nationales et les sections nationales d'académies internationales, vouées à l'étude du droit.

Article 7

1. Le Secrétaire Général dresse, par ordre alphabétique, une liste de toutes les personnes ainsi désignées; seules ces personnes sont éligibles, sauf le cas prévu à l'article 12, paragraphe 2.

2. Le Secrétaire Général communique cette liste à l'Assemblée Générale et au Conseil de Sécurité.

Article 8

L'Assemblée Générale et le Conseil de Sécurité procèdent indépendamment l'un de l'autre à l'élection des membres de la Cour.

Article 9

Dans toute élection, les électeurs auront en vue que les personnes appelées à faire partie de la Cour, non seulement réunissent individuellement les conditions requises, mais assurent dans l'ensemble la représentation des grandes formes de civilisation et des principaux systèmes juridiques du monde.

Article 10

1. Sont élus ceux qui ont réuni la majorité absolue des voix dans l'Assemblée Générale et dans le Conseil de Sécurité.

2. Le vote au Conseil de Sécurité, soit pour l'élection des juges, soit pour la nomination des membres de la commission visée à l'article 12 ci-après, ne comportera aucune distinction entre membres permanents et membres non-permanents du Conseil de Sécurité.

3. Au cas où le double scrutin de l'Assemblée Générale et du Conseil de Sécurité se porterait sur plus d'un ressortissant du même Etat, le plus âgé est seul élu.

Article 11

Si, après la première séance d'élection, il reste encore des sièges à pourvoir, il est procédé, de la même manière, à une seconde et, s'il est nécessaire, à une troisième.

Article 12

1. Si, après la troisième séance d'élection, il reste encore des sièges à pourvoir, il peut être à tout moment formé sur la demande, soit de l'Assemblée Générale, soit du Conseil de Sécurité, une Commission médiatrice de six membres, nommés trois par l'Assemblée Générale, trois par le Conseil de Sécurité, en vue de choisir par un vote à la majorité absolue, pour chaque siège non pourvu, un nom à présenter à l'adoption séparée de l'Assemblée Générale et du Conseil de Sécurité.

2. La Commission médiatrice peut porter sur sa liste le nom de toute personne satisfaisant aux conditions requises et qui recueille l'unanimité de ses suffrages, lors même qu'il n'aurait pas figuré sur la liste de présentation visée à l'article 7.

3. Si la Commission médiatrice constate qu'elle ne peut réussir à assurer l'élection, les membres de la Cour déjà nommés pouvoient aux sièges vacants, dans un délai à fixer par le Conseil de Sécurité, en choisissant parmi les personnes qui ont obtenu des suffrages soit dans l'Assemblée Générale, soit dans le Conseil de Sécurité.

4. Si, parmi les juges, il y a partage égal des voix, la voix du juge le plus âgé l'emporte.

Article 13

1. Les membres de la Cour sont élus pour neuf ans et ils sont rééligibles; toutefois, en ce qui concerne les juges nommés à la première élection de la Cour, les fonctions de cinq juges prendront fin au bout de trois ans, et celles de cinq autres juges prendront fin au bout de six ans.

2. Les juges dont les fonctions prendront fin au terme des périodes initiales de trois et six ans mentionnées ci-dessus seront désignés par tirage au sort effectué par le Secrétaire Général, immédiatement après qu'il aura été procédé à la première élection.

3. Les membres de la Cour restent en fonction jusqu'à leur remplacement. Après ce remplace-

ment, ils continuent de connaître des affaires dont ils sont déjà saisis.

4. En cas de démission d'un membre de la Cour, la démission sera adressée au Président de la Cour, pour être transmise au Secrétaire Général. Cette dernière notification emporte vacance de siège.

Article 14

Il est pourvu aux sièges devenus vacants selon la méthode suivie pour la première élection, sous réserve de la disposition ci-après: dans le mois qui suivra la vacance, le Secrétaire Général procédera à l'invitation prescrite par l'article 5, et la date d'élection sera fixée par le Conseil de Sécurité.

Article 15

Le membre de la Cour élu en remplacement d'un membre dont le mandat n'est pas expiré achève le terme du mandat de son prédécesseur.

Article 16

1. Les membres de la Cour ne peuvent exercer aucune fonction politique ou administrative, ni se livrer à aucune autre occupation de caractère professionnel.

2. En cas de doute, la Cour décide.

Article 17

1. Les membres de la Cour ne peuvent exercer les fonctions d'agent, de conseil ou d'avocat dans aucune affaire.

2. Ils ne peuvent participer au règlement d'aucune affaire dans laquelle ils sont antérieurement intervenus comme agents, conseils ou avocats de l'une des parties, membres d'un tribunal national ou international, d'une commission d'enquête, ou à tout autre titre.

3. En cas de doute, la Cour décide.

Article 18

1. Les membres de la Cour ne peuvent être relevés de leurs fonctions que si, au jugement

unanime des autres membres, ils ont cessé de répondre aux conditions requises.

2. Le Secrétaire Général en est officiellement informé par le Greffier.

3. Cette communication emporte vacance de siège.

Article 19

Les membres de la Cour jouissent, dans l'exercice de leurs fonctions, des privilèges et immunités diplomatiques.

Article 20

Tout membre de la Cour doit, avant d'entrer en fonction, en séance publique, prendre l'engagement solennel d'exercer ses attributions en pleine impartialité et en toute conscience.

Article 21

1. La Cour nomme, pour trois ans, son Président et son Vice-Président; ils sont rééligibles.

2. Elle nomme son Greffier et peut pourvoir à la nomination de tels autres fonctionnaires qui seraient nécessaires.

Article 22

1. Le siège de la Cour est fixé à La Haye. La Cour peut toutefois siéger et exercer ses fonctions ailleurs lorsqu'elle le juge désirable.

2. Le Président et le Greffier résident au siège de la Cour.

Article 23

1. La Cour reste toujours en fonction, excepté pendant les vacances judiciaires, dont les périodes et la durée sont fixées par la Cour.

2. Les membres de la Cour ont droit à des congés périodiques dont la date et la durée seront fixées par la Cour, en tenant compte de la distance qui sépare La Haye de leurs foyers.

3. Les membres de la Cour sont tenus, à moins de congé, d'empêchement pour cause de maladie ou autre motif grave dûment justifié auprès du Président, d'être à tout moment à la disposition de la Cour.

Article 24

1. Si, pour une raison spéciale, l'un des membres de la Cour estime devoir ne pas participer au jugement d'une affaire déterminée, il en fait part au Président.

2. Si le Président estime qu'un des membres de la Cour ne doit pas, pour une raison spéciale, siéger dans une affaire déterminée, il en avertit celui-ci.

3. Si, en pareils cas, le membre de la Cour et le Président sont en désaccord, la Cour décide.

Article 25

1. Sauf exception expressément prévue par le présent Statut, la Cour exerce ses attributions en séance plénière.

2. Sous la condition que le nombre des juges disponibles pour constituer la Cour ne soit pas réduit à moins de onze, le Règlement de la Cour pourra prévoir que, selon les circonstances et à tour de rôle, un ou plusieurs juges pourront être dispensés de siéger.

3. Le quorum de neuf est suffisant pour constituer la Cour.

Article 26

1. La Cour peut, à toute époque, constituer une ou plusieurs chambres composées de trois juges au moins selon ce qu'elle décidera, pour connaître de catégories déterminées d'affaires, par exemple d'affaires de travail et d'affaires concernant le transit et les communications.

2. La Cour peut, à toute époque, constituer une chambre pour connaître d'une affaire déterminée. Le nombre des juges de cette chambre sera fixé par la Cour avec l'assentiment des parties.

3. Les chambres prévues au présent article statueront, si les parties le demandent.

Article 27

Tout arrêt rendu par l'une des chambres prévues aux articles 26 et 29 sera considéré comme rendu par la Cour.

Article 28

Les chambres prévues aux articles 26 et 29 peuvent, avec le consentement des parties, siéger et exercer leurs fonctions ailleurs qu'à La Haye.

Article 29

En vue de la prompt expédition des affaires, la Cour compose annuellement une chambre de cinq juges, appelés à statuer en procédure sommaire lorsque les parties le demandent. Deux juges seront, en outre, désignés pour remplacer celui des juges qui se trouverait dans l'impossibilité de siéger.

Article 30

1. La Cour détermine par un règlement le mode suivant lequel elle exerce ses attributions. Elle règle notamment sa procédure.

2. Le Règlement de la Cour peut prévoir des assesseurs siégeant à la Cour ou dans ses chambres, sans droit de vote.

Article 31

1. Les juges de la nationalité de chacune des parties conservent le droit de siéger dans l'affaire dont la Cour est saisie.

2. Si la Cour compte sur le siège un juge de la nationalité d'une des parties, toute autre partie peut désigner une personne de son choix pour siéger en qualité de juge. Celle-ci devra être prise de préférence parmi les personnes qui ont été l'objet d'une présentation en conformité des articles 4 et 5.

3. Si la Cour ne compte sur le siège aucun juge de la nationalité des parties, chacune de ces parties peut procéder à la désignation d'un juge de la même manière qu'au paragraphe précédent.

4. Le présent article s'applique dans le cas des articles 26 et 29. En pareils cas, le Président priera un, ou, s'il y a lieu, deux des membres de la Cour

composant la chambre, de céder leur place aux membres de la Cour de la nationalité des parties intéressées et, à défaut ou en cas d'empêchement, aux juges spécialement désignés par les parties.

5. Lorsque plusieurs parties font cause commune, elles ne comptent, pour l'application des dispositions qui précèdent, que pour une seule. En cas de doute, la Cour décide.

6. Les juges désignés, comme il est dit aux paragraphes 2, 3 et 4 du présent article, doivent satisfaire aux prescriptions des articles 2, 17, paragraphe 2, 20 et 24 du présent Statut. Ils participent à la décision dans des conditions de complète égalité avec leurs collègues.

Article 32

1. Les membres de la Cour reçoivent un traitement annuel.

2. Le Président reçoit une allocation annuelle spéciale.

3. Le Vice-Président reçoit une allocation spéciale pour chaque jour où il remplit les fonctions de Président.

4. Les juges désignés par application de l'article 31, autres que les membres de la Cour, reçoivent une indemnité pour chaque jour où ils exercent leurs fonctions.

5. Ces traitements, allocations et indemnités sont fixés par l'Assemblée Générale. Ils ne peuvent être diminués pendant la durée des fonctions.

6. Le traitement du Greffier est fixé par l'Assemblée Générale sur la proposition de la Cour.

7. Un règlement adopté par l'Assemblée Générale fixe les conditions dans lesquelles des pensions sont allouées aux membres de la Cour et au Greffier, ainsi que les conditions dans lesquelles les membres de la Cour et le Greffier reçoivent le remboursement de leurs frais de voyage.

8. Les traitements, allocations et indemnités sont exempts de tout impôt.

Article 33

Les frais de la Cour sont supportés par les Nations Unies de la manière que l'Assemblée Générale décide.

CHAPITRE II

COMPETENCE DE LA COUR

Article 34

1. Seuls les Etats ont qualité pour se présenter devant la Cour.

2. La Cour, dans les conditions prescrites par son Règlement, pourra demander aux organisations internationales publiques des renseignements relatifs aux affaires portées devant elle, et recevra également les dits renseignements qui lui seraient présentés par ces organisations de leur propre initiative.

3. Lorsque l'interprétation de l'acte constitutif d'une organisation internationale publique ou celle d'une convention internationale adoptée en vertu de cet acte est mise en question dans une affaire soumise à la Cour, le Greffier en avise cette organisation et lui communique toute la procédure écrite.

Article 35

1. La Cour est ouverte aux Etats parties au présent Statut.

2. Les conditions auxquelles elle est ouverte aux autres Etats sont, sous réserve des dispositions particulières des traités en vigueur, réglées par le Conseil de Sécurité, et, dans tous les cas, sans qu'il puisse en résulter pour les parties aucune inégalité devant la Cour.

3. Lorsqu'un Etat, qui n'est pas Membre des Nations Unies, est partie en cause, la Cour fixera la contribution aux frais de la Cour que cette partie devra supporter. Toutefois, cette disposition ne s'appliquera pas, si cet Etat participe aux dépenses de la Cour.

Article 36

1. La compétence de la Cour s'étend à toutes les affaires que les parties lui soumettront, ainsi qu'à tous les cas spécialement prévus dans la Charte des Nations Unies ou dans les traités et conventions en vigueur.

2. Les Etats parties au présent Statut, pouront, à n'importe quel moment, déclarer reconnaître comme obligatoire de plein droit et sans convention spéciale, à l'égard de tout autre Etat acceptant la même obligation, la juridiction de la Cour sur tous les différends d'ordre juridique ayant pour objet:

- a. l'interprétation d'un traité;
- b. tout point de droit international;
- c. la réalité de tout fait qui, s'il était établi, constituerait la violation d'un engagement international;
- d. la nature ou l'étendue de la réparation due pour la rupture d'un engagement international.

3. Les déclarations ci-dessus visées pourront être faites purement et simplement ou sous condition de réciprocité de la part de plusieurs ou de certains Etats, ou pour un délai déterminé.

4. Ces déclarations seront remises au Secrétaire Général des Nations Unies qui en transmettra copie aux parties au présent Statut ainsi qu'au Greffier de la Cour.

5. Les déclarations faites en application de l'article 36 du Statut de la Cour Permanente de Justice Internationale pour une durée qui n'est pas encore expirée seront considérées, dans les rapports entre parties au présent Statut, comme comportant acceptation de la juridiction obligatoire de la Cour Internationale de Justice pour la durée restant à courir d'après ces déclarations et conformément à leurs termes.

6. En cas de contestation sur le point de savoir si la Cour est compétente, la Cour décide.

Article 37

Lorsqu'un traité ou une convention en vigueur prévoit le renvoi à une juridiction que devait instituer la Société des Nations ou à la Cour Permanente de Justice Internationale, la Cour Internationale de Justice constituera cette juridiction entre les parties au présent Statut.

Article 38

1. La Cour, dont la mission est de régler conformément au droit international les différends qui lui sont soumis, applique:

- a. les conventions internationales, soit générales, soit spéciales, établissant des règles expressément reconnues par les Etats en litige;
- b. la coutume internationale comme preuve d'une pratique générale acceptée comme étant le droit;

c. les principes généraux de droit reconnus par les nations civilisées;

d. sous réserve de la disposition de l'article 59, les décisions judiciaires et la doctrine des publicistes les plus qualifiés des différentes nations, comme moyen auxiliaire de détermination des règles de droit.

2. La présente disposition ne porte pas atteinte à la faculté pour la Cour, si les parties sont d'accord, de statuer *ex aequo et bono*.

CHAPITRE III PROCEDURE

Article 39

1. Les langues officielles de la Cour sont le français et l'anglais. Si les parties sont d'accord pour que toute la procédure ait lieu en français, le jugement sera prononcé en cette langue. Si les parties sont d'accord pour que toute la procédure ait lieu en anglais, le jugement sera prononcé en cette langue.

2. A défaut d'un accord fixant la langue dont il sera fait usage, les parties pourront employer pour les plaidoiries celle des deux langues qu'elles préféreront, et l'arrêt de la Cour sera rendu en français et en anglais. En ce cas, la Cour désignera en même temps celui des deux textes qui fera foi.

3. La Cour, à la demande de toute partie, autorisera l'emploi par cette partie d'une langue autre que le français ou l'anglais.

Article 40

1. Les affaires sont portées devant la Cour, selon le cas, soit par notification du compromis, soit par une requête, adressées au Greffier; dans les deux cas, l'objet du différend et les parties doivent être indiqués.

2. Le Greffier donne immédiatement communication de la requête à tous intéressés.

3. Il en informe également les Membres des Nations Unies par l'entremise du Secrétaire Général, ainsi que les autres Etats admis à ester en justice devant la Cour.

Article 41

1. La Cour a le pouvoir d'indiquer, si elle estime que les circonstances l'exigent, quelles mesures conservatoires du droit de chacun doivent être prises à titre provisoire.

2. En attendant l'arrêt définitif, l'indication de ces mesures est immédiatement notifiée aux parties et au Conseil de Sécurité.

Article 42

1. Les parties sont représentées par des agents.

2. Elles peuvent se faire assister devant la Cour par des conseils ou des avocats.

3. Les agents, conseils et avocats des parties devant la Cour jouiront des privilèges et immunités nécessaires à l'exercice indépendant de leurs fonctions.

Article 43

1. La procédure a deux phases: l'une écrite, l'autre orale.

2. La procédure écrite comprend la communication à juge et à partie des mémoires, des contre-mémoires, et éventuellement, des répliques, ainsi que de toute pièce et document à l'appui.

3. La communication se fait par l'entremise du Greffier dans l'ordre et les délais déterminés par la Cour.

4. Toute pièce produite par l'une des parties doit être communiquée à l'autre en copie certifiée conforme.

5. La procédure orale consiste dans l'audition par la Cour des témoins, experts, agents, conseils et avocats.

Article 44

1. Pour toute notification à faire à d'autres personnes que les agents, conseils et avocats, la Cour s'adresse directement au gouvernement de l'Etat sur le territoire duquel la notification doit produire effet.

2. Il en est de même s'il s'agit de faire procéder sur place à l'établissement de tous moyens de preuve.

Article 45

Les débats sont dirigés par le Président et, à défaut de celui-ci, par le Vice-Président; en cas d'empêchement, par le plus ancien des juges présents.

Article 46

L'audience est publique, à moins qu'il n'en soit autrement décidé par la Cour ou que les deux parties ne demandent que le public ne soit pas admis.

Article 47

1. Il est tenu de chaque audience un procès-verbal signé par le Greffier et le Président.

2. Ce procès-verbal a seul caractère authentique.

Article 48

La Cour rend des ordonnances pour la direction du procès, la détermination des formes et délais dans lesquels chaque partie doit finalement conclure; elle prend toutes les mesures que comporte l'administration des preuves.

Article 49

La Cour peut, même avant tout débat, demander aux agents de produire tout document et de fournir toutes explications. En cas de refus, elle en prend acte.

Article 50

A tout moment, la Cour peut confier une enquête ou une expertise à toute personne, corps, bureau, commission ou organe de son choix.

Article 51

Au cours des débats, toutes questions utiles sont posées aux témoins et experts dans les conditions que fixera la Cour dans le règlement visé à l'article 30.

Article 52

Après avoir reçu les preuves et témoignages dans les délais déterminés par elle, la Cour peut écarter toutes dépositions ou documents nouveaux qu'une des parties voudrait lui présenter sans l'assentiment de l'autre.

Article 53

1. Lorsqu'une des parties ne se présente pas, ou s'abstient de faire valoir ses moyens, l'autre partie peut demander à la Cour de lui adjuger ses conclusions.

2. La Cour, avant d'y faire droit, doit s'assurer non seulement qu'elle a compétence aux termes des articles 36 et 37, mais que les conclusions sont fondées en fait et en droit.

Article 54

1. Quand les agents, conseils et avocats ont fait valoir, sous le contrôle de la Cour, tous les moyens

qu'ils jugent utiles, le Président prononce la clôture des débats.

2. La Cour se retire en Chambre du Conseil pour délibérer.

3. Les délibérations de la Cour sont et restent secrètes.

Article 55

1. Les décisions de la Cour sont prises à la majorité des juges présents.

2. En cas de partage des voix, la voix du Président ou de celui qui le remplace est prépondérante.

Article 56

1. L'arrêt est motivé.

2. Il mentionne les noms des juges qui y ont pris part.

Article 57

Si l'arrêt n'exprime pas en tout ou en partie l'opinion unanime des juges, tout juge aura le droit d'y joindre l'exposé de son opinion individuelle.

Article 58

L'arrêt est signé par le Président et par le Greffier. Il est lu en séance publique, les agents dûment prévenus.

Article 59

La décision de la Cour n'est obligatoire que pour les parties en litige et dans le cas qui a été décidé.

Article 60

L'arrêt est définitif et sans recours. En cas de contestation sur le sens et la portée de l'arrêt, il appartient à la Cour de l'interpréter, à la demande de toute partie.

Article 61

1. La revision de l'arrêt ne peut être éventuellement demandée à la Cour qu'en raison de la découverte d'un fait de nature à exercer une influence décisive et qui, avant le prononcé de l'arrêt, était inconnu de la Cour et de la partie qui demande la

revision, sans qu'il y ait, de sa part, faute à l'ignorer.

2. La procédure de revision s'ouvre par un arrêt de la Cour constatant expressément l'existence du fait nouveau, lui reconnaissant les caractères qui donnent ouverture à la revision, et déclarant de ce chef la demande recevable.

3. La Cour peut subordonner l'ouverture de la procédure en revision à l'exécution préalable de l'arrêt.

4. La demande en revision devra être formée au plus tard dans le délai de six mois après la découverte du fait nouveau.

5. Aucune demande de revision ne pourra être formée après l'expiration d'un délai de dix ans à dater de l'arrêt.

Article 62

1. Lorsqu'un Etat estime que, dans un différend, un intérêt d'ordre juridique est pour lui en cause, il peut adresser à la Cour une requête, à fin d'intervention.

2. La Cour décide.

Article 63

1. Lorsqu'il s'agit de l'interprétation d'une convention à laquelle ont participé d'autres Etats que les parties en litige, le Greffier les avertit sans délai.

2. Chacun d'eux a le droit d'intervenir au procès, et s'il exerce cette faculté, l'interprétation contenue dans la sentence est également obligatoire à son égard.

Article 64

S'il n'en est autrement décidé par la Cour, chaque partie supporte ses frais de procédure.

CHAPITRE IV AVIS CONSULTATIFS

Article 65

1. La Cour peut donner un avis consultatif sur toute question juridique, à la demande de tout organe ou institution qui aura été autorisé par la

Charte des Nations Unies ou conformément à ses dispositions, à demander cet avis.

2. Les questions sur lesquelles l'avis consultatif de la Cour est demandé sont exposées à la Cour par une requête écrite qui formule, en termes précis, la question sur laquelle l'avis de la Cour est demandé. Il y est joint tout document pouvant servir à élucider la question.

Article 66

1. Le Greffier notifie immédiatement la requête demandant l'avis consultatif à tous les Etats admis à ester en justice devant la Cour.

2. En outre, à tout Etat admis à ester devant la Cour et à toute organisation internationale jugés, par la Cour ou par le Président si elle ne siège pas, susceptibles de fournir des renseignements sur la question, le Greffier fait connaître, par communication spéciale et directe, que la Cour est disposée à recevoir des exposés écrits dans un délai à fixer par le Président, ou à entendre des exposés oraux au cours d'une audience publique tenue à cet effet.

3. Si un de ces Etats, n'ayant pas été l'objet de la communication spéciale visée au paragraphe 2 du présent article, exprime le désir de soumettre un exposé écrit ou d'être entendu, la Cour statue.

4. Les Etats ou organisations qui ont présenté des exposés écrits ou oraux sont admis à discuter les exposés faits par d'autres Etats et organisations dans les formes, mesures et délais fixés, dans chaque cas d'espèce, par la Cour ou, si elle ne siège pas, par le Président. A cet effet, le Greffier communique, en temps voulu, les exposés écrits aux Etats ou organisations qui en ont eux-mêmes présenté.

Article 67

La Cour prononcera ses avis consultatifs en audience publique, le Secrétaire Général et les représentants des Membres des Nations Unies.

des autres Etats et des organisations internationales directement intéressés étant prévenus.

Article 68

Dans l'exercice de ses attributions consultatives, la Cour s'inspirera en outre des dispositions du présent Statut qui s'appliquent en matière contentieuse, dans la mesure où elle les reconnaîtra applicables.

**CHAPITRE V
AMENDEMENTS**

Article 69

Les amendements au présent Statut seront effectués par le même procédure que celle prévue

pour les amendements à la Charte des Nations Unies, sous réserve des dispositions qu'adopterait l'Assemblée Générale, sur la recommandation du Conseil de Sécurité, pour régler la participation à cette procédure des Etats qui, tout en ayant accepté le présent Statut de la Cour, ne sont pas Membres des Nations Unies.

Article 70

La Cour pourra proposer les amendements qu'elle jugera nécessaire d'apporter au présent Statut, par la voie de communications écrites adressées au Secrétaire Général, aux fins d'examen conformément aux dispositions de l'article 69.

聯合國憲章
及
國際法院規約



公曆一千九百四十五年訂於金山

聯合國憲章

我聯合國人民

同茲決心，

欲免後世再遭今代人類兩度身歷慘不堪言之戰禍，
重申基本人權，人格尊嚴與價值，以及男女與大小各國平等權利之信念，
創造適當環境，俾克維持正義，尊重由條約與國際法其他淵源而起之義務，久而弗懈，
促成大自由中之社會進步及較善之民生，

並為達此目的

力行容恕，彼此以善鄰之道，和睦相處，
集中力量，以維持國際和平及安全，
接受原則，確立方法，以保證非為公共利益，不得使用武力，
運用國際機構，以促成全球人民經濟及社會之進展，

用是發憤立志，務當同心協力，以竟厥功。

爰由我各本國政府，經齊集金山市之代表各將所奉全權證書，互相校閱，
均屬妥善，議定本聯合國憲章，並設立國際組織，定名聯合國。

第一章 宗旨及原則

第一條

聯合國之宗旨爲：

一. 維持國際和平及安全；並爲此目的：採取有效集體辦法，以防止且消除對於和平之威脅，制止侵略行爲或其他和平之破壞；並以和平方法且依正義及國際法之原則，調整或解決足以破壞和平之國際爭端或情勢。

二. 發展國際間以尊重人民平等權利及自決原則爲根據之友好關係，並採取其他適當辦法，以增強普遍和平。

三. 促成國際合作，以解決國際間屬於經濟、社會、文化、及人類福利性質之國際問題，且不分種族、性別、語言、或宗教，增進並激勵對於全體人類之人權及基本自由之尊重。

四. 構成一協調各國行動之中心，以達成上述共同目的。

第二條

爲求實現第一條所述各宗旨起見，本組織及其會員國應遵行下列原則：

一. 本組織係基於各會員國主權平等之原則。

二. 各會員國應一秉善意，履行其依本憲章所擔負之義務，以保證全體會員國由加入本組織而發生之權益。

三. 各會員國應以和平方法解決其國際爭端，俾免危及國際和平、安全、及正義。

四. 各會員國在其國際關係上不得使用威脅或武力，或以與聯合國宗旨不符之任

何其他方法，侵害任何會員國或國家之領土完整或政治獨立。

五. 各會員國對於聯合國依本憲章規定而採取之行動，應盡力予以協助，聯合國對於任何國家正在採取防止或執行行動時，各會員國對該國不得給予協助。

六. 本組織在維持國際和平及安全之必要範圍內，應保證非聯合國會員國遵行上述原則。

七. 本憲章不得認爲授權聯合國干涉在本質上屬於任何國家國內管轄之事件，且並不要求會員國將該項事件依本憲章提請解決；但此項原則不妨礙第七章內執行辦法之適用。

第二章

會員

第三條

凡曾經參加金山聯合國國際組織會議或前此曾簽字於一九四二年一月一日聯合國宣言之國家，簽訂本憲章，且依憲章第一百一十條規定而予以批准者，均爲聯合國之創始會員國。

第四條

一. 凡其他愛好和平之國家，接受本憲章所載之義務，經本組織認爲確能並願意履行該項義務者，得爲聯合國會員國。

二. 准許上述國家爲聯合國會員國，將由大會經安全理事會之推薦以決議行之。

第五條

聯合國會員國，業經安全理事會對其採

取防止或執行行動者，大會經安全理事會之建議，得停止其會員權利及特權之行使。此項權利及特權之行使，得由安全理事會恢復之。

第六條

聯合國之會員國中，有屢次違犯本憲章所載之原則者，大會經安全理事會之建議，得將其由本組織除名。

第三章 機關

第七條

- 一. 茲設聯合國之主要機關如下：
大會、安全理事會、經濟暨社會理事會、託管理事會、國際法院、及秘書處。
- 二. 聯合國得依本憲章設立認為必需之輔助機關。

第八條

聯合國對於男女均得在其主要及輔助機關在平等條件之下，充任任何職務，不得加以限制。

第四章 大會

組織

第九條

- 一. 大會由聯合國所有會員國組織之。
- 二. 每一會員國在大會之代表，不得超過五人。

職權

第十條

大會得討論本憲章範圍內之任何問題或事項，或關於本憲章所規定任何機關之職權；並除第十二條所規定外，得向聯合國會員國或安全理事會或兼向兩者，提出對各該問題或事項之建議。

第十一條

一. 大會得考慮關於維持國際和平及安全之合作之普通原則，包括軍縮及軍備管制之原則；並得向會員國或安全理事會或兼向兩者提出對於該項原則之建議。

二. 大會得討論聯合國任何會員國或安全理事會或非聯合國會員國依第三十五條第二項之規定向大會所提關於維持國際和平及安全之任何問題；除第十二條所規定外，並得向會員國或安全理事會或兼向兩者提出對於各該項問題之建議。凡對於需要行動之各該項問題，應由大會於討論前或討論後提交安全理事會。

三. 大會對於足以危及國際和平與安全之情勢，得提請安全理事會注意。

四. 本條所載之大會權力並不限制第十條之概括範圍。

第十二條

一. 當安全理事會對於任何爭端或情勢，正在執行本憲章所授予該會之職務時，大會非經安全理事會請求，對於該項爭端或情勢，不得提出任何建議。

二. 秘書長經安全理事會之同意，應於大會每次會議時，將安全理事會正在處理中關於維持國際和平及安全之任何事件，通知大會；於安全理事會停止處理該項事件時，亦應立即通知大會，或在大會閉會期內通知聯合國會員國。

第十三條

- 一、大會應發動研究，並作成建議：
 (子) 以促進政治上之國際合作，並提倡國際法之逐漸發展與編纂。
 (丑) 以促進經濟、社會、文化、教育、及衛生各部門之國際合作，且不分種族、性別、語言、或宗教，助成全體人類之人權及基本自由之實現。
- 二、大會關於本條第一項(丑)款所列事項之其他責任及職權，於第九章及第十章中規定之。

第十四條

大會對於其所認為足以妨害國際間公共福利或友好關係之任何情勢，不論其起原如何，包括由違反本憲章所載聯合國之宗旨及原則而起之情勢，得建議和平調整辦法，但以不違背第十二條之規定為限。

第十五條

- 一、大會應收受並審查安全理事會所送之常年及特別報告；該項報告應載有安全理事會對於維持國際和平及安全所已決定或施行之辦法之陳述。
- 二、大會應收受並審查聯合國其他機關所送之報告。

第十六條

大會應執行第十二章及第十三章所授予關於國際託管制度之職務，包括關於非戰區防區託管協定之核准。

第十七條

- 一、大會應審核本組織之預算。
- 二、本組織之經費應由各會員國依照大會分配限額擔負之。

三、大會應審核第五十七條所指各種專門機關訂定之任何財政及預算辦法，並應審查該項專門機關之行政預算，以便向關係機關提出建議。

投票

第十八條

- 一、大會之每一會員國，應有一個投票權。
- 二、大會對於重要問題之決議應以到會及投票之會員國三分之二之多數決定之。此項問題應包括：關於維持國際和平及安全之建議，安全理事會非常任理事國之選舉，經濟暨社會理事會理事國之選舉，依第八十六條第一項(寅)款所規定託管理事會理事國之選舉，對於新會員國加入聯合國之準許，會員國權利及特權之停止，會員國之除名，關於施行託管制度之問題，以及預算問題。
- 三、關於其他問題之決議，包括另有何種事項應以三分之二之多數決定之問題，應以到會及投票之會員國過半數決定之。

第十九條

凡拖欠本組織財政款項之會員國，其拖欠數目如等於或超過前兩年所應繳納之數目時，即喪失其在大會投票權。大會如認拖欠原因，確由於該會員國無法控制之情形者，得准許該會員國投票。

程序

第二十條

大會每年應舉行常會，並於必要時，舉行特別會議。特別會議應由秘書長經安全理事會或聯合國會員國過半數之請求召集之。

第二十一條

大會應自行制定其議事規則。大會應選舉每次會議之主席。

第二十二條

大會得設立其認為於行使職務所必需之輔助機關。

第五章 安全理事會

組織

第二十三條

一. 安全理事會以聯合國十一會員國組織之。中華民國、法蘭西、蘇維埃社會主義共和國聯邦、大不列顛及北愛爾蘭聯合王國及美利堅合衆國應為安全理事會常任理事國。大會應選舉聯合國其他六會員國為安全理事會非常任理事國，選舉時首宜充分斟酌聯合國各會員國於維持國際和平與安全及本組織其餘各宗旨上之貢獻，並宜充分斟酌地域上之公勻分配。

二. 安全理事會非常任理事國任期定為二年；但第一次選舉非常任理事國時，其中三者之任期應為一年。任滿之理事國，不得即行連選。

三. 安全理事會每一理事國應有代表一人。

職權

第二十四條

一. 為保證聯合國行動迅速有效起見，各會員國將維持國際和平及安全之主要責任，授予安全理事會，並同意安全理事會

於履行此項責任下之職務時，即係代表各會員國。

二. 安全理事會於履行此項職務時，應遵照聯合國之宗旨及原則。為履行此項職務而授予安全理事會之特定權力，於本憲章第六章、第七章、第八章、及第十二章內規定之。

三. 安全理事會應將常年報告，並於必要時將特別報告，提送大會審查。

第二十五條

聯合國會員國同意依憲章之規定接受並履行安全理事會之決議。

第二十六條

為促進國際和平及安全之建立及維持，以儘量減少世界人力及經濟資源之消耗於軍備起見，安全理事會藉第四十七條所指之軍事參謀團之協助，應負責擬具方案，提交聯合國會員國，以建立軍備管制制度。

投票

第二十七條

一. 安全理事會每一理事國應有一個投票權。

二. 安全理事會關於程序事項之決議，應以七理事國之可決票表決之。

三. 安全理事會對於其他一切事項之決議，應以七理事國之可決票包括全體常任理事國之同意票表決之；但對於第六章及第五十二條第三項內各事項之決議，爭端當事國不得投票。

程序

第二十八條

一. 安全理事會之組織，應以使其能繼

續不斷行使職務為要件。為此目的，安全理事會之各理事國應有常駐本組織會所之代表。

二、安全理事會應舉行定期會議，每一理事國認為合宜時得派政府大員或其他特別指定之代表出席。

三、在本組織會所以外，安全理事會得在認為最能便利其工作之其他地點舉行會議。

第二十九條

安全理事會得設立其認為於行使職務所必需之輔助機關。

第三十條

安全理事會應自行制定其議事規則，包括其推選主席之方法。

第三十一條

在安全理事會提出之任何問題，經其認為對於非安全理事會理事國之聯合國任何會員國之利益有特別關係時，該會員國得參加討論，但無投票權。

第三十二條

聯合國會員國而非為安全理事會之理事國，或非聯合國會員國之國家，如於安全理事會考慮中之爭端為當事國者，應被邀參加關於該項爭端之討論，但無投票權。安全理事會應規定其所認為公平之條件，以便非聯合國會員國之國家參加。

第六章

爭端之和平解決

第三十三條

一、任何爭端之當事國，於爭端之繼續

存在足以危及國際和平與安全之維持時，應儘先以談判、調查、調停、和解、公斷、司法解決、區域機關或區域辦法之利用、或各該國自行選擇之其他和平方法，求得解決。

二、安全理事會認為必要時，應促請各當事國以此項方法，解決其爭端。

第三十四條

安全理事會得調查任何爭端或可能引起國際磨擦或惹起爭端之任何情勢，以斷定該項爭端或情勢之繼續存在是否足以危及國際和平與安全之維持。

第三十五條

一、聯合國任何會員國得將屬於第三十四條所指之性質之任何爭端或情勢，提請安全理事會或大會注意。

二、非聯合國會員國之國家如為任何爭端之當事國時，經預先聲明就該爭端而言接受本憲章所規定和平解決之義務後，得將該項爭端，提請大會或安全理事會注意。

三、大會關於按照本條所提請注意事項之進行步驟，應遵守第十一條及第十二條之規定。

第三十六條

一、屬於第三十三條所指之性質之爭端或相似之情勢，安全理事會在任何階段，得建議適當程序或調整方法。

二、安全理事會對於當事國為解決爭端業經採取之任何程序，理應予以考慮。

三、安全理事會按照本條作成建議時，同時理應注意凡具有法律性質之爭端，在原則上，理應由當事國依國際法院規約之規定提交國際法院。

第三十七條

一、屬於第三十三條所指之性質之爭端，當事國如未能依該條所示方法解決時，應將該項爭端提交安全理事會。

二、安全理事會如認為該項爭端之繼續存在，在事實上足以危及國際和平與安全之維持時，應決定是否當依第三十六條採取行動或建議其所認為適當之解決條件。

第三十八條

安全理事會如經所有爭端當事國之請求，得向各當事國作成建議，以求爭端之和平解決，但以防礙第三十三條至第三十七條之規定為限。

第七章

對於和平之威脅和平之破壞及侵略行為之應付辦法

第三十九條

安全理事會應斷定任何和平之威脅、和平之破壞、或侵略行為之是否存在，並應作成建議或抉擇依第四十一條及第四十二條規定之辦法，以維持或恢復國際和平及安全。

第四十條

為防止情勢之惡化，安全理事會在依第三十九條規定作成建議或決定辦法以前，得促請關係當事國遵行安全理事會所認為必要或合宜之臨時辦法。此項臨時辦法並不妨礙關係當事國之權利、要求、或立場。安全理事會對於不遵行此項臨時辦法之情形，應予適當注意。

第四十一條

安全理事會得決定所應採武力以外之辦法，以實施其決議，並得促請聯合國會員國執行此項辦法。此項辦法得包括經濟關係、鐵路、海運、航空、郵、電、無線電、及其他交通工具、之局部或全部停止，以及外交關係之斷絕。

第四十二條

安全理事會如認第四十一條所規定之辦法為不足或已經證明為不足時，得採取必要之空海陸軍行動，以維持或恢復國際和平及安全。此項行動得包括聯合國會員國之空海陸軍示威、封鎖、及其他軍事舉動。

第四十三條

一、聯合國各會員國為求對於維持國際和平及安全有所貢獻起見，擔任於安全理事會發令時，並依特別協定，供給為維持國際和平及安全所必需之軍隊、協助、及便利，包括過境權。

二、此項特別協定應規定軍隊之數目及種類，其準備程度及一般駐紮地點，以及所供便利及協助之性質。

三、此項特別協定應以安全理事會之主動，儘速議訂。此項協定應由安全理事會與會員國或由安全理事會與若干會員國之集團締結之，並由簽字國各依其憲法程序批准之。

第四十四條

安全理事會決定使用武力時，於要求非安全理事會會員國依第四十三條供給軍隊以履行其義務之前，如經該會員國請求，應請其遣派代表，參加安全理事會關於使用其軍事部隊之決議。

第四十五條

爲使聯合國能採取緊急軍事辦法起見，會員國應將其本國空軍部隊爲國際共同執行行動隨時供給調遣。此項部隊之實力與準備之程度，及其共同行動之計劃，應由安全理事會以軍事參謀團之協助，在第四十三條所指之特別協定範圍內決定之。

第四十六條

武力使用之計劃應由安全理事會以軍事參謀團之協助決定之。

第四十七條

一. 茲設立軍事參謀團，以便對於安全理事會維持國際和平及安全之軍事需要問題，對於受該會所支配軍隊之使用及統率問題，對於軍備之管制及可能之軍縮問題，向該會貢獻意見並予以協助。

二. 軍事參謀團應由安全理事會各常任理事國之參謀總長或其代表組織之。聯合國任何會員國在該團未有常任代表者，如於該團責任之履行在效率上必需該國參加其工時，應由該團邀請參加。

三. 軍事參謀團在安全理事會權力之下，對於受該會所支配之任何軍隊，負戰略上之指揮責任；關於該項軍隊之統率問題，應待以後處理。

四. 軍事參謀團，經安全理事會之授權，並與區域內有關機關商議後，得設立區域分團。

第四十八條

一. 執行安全理事會爲維持國際和平及安全之決議所必要之行動，應由聯合國全體會員國或由若干會員國擔任之，一依安全理事會之決定。

二. 此項決議應由聯合國會員國以其直接行動，及經其加入爲會員之有關國際機關之行動履行之。

第四十九條

聯合國會員國應通力合作，彼此協助，以執行安全理事會所決定之辦法。

第五十條

安全理事會對於任何國家採取防止或執行辦法時，其他國家，不論其是否爲聯合國會員國，遇有因此項辦法之執行而引起之特殊經濟問題者，應有權與安全理事會會商解決此項問題。

第五十一條

聯合國任何會員國受武力攻擊時，在安全理事會採取必要辦法，以維持國際和平及安全以前，本憲章不得認爲禁止行使單獨或集體自衛之自然權利。會員國因行使此項自衛權而採取之辦法，應立向安全理事會報告，此項辦法於任何方面不得影響該會按照本憲章隨時採取其所認爲必要行動之權責，以維持或恢復國際和平及安全。

第八章

區域辦法

第五十二條

一. 本憲章不得認爲排除區域辦法或區域機關，用以應付關於維持國際和平及安全而宜於區域行動之事件者；但以此項辦法或機關及其工作與聯合國之宗旨及原則符合者爲限。

二. 締結此項辦法或設立此項機關之聯合國會員國，將地方爭端提交安全理事會以前，應依該項區域辦法，或由該項區域機關，力求和平解決。

三. 安全理事會對於依區域辦法或由區域機關而求地方爭端之和平解決，不論其係由關係國主動，或由安全理事會提交者，應鼓勵其發展。

四. 本條絕不妨礙第三十四條及第三十五條之適用。

第五十三條

一. 安全理事會對於職權內之執行行動，在適當情形下，應利用此項區域辦法或區域機關。如無安全理事會之授權，不得依區域辦法或由區域機關採取任何執行行動；但關於依第一百零七條之規定對付本條第二項所指之任何敵國之步驟，或在區域辦法內所取防備此等國家再施其侵略政策之步驟，截至本組織經各關係政府之請求，對於此等國家之再次侵略，能擔負防止責任時為止，不在此限。

二. 本條第一項所稱敵國係指第二次世界大戰中為本憲章任何簽字國之敵國而言。

第五十四條

關於為維持國際和平及安全起見，依區域辦法或由區域機關所已採取或正在考慮之行動，不論何時應向安全理事會充分報告之。

第九章

國際經濟及社會合作

第五十五條

為造成國際間以尊重人民平等權利及自

決原則為根據之和平友好關係所必要之安定及福利條件起見，聯合國應促進：

(子)較高之生活程度，全民就業，及經濟與社會進展。

(丑)國際間經濟、社會、衛生、及有關問題之解決；國際間文化及教育合作。

(寅)全體人類之人權及基本自由之普遍尊重與遵守，不分種族、性別、語言、或宗教。

第五十六條

各會員國擔允採取共同及個別行動與本組織合作，以達成第五十五條所載之宗旨。

第五十七條

一. 由各國政府間協定所成立之各種專門機關，依其組織約章之規定，於經濟、社會、文化、教育、衛生、及其他有關部門負有廣大國際責任者，應依第六十三條之規定使與聯合國發生關係。

二. 上述與聯合國發生關係之各專門機關，以下簡稱專門機關。

第五十八條

本組織應作成建議，以調整各專門機關之政策及工作。

第五十九條

本組織應於適當情形下，發動各關係國間之談判，以創設為達成第五十五條規定宗旨所必要之新專門機關。

第六十條

履行本章所載本組織職務之責任，屬於大會及大會權力下之經濟暨社會理事會。

爲此目的，該理事會應有第十章所載之權力。

第十章

經濟暨社會理事會

組織

第六十一條

一. 經濟暨社會理事會由大會選舉聯合國十八會員國組織之。

二. 除第三項所規定外，經濟暨社會理事會每年選舉理事六國，任期三年；任滿之理事國得即行連選。

三. 第一次選舉時，經濟暨社會理事會應選理事十八國，其中六國任期一年，另六國任期二年，一依大會所定辦法。

四. 經濟暨社會理事會之每一理事國應有代表一人。

職權

第六十二條

一. 經濟暨社會理事會得作成或發動關於國際經濟、社會、文化、教育、衛生及其他有關事項之研究及報告；並得向大會、聯合國會員國、及關係專門機關、提出關於此種事項之建議案。

二. 本理事會爲增進全體人類之人權及基本自由之尊重及維護起見，得作成建議案。

三. 本理事會得擬具關於其職權範圍內事項之協約草案，提交大會。

四. 本理事會得依聯合國所定之規則召集本理事會職務範圍以內事項之國際會議。

第六十三條

一. 經濟暨社會理事會得與第五十七條所指之任何專門機關訂立協定，訂明關係專門機關與聯合國發生關係之條件。該項協定須經大會之核准。

二. 本理事會，爲調整各種專門機關之工作，得與此種機關商並得向其提出建議，並得向大會及聯合國會員國建議。

第六十四條

一. 經濟暨社會理事會得取適當步驟，以取得專門機關之經常報告。本理事會得與聯合國會員國及專門機關，商定辦法俾就實施本理事會之建議及大會對於本理事會職權範圍內事項之建議所採之步驟，取得報告。

二. 本理事會得將對於此項報告之意見提送大會。

第六十五條

經濟暨社會理事會得向安全理事會供給情報，並因安全理事會之邀請，予以協助。

第六十六條

一. 經濟暨社會理事會應履行其職權範圍內關於執行大會建議之職務。

二. 經大會之許可，本理事會得應聯合國會員國或專門機關之請求，供其服務。

三. 本理事會應履行本憲章他章所特定之其他職務，以及大會所授予之職務。

投票

第六十七條

一. 經濟暨社會理事會每一理事國應有一個投票權。

二. 本理事會之決議，應以到會及投票之理事國過半數表決之。

程序

第六十八條

經濟暨社會理事會應設立經濟與社會部門及以提倡人權為目的之各種委員會，並得設立於行使職務所必需之其他委員會。

第六十九條

經濟暨社會理事會應請聯合國會員國參加討論本理事會對於該國有特別關係之任何事件，但無投票權。

第七十條

經濟暨社會理事會得商定辦法使專門機關之代表無投票權而參加本理事會及本理事會所設各委員會之討論，或使本理事會之代表參加此項專門機關之討論。

第七十一條

經濟暨社會理事會得採取適當辦法，俾與各種非政府組織會商有關於本理事會職權範圍內之事件。此項辦法得與國際組織商定之，並於適當情形下，經與關係聯合國會員國會商後，得與該國國內組織商定之。

第七十二條

一. 經濟暨社會理事會應自行制定其議事規則，包括其推選主席之方法。

二. 經濟暨社會理事會應依其規則舉行必要之會議。此項規則應包括因理事國過半數之請求而召集會議之條款。

第十一章

關於非自治領土之宣言

第七十三條

聯合國各會員國，於其所負有或擔承管理責任之領土，其人民尙未臻自治之充分程度者，承認以領土居民之福利為至上之原則，並接受在本憲章所建立之國際和平及安全制度下，以充量增進領土居民福利之義務為神聖之信託，且為此目的：

(子) 於充分尊重關係人民之文化下，保證其政治、經濟、社會、及教育之進展，予以公平待遇，且保障其不受虐待。

(丑) 按各領土及其人民特殊之環境，及其進化之階段，發展自治；對各該人民之政治願望，予以適當之注意；並助其自由政治制度之逐漸發展。

(寅) 促進國際和平及安全。

(卯) 提倡建設計畫，以求進步；獎勵研究；各國彼此合作，並於適當之時間及場合與專門國際團體合作，以求本條所載社會、經濟、及科學目的之實現。

(辰) 在不違背安全及憲法之限制下，按時將關於各會員國分別負責管理領土內之經濟、社會、及教育情形之統計及具有專門性質之情報，遞送秘書長，以供參攷。本憲章第十二章及第十三章所規定之領土，不在此限。

第七十四條

聯合國各會員國公同承諾對於本章程規定之領土，一如對於本國區域，其政策必須以著鄰之道奉為圭臬；並於社會、經濟、及商業上，對世界各國之利益及幸福，予以充分之注意。

第十二章 國際託管制度

第七十五條

聯合國在其權力下，應設立國際託管制度，以管理並監督憑此後個別協定而置於該制度下之領土。此項領土以下簡稱託管領土。

第七十六條

按本憲章第一條所載聯合國之宗旨，託管制度之基本目的應為：

(子)促進國際和平及安全。

(丑)增進託管領土居民之政治、經濟、社會、及教育之進展；並以適合各領土及其人民之特殊情形及關係人民自由表示之願望為原則，且按照各託管協定之條款，增進其趨向自治或獨立之逐漸發展。

(寅)不分種族、性別、語言、或宗教，提倡全體人類之人權及基本自由之尊重，並激發世界人民互相維繫之意識。

(卯)於社會、經濟、及商業事件上，保證聯合國全體會員國及其國民之平等待遇，及各該國民於司法裁判上之平等待遇，但以防礙上述目的之達成，且不違背第八十條之規定為限。

第七十七條

一、託管制度適用於依託管協定所置於該制度下之下列各種類之領土：

(子)現在委任統治下之領土。

(丑)因第二次世界大戰結果或將自敵國割離之領土。

(寅)負管理責任之國家自願置於該制度下之領土。

二、關於上列種類中之何種領土將置於託管制度之下，及其條件，為此後協定所當規定之事項。

第七十八條

凡領土已成爲聯合國之會員國者，不適用託管制度；聯合國會員國間之關係，應基於尊重主權平等之原則。

第七十九條

置於託管制度下之每一領土之託管條款，及其更改或修正，應由直接關係各國、包括聯合國之會員國而爲委任統治地之受託國者，予以議定，其核准應依第八十三條及第八十五條之規定。

第八十條

一、除依第七十七條、第七十九條、及第八十一條所訂置各領土於託管制度下之個別託管協定另有議定外，並在該項協定未經締結以前，本章任何規定絕對不得解釋爲以任何方式變更任何國家或人民之權利，或聯合國會員國個別簽訂之現有國際約章之條款。

二、本條第一項不得解釋爲對於依第七十七條之規定而訂置委任統治地或其他領土於託管制度下之協定，授以延展商訂之理由。

第八十一條

凡託管協定均應載有管理領土之條款，並指定管理託管領土之當局。該項當局，以下簡稱管理當局，得爲一個或數個國家，或爲聯合國本身。

第八十二條

於任何託管協定內，得指定一個或數個戰事防區，包括該項協定下之託管領土之

一部或全部，但該項協定並不妨礙依第四十三條而訂立之任何特別協定。

第八十三條

一、聯合國關於戰畧防區之各項職務，包括此項託管協定條款之核准，及其更改或修正，應由安全理事會行使之。

二、第七十六條所規定之基本目的，適用於每一戰畧防區之人民。

三、安全理事會以不違背託管協定之規定且不妨礙安全之考慮為限，應利用託管理事會之協助，以履行聯合國託管制度下關於戰畧防區內之政治、經濟、社會、及教育事件之職務。

第八十四條

管理當局有保證託管領土對於維持國際和平及安全盡其本分之義務。該當局為此目的得利用託管領土之志願軍、便利、及協助，以履行該當局對於安全理事會所負關於此點之義務，並以實行地方自衛，且在託管領土內維持法律與秩序。

第八十五條

一、聯合國關於一切非戰畧防區託管協定之職務，包括此項託管協定條款之核准及其更改或修正，應由大會行使之。

二、託管理事會於大會權力下，應協助大會履行上述之職務。

第十三章

託管理事會

組織

第八十六條

一、託管理事會應由下列聯合國會員國組織之：

(子)管理管託領土之會員國。

(丑)第二十三條所列名之國家而現非管理託管領土者。

(寅)大會選舉必要數額之其他會員國，任期三年，俾使託管理事會理事國之總數，於聯合國會員國中管理託管領土者及不管理者之間，得以平均分配。

二、託管理事會之每一理事國應指定一特別合格之人員，以代表之。

職權

第八十七條

大會及其權力下之託管理事會於履行職務時得：

(子)審查管理當局所送之報告。

(丑)會同管理當局接受並審查請願書。

(寅)與管理當局商定時間，按期視察各託管領土。

(卯)依託管協定之條款，採取上述其他行動。

第八十八條

託管理事會應擬定關於各託管領土居民之政治、經濟、社會、及教育進展之問題單；就大會職權範圍內，各託管領土之管理當局應根據該項問題單向大會提出常年報告。

投票

第八十九條

一、託管理事會之每一理事國應有一個投票權。

二、託管理事會之決議應以到會及投票之理事國過半數表決之。

程序

第九十條

一、託管理事會應自行制定其議事規則，包括其推選主席之方法。

二. 託管理事會應依其所定規則，舉行必要之會議。此項規則應包括關於經該會理事國過半數之請求而召集會議之規定。

第九十一條

託管理事會於適當時，應利用經濟暨社會理事會之協助，並對於各關係事項，利用專門機關之協助。

第十四章

國際法院

第九十二條

國際法院為聯合國之主要司法機關，應依所附規約執行其職務。該項規約係以國際常設法院之規約為根據，並為本憲章之構成部分。

第九十三條

- 一. 聯合國各會員國為國際法院規約之當然當事國。
- 二. 非聯合國會員國之國家得為國際法院規約當事國之條件，應由大會經安全理事會之建議就各別情形決定之。

第九十四條

- 一. 聯合國每一會員國為任何案件之當事國者，承諾遵行國際法院之判決。
- 二. 遇有一造不履行依法院判決應負之義務時，他造得向於安全理事會申訴。安全理事會如認為必要時，得作成建議或決定應採辦法，以執行判決。

第九十五條

本憲章不得認為禁止聯合國會員國依據現有或以後締結之協定，將其爭端託付其他法院解決。

第九十六條

- 一. 大會或安全理事會對於任何法律問題得請國際法院發表諮詢意見。
- 二. 聯合國其他機關，及各種專門機關，對於其工作範圍內之任何法律問題，得隨時以大會之授權，請求國際法院發表諮詢意見。

第十五章

秘書處

第九十七條

秘書處置秘書長一人及本組織所需之辦事人員若干人。秘書長應由大會經安全理事會之推薦委派之。秘書長為本組織之行政首長。

第九十八條

秘書長在大會、安全理事會、經濟暨社會理事會、及託管理事會之一切會議，應以秘書長資格行使職務，並應執行各該機關所託付之其他職務。秘書長應向大會提送關於本組織工作之常年報告。

第九十九條

秘書長得將其所認為可能威脅國際和平及安全之任何事件，提請安全理事會注意。

第一百條

- 一. 秘書長及辦事人員於執行職務時，

不得請求或接受本組織以外任何政府或其他當局之訓示，並應避免足以妨礙其國際官員地位之行動。秘書長及辦事人員專對本組織負責。

二、聯合國各會員國承諾尊重秘書長及辦事人員責任之專屬國際性，決不設法影響其責任之履行。

第一百零一條

一、辦事人員由秘書長依大會所定章程委派之。

二、適當之辦事人員應長期分配於經濟暨社會理事會、託管理事會。並於必要時，分配於聯合國其他之機關。此項辦事人員構成秘書處之一部。

三、辦事人員之僱用及其服務條件之決定，應以求達效率、才幹、及忠誠之最高標準為首要考慮。徵聘辦事人員時，於可能範圍內，應充分注意地域上之普及。

第十六章

雜項條款

第一百零二條

一、本憲章發生效力後，聯合國任何會員國所締結之一切條約及國際協定應儘速在秘書處登記，並由秘書處公佈之。

二、當事國對於未經依本條第一項規定登記之條約或國際協定，不得向聯合國任何機關援引之。

第一百零三條

聯合國會員國在本憲章下之義務與其依任何其他國際協定所負之義務有衝突時，其在本憲章下之義務應居優先。

第一百零四條

本組織於每一會員國之領土內，應享受於執行其職務及達成其宗旨所必需之法律行為能力。

第一百零五條

一、本組織於每一會員國之領土內，應享受於達成其宗旨所必需之特權及豁免。

二、聯合國會員國之代表及本組織之職員，亦應同樣享受於其獨立行使關於本組織之職務所必需之特權及豁免。

三、為明定本條第一項及第二項之施行細則起見，大會得作成建議，或為此目的向聯合國會員國提議協約。

第十七章

過渡安全辦法

第一百零六條

在第四十三條所稱之特別協定尚未生效，因而安全理事會認為尚不得開始履行第四十二條所規定之責任前，一九四三年十月三十日在莫斯科簽訂四國宣言之蘇聯及法蘭西應依該宣言第五項之規定，互相洽商，並於必要時，與聯合國其他會員國洽商，以代表本組織採取為維持國際和平及安全宗旨所必要之聯合行動。

第一百零七條

本憲章並不取消或禁止負行動責任之政府對於在第二次世界大戰中本憲章任何簽字國之敵國因該次戰爭而採取或受權執行之行動。

第十八章

修正

第一百零八條

本憲章之修正案經大會會員國三分之二之表決並由聯合國會員國之三分之二，包括安全理事會全體常任理事國，各依其憲法程序批准後，對於聯合國所有會員國發生效力。

第一百零九條

一、聯合國會員國，為檢討本憲章得以大會會員國三分之二之表決，經安全理事會任何七理事國之表決，確定日期及地點，舉行全體會議。聯合國每一會員國在全體會議中應有一個投票權。

二、全體會議以三分二表決所建議對於憲章之任何更改，應經聯合國會員國三分之二，包括安全理事會全體常任理事國，各依其憲法程序批准後，發生效力。

三、如於本憲章生效後大會第十屆年會前，此項全體會議尚未舉行時，應將召集全體會議之提議列入大會該屆年會之議事日程；如得大會會員國過半數及安全理事會任何七理事國之表決，此項會議應即舉行。

第十九章

批准及簽字

第一百一十條

一、本憲章應由簽字國各依其憲法程序批准之。

二、批准書應交存美利堅合衆國政府。該國政府應於每一批准書交存時通知各簽字國，如本組織秘書長業經委派時，並應通知秘書長。

三、一俟美利堅合衆國政府通知已有中華民國、法蘭西、蘇維埃社會主義共和國聯邦、大不列顛及北愛爾蘭聯合王國、與美利堅合衆國，以及其他簽字國之過半數將批准書交存時，本憲章即發生效力。美利堅合衆國政府應擬就此項交存批准之議定書並將副本分送所有簽字國。

四、本憲章簽字國於憲章發生效力後批准者，應自其各將批准書交存之日起為聯合國之創始會員國。

第一百一十一條

本憲章應留存美利堅合衆國政府之檔案，其中，法、俄、英、及西文各本同一作準。該國政府應將正式副本分送其他簽字國政府。

為此聯合國各會員國政府之代表謹簽字於本憲章，以昭信守。

公曆一千九百四十五年六月二十六日簽訂於金山市。

國際法院規約

第一條

聯合國憲章所設之國際法院為聯合國主要司法機關，其組織及職務之行使應依本規約之下列規定。

第一章

法院之組織

第二條

法院以獨立法官若干人組織之。此項法官應不論國籍，就品格高尚並在本國具有最高司法職位之任命資格或公認為國際法之法學家中選舉之。

第三條

一. 法院以法官十五人組織之，其中不得有二人為同一國家之國民。

二. 就充任法院法官而言，一人而可視為一個國家以上之國民者，應認為屬於其通常行使公民及政治權利之國家或會員國之國民。

第四條

一. 法院法官應由大會及安全理事會依下列規定就常設公斷法院各國團體所提出之名單內選舉之。

二. 在常設公斷法院並無代表之聯合國會員國，其候選人名單應由各該國政府專為此事而委派之團體提出；此項各國團體之委派，準用一九〇七年海牙和平解決國

際紛爭條約第四十四條規定委派常設公斷法院公斷員之條件。

三. 凡非聯合國會員國而已接受法院規約之國家，其參加選舉法院法官時，參加條件，如無特別協定，應由大會經安全理事會之提議規定之。

第五條

一. 聯合國秘書長至遲應於選舉日期三個月前，用書面邀請屬於本規約當事國之常設公斷法院公斷員。及依第四條第二項所委派之各國團體，於一定期間內分別由各國團體提出能接受法官職務之人員。

二. 每一團體所提人數不得超過四人，其中屬其本國國籍者不得超過二人。在任何情形下，每一團體所提候選人之人數不得超過應佔席數之一倍。

第六條

各國團體在提出上項人員以前，宜諮詢本國最高法院、大學法學院、法律學校、專研法律之國家研究院、及國際研究院在各國所設之各分院。

第七條

一. 秘書長應依字母次序，編就上項所提人員之名單。除第十二條第二項規定外，僅此項人員有被選權。

二. 秘書長應將前項名單提交大會及安全理事會。

第八條

大會及安全理事會各應獨立舉行法院法官之選舉。

第九條

每次選舉時，選舉人不獨應注意被選人必須各具必要資格，並應注意務使法官全體確能代表世界各大文化及各主要法系。

第十條

一. 候選人在大會及在安全理事會得絕對多數票者應認為當選。

二. 安全理事會之投票，或為法官之選舉或為第十二條所稱聯席會議人員之指派，應不論安全理事會常任理事國及非常任理事國之區別。

三. 如同一國家之國民得大會及安全理事會之絕對多數票者不止一人時，其年事最高者應認為當選。

第十一條

第一次選舉會後，如有一席或一席以上尚待補選時，應舉行第二次選舉會，並於必要時舉行第三次選舉會。

第十二條

一. 第三次選舉會後，如仍有一席或一席以上尚待補選時，大會或安全理事會得隨時聲請組織聯席會議，其人數為六人，由大會及安全理事會各派三人。此項聯席會議就每一懸缺以絕對多數票選定一人提交大會及安全理事會分別請其接受。

二. 具有必要資格人員，即未列入第七條所指之候選人名單，如經聯席會議全體同意，亦得列入該會議名單。

三. 如聯席會議確認選舉不能有結果時，應由已選出之法官，在安全理事會所定之期間內，就曾在大會或安全理事會得有選舉票之候選人中，選定若干人補足缺額。

四. 法官投票數相等時，年事最高之法官應投決定票。

第十三條

一. 法官任期九年，並得連選，但第一次選舉選出之法官中，五人任期應為三年，另五人為六年。

二. 上述初期法官，任期孰為三年孰為六年，應於第一次選舉完畢後立由秘書長以抽籤方法決定之。

三. 法官在其後任接替前，應繼續行使其職務，雖經接替，仍應結束其已開始辦理之案件。

四. 法官辭職時應將辭職書致送法院院長轉知秘書長。轉知後，該法官之一席即行出缺。

第十四條

凡遇出缺，應照第一次選舉時所定之辦法補選之，但秘書長應於法官出缺後一個月內，發出第五條規定之邀請書並由安全理事會指定選舉日期。

第十五條

法官被選以接替任期未滿之法官者，應任職至其前任法官任期屆滿時為止。

第十六條

一. 法官不得行使任何政治或行政職務，或執行任何其他職業性質之任務。

二. 關於此點，如有疑義，應由法院裁決之。

第十七條

一. 法官對於任何案件，不得充任代理人、律師、或輔佐人。

二. 法官曾以當事國一造之代理人、律師、或輔佐人、或以國內法院或國際法院或調查委員會委員、或以其他資格參加

任何案件者，不得參與該案件之裁決。

三. 關於此點，如有疑義，應由法院決定之。

第十八條

一. 法官除由其餘法官一致認為不復適合必要條件外，不得免職。

二. 法官之免職，應由書記官長正式通知秘書長。

三. 此項通知一經送達秘書長，該法官之一席即行出缺。

第十九條

法官於執行法院職務時，應享受外交特權及豁免。

第二十條

法官於就職前應在公開法庭鄭重宣誓本人必當秉公竭誠行使職權。

第二十一條

一. 法院應選舉院長及副院長，其任期各三年，並得連選。

二. 法院應委派書記官長，並得酌派其他必要之職員。

第二十二條

一. 法院設在海牙，但法院如認為合宜時，得在他處開庭及行使職務。

二. 院長及書記官長應駐於法院所在地。

第二十三條

一. 法院除司法假期外，應常川辦公。司法假期之日期及期間由法院定之。

二. 法官得有定時假期，其日期及期間，由法院斟酌海牙與各法官住所之距離定之。

三. 法官除在假期或因疾病或其他重大理由，不克視事，經向院長作適當之解釋外，應常川備由法院分配工作。

第二十四條

一. 法官如因特別原因認為於某案之裁判不應參與時，應通知院長。

二. 院長如認某法官因特別原因不應參與某案時，應以此通知該法官。

三. 遇有此種情形，法官與院長意見不同時，應由法院決定之。

第二十五條

一. 除本規約另有規定外，法院應由全體法官開庭。

二. 法院規則得按情形並以輪流方法，規定准許法官一人或數人免予出席，但準備出席之法官人數不得因此減至少於十一人。

三. 法官九人即足構成法院之法定人數。

第二十六條

一. 法院得隨時設立一個或數個分庭，並得決定由法官三人或三人以上組織之。此項分庭處理特種案件，例如勞工案件及關於過境與交通案件。

二. 法院為處理某特定案件，得隨時設立分庭，組織此項分庭法官之人數，應由法院得當事國之同意定之。

三. 案件經當事國之請求應由本條規定之分庭審理裁判之。

第二十七條

第二十六條及第二十九條規定之任何分庭所為之裁判，應視為法院之裁判。

第二十八條

第二十六條及第二十九條規定之分庭，經當事國之同意，得在海牙以外地方開庭及行使職務。

第二十九條

法院為迅速處理事務，應於每年以法官五人組織一分庭。該分庭經當事國之請求，得用簡易程序，審理及裁判案件。法院並應選定法官二人，以備接替不能出庭之法官。

第三十條

一. 法院應訂立規則，以執行其職務，尤應訂定關於程序之規則。

二. 法院規則得規定關於襄審官之出席法院或任何分庭，但無表決權。

第三十一條

一. 屬於訴訟當事國國籍之法官，於法院受理該訴訟案件時，保有其參與之權。

二. 法院受理案件，如法官中有屬於一造當事國之國籍者，任何他造當事國得選派一人為法官，參與該案。此項人員尤以就第四條及第五條規定所提之候選人中選充為宜。

三. 法院受理案件，如當事國均無本國國籍法官時，各當事國均得依本條第二項之規定選派法官一人。

四. 本條之規定於第二十六條及第二十九條之情形適用之。在此種情形下，院長應請分庭法官一人，或於必要時二人，讓與屬於關係當事國國籍之法官，如無各當事國國籍之法官或各該法官不能出席時，應讓與各當事國特別選派之法官。

五. 如數當事國具有同樣利害關係時，

在上列各規定適用範圍內，祇應作為一當事國。關於此點，如有疑義，由法院裁決之。

六. 依本條第二項、第三項、及第四項規定所選派之法官，應適合本規約第二條、第十七條第二項、第二十條、及第二十四條規定之條件。各該法官參與案件之裁判時，與其同事立於完全平等地位。

第三十二條

一. 法院法官應領年俸。

二. 院長每年應領特別津貼。

三. 副院長於代行院長職務時，應按日領特別津貼。

四. 依第三十一條規定所選派之法官而非法院之法官者，於執行職務時，應按日領酬金。

五. 上列俸給津貼及酬金由聯合國大會定之，在任期內，不得減少。

六. 書記官長之俸給，經法院之提議由大會定之。

七. 法官及書記官長支給退休金及補領旅費之條件，由大會訂立章程規定之。

八. 上列俸給津貼及酬金，應免除一切稅捐。

第三十三條

法院經費由聯合國撥資，其擔負方法由大會定之。

第二章

法院之管轄

第三十四條

一. 在法院得為訴訟當事國者，限於國家。

二. 法院得依其規則，請求公共國際團體供給關於正在審理案件之情報。該項團體自動供給之情報，法院應接受之。

三. 法院於某一案件遇有公共國際團體之組織約章，或依該項約章所締結之國際協約，發生解釋問題時，書記官長應通知有關公共國際團體並向其遞送所有書面程序之文件副本。

第三十五條

一. 法院受理本規約各當事國之訴訟。

二. 法院受理其他各國訴訟之條件，除現行條約另有特別規定外，由安全理事會定之，但無論如何，此項條件不得使當事國在法院處於不平等地位。

三. 非聯合國會員國為案件之當事國時，其應擔負法院費用之數目由法院定之。如該國業已分擔法院經費之一部，本項規定不適用之。

第三十六條

一. 法院之管轄包括各當事國提交之一切案件，及聯合國憲章或現行條約及協約中所特定之一切事件。

二. 本規約各當事國得隨時聲明關於具有下列性質之一切法律爭端，對於接受同樣義務之任何其他國家，承認法院之管轄為當然而具有強制性，不須另訂特別協定：

- (子) 條約之解釋。
- (丑) 國際法之任何問題。
- (寅) 任何事實之存在，如經確定即屬違反國際義務者。
- (卯) 因違反國際義務而應予賠償之性質及其範圍。

三. 上述聲明，得無條件為之，或以數個或特定之國家間彼此拘束為條件，或以一定之期間為條件。

四. 此項聲明應交存聯合國秘書長並由其將副本分送本規約各當事國及法院書記官長。

五. 曾依常設國際法院規約第三十六條所為之聲明而現仍有效者，就本規約當事國間而言，在該項聲明期間尚未屆滿前並依其條款，應認為對於國際法院強制管轄之接受。

六. 關於法院有無管轄權之爭端，由法院裁決之。

第三十七條

現行條約或協約或規定某項事件應提交國際聯合會所設之任何裁判機關或常設國際法院者，在本規約當事國間，該項事件應提交國際法院。

第三十八條

一. 法院對於陳訴各項爭端，應依國際法裁判之，裁判時應適用：

- (子) 不論普通或特別國際協約，確立訴訟當事國明白承認之規條者。
- (丑) 國際習慣，作為通例之證明而經接受為法律者。
- (寅) 一般法律原則為文明各國所承認者。
- (卯) 在第五十九條規定之下，司法判例及各國權威最高之公法學家學說，作為確定法律原則之補助資料者。

二. 前項規定不妨礙法院經當事國同意本“公允及善良”原則裁判案件之權。

第三章 程序

第三十九條

一. 法院正式文字為英法兩文。如各當事國同意用法文辦理案件，其判決應以法文為之。如各當事國同意用英文辦理案件，其判決應以英文為之。

二. 如未經同意應用何種文字，每一當事國於陳述中得擇用英法兩文之一，而法院之判詞應用英法兩文。法院並應同時確定以何者為準。

三. 法院經任何當事國之請求，應准該當事國用英法文以外之文字。

第四十條

一. 向法院提出訴訟案件，應按其情形將所訂特別協定通告書記官長或以請求書送達書記官長。不論用何項方法，均應叙明爭端事由及各當事國。

二. 書記官長應立將請求書通知有關各方。

三. 書記官長並應經由秘書長通知聯合國會員國及有權在法院出庭其他之國家。

第四十一條

一. 法院如認情形有必要時，有權指示當事國應行遵守以保全彼此權利之臨時辦法。

二. 在終局判決前，應將此項指示辦法立即通知各當事國及安全理事會。

第四十二條

一. 各當事國應由代理人代表之。

二. 各當事國得派律師或輔佐人在法院予以協助。

三. 各當事國之代理人、律師、及輔助人應享受關於獨立行使其職務所必要之特權及豁免。

第四十三條

一. 訴訟程序應分書面與口述兩部份。

二. 書面程序係指以訴狀、辯訴狀、及必要時之答辯狀連同可資佐證之各種文件及公文書、送達法院及各當事國。

三. 此項送達應由書記官長依法院所定次序及期限為之。

四. 當事國一造所提出之一切文件應將證明無訛之抄本一份送達他造。

五. 口述程序係指法院審訊證人、鑑定人、代理人、律師及輔佐人。

第四十四條

一. 法院遇有對於代理人、律師、及輔佐人以外之人送達通知書，而須在某國領土內行之者，應逕向該國政府接洽。

二. 為就地搜集證據而須採取步驟時，適用前項規定。

第四十五條

法院之審訊應由院長指揮，院長不克出席時，由副院長指揮；院長副院長均不克出席時，由出席法官中之資深者主持。

第四十六條

法院之審訊應公開行之，但法院另有決定或各當事國要求拒絕公眾旁聽時，不在此限。

第四十七條

一. 每次審訊應作成記錄，由書記官長及院長簽名。

二. 前項記錄為唯一可據之記錄。

第四十八條

法院爲進行辦理案件應頒發命令；對於當事國每造，應決定其必須終結辯論之方式及時間；對於證據之搜集，應爲一切之措施。

第四十九條

法院在開始審訊前，亦得令代理人提出任何文件，或提供任何解釋。如經拒絕應予正式記載。

第五十條

法院得隨時選擇任何個人、團體、局所、委員會、或其他組織，委以調查或鑑定之責。

第五十一條

審訊時得依第三十條所指法院在其程序規則中所定之條件，向證人及鑑定人提出任何切要有關之詰問。

第五十二條

法院於所定期限內收到各項證明及證據後，得拒絕接受當事國一造欲提出之其他口頭或書面證據，但經他造同意者，不在此限。

第五十三條

一、當事國一造不到法院或不辯護其主張時，他造得請求法院對自己主張爲有利之裁判。

二、法院於允准前項請求前，應查明不特依第三十六條及第三十七條法院對本案有管轄權，且請求人之主張在事實及法律上均有根據。

第五十四條

一、代理人律師及輔佐人在法院指揮下陳述其主張已完畢時，院長應宣告辯論終結。

二、法官應退席討論判決。
三、法官之評議應秘密爲之，並永守秘密。

第五十五條

一、一切問題應由出席法官之過半數決定之。

二、如投票數相等時，院長或代理院長職務之法官應投決定票。

第五十六條

一、判詞應叙明理由。
二、判詞應載明參與裁判之法官姓名。

第五十七條

判詞如全部或一部份不能代表法官一致之意見時，任何法官得另行宣告其個別意見。

第五十八條

判詞應由院長及書記官長簽名，在法庭內公開宣讀，並應先期通知各代理人。

第五十九條

法院之裁判除對於當事國及本案外，無拘束力。

第六十條

法院之判決係屬確定，不得上訴。判詞之意義或範圍發生爭端時，經任何當事國之請求後，法院應予解釋。

第六十一條

一、聲請法院覆核判決，應根據發現具有決定性之事實，而此項事實判決宣告時爲法院及聲請覆核之當事國所不知者，但以非因過失而不知者爲限。

二、覆核程序之開始應由法院下以裁決，載明新事實之存在，承認此項新事實

具有使本案應予覆核之性質，並宣告覆核之聲請因此可予接受。

三. 法院於接受覆核訴訟前得令先行履行判決之內容。

四. 聲請覆核至遲應於新事實發現後六個月內爲之。

五. 聲請覆核自判決日起逾十年後不得爲之。

第六十二條

一. 某一國家如認爲某案件之判決可影響屬於該國具有法律性質之利益時，得向法院聲請參加。

二. 此項聲請應由法院裁決之。

第六十三條

一. 凡協約發生解釋問題，而訴訟當事國以外尙有其他國家爲該協約之簽字國者，應立由書記官長通知各該國家。

二. 受前項通知之國家有參加程序之權；但如該國行使此項權利時，判決中之解釋對該國具有同樣拘束力。

第六十四條

除法院另有裁定外，訴訟費用由各造當事國自行擔負。

第四章 諮詢意見

第六十五條

一. 法院對於任何法律問題如經任何團體由聯合國憲章授權而請求或依照聯合國憲章而請求時，得發表諮詢意見。

二. 凡向法院請求諮詢意見之問題，應

以聲請書送交法院。此項聲請書對於諮詢意見之問題，應有確切之敘述，並應附送足以釋明該問題之一切文件。

第六十六條

一. 書記官長應立將諮詢意見之聲請，通知凡有權在法院出庭之國家。

二. 書記官長並應以特別且直接之方法通知法院（或在法院不開庭時，院長）所認爲對於諮詢問題能供給情報之有權在法院出庭之任何國家。或能供給情報之國際團體，聲明法院於院長所定之期限內準備接受關於該問題之書面陳述，或準備於本案公開審訊時聽取口頭陳述。

三. 有權在法院出庭之任何國家如未接到本條第二項所指之特別通知時，該國家得表示願以書面或口頭陳述之意思，而由法院裁決之。

四. 凡已經提出書面或口頭陳述或兩項陳述之國家及團體，對於其他國家或團體所提之陳述，准其依法法院（或在法院不開庭時，院長）所定關於每案之方式，範圍及期限，予以評論。書記官長應於適當時間內將此項書面陳述通知已經提出此類陳述之國家及團體。

第六十七條

法院應將其諮詢意見當庭公開宣告並先期通知秘書長、聯合國會員國、及有直接關係之其他國家及國際團體之代表。

第六十八條

法院執行關於諮詢意見之職務時，並應參照本規約關於訴訟案件各條款之規定，但以法院認爲該項條款可以適用之範圍爲限。

第五章 修正

第六十九條

本規約之修正準用聯合國憲章所規定關於修正憲章之程序，但大會經安全理事會

之建議得制定關於本規約當事國而非聯合國會員國參加該項程序之任何規定。

第七十條

法院認為必要時得以書面向秘書長提出對於本規約之修正案，由聯合國依照第六十九條之規定，加以討論。

УСТАВ
ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ
И
СТАТУТ МЕЖДУНАРОДНОГО СУДА



САН-ФРАНСИСКО • 1945

УСТАВ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

**МЫ, НАРОДЫ ОБЪЕДИНЕННЫХ НАЦИЙ,
ПРЕИСПОЛНЕННЫЕ РЕШИМОСТИ,**

избавить грядущие поколения от бедствий войны, дважды в нашей жизни принесшей человечеству невыразимое горе, и

вновь утвердить веру в основные права человека, в достоинство и ценность человеческой личности, в равноправие мужчин и женщин и в равенство прав больших и малых наций, и

создать условия, при которых могут соблюдаться справедливость и уважение к обязательствам, вытекающим из договоров и других источников международного права, и

содействовать социальному прогрессу и улучшению условий жизни при большей свободе,

И В ЭТИХ ЦЕЛЯХ

проявлять терпимость и жить вместе, в мире друг с другом, как добрые соседи, и

объединить наши силы для поддержания международного мира и безопасности, и

обеспечить принятием принципов и установлением методов, чтобы вооруженные силы применялись не иначе, как в общих интересах, и

использовать международный аппарат для содействия экономическому и социальному прогрессу всех народов,

**РЕШИЛИ ОБЪЕДИНИТЬ НАШИ УСИЛИЯ
ДЛЯ ДОСТИЖЕНИЯ ЭТИХ ЦЕЛЕЙ.**

Согласно этому наши соответственные правительства через представителей, собравшихся в городе Сан-Франциско, предъявивших свои полномочия, найденные в надлежащей форме, согласились принять настоящий Устав Организации Объединенных Наций и настоящим учреждают международную организацию под названием «Объединенные Нации».

ГЛАВА I ЦЕЛИ И ПРИНЦИПЫ

Статья 1

Организация Объединенных Наций преследует Цели:

1. Поддерживать международный мир и безопасность и с этой целью принимать эффективные коллективные меры для предотвращения и устранения угрозы миру и подавления актов агрессии или других нарушений мира, и проводить мирными средствами, в согласии с принципами справедливости и международного права, улаживание или разрешение международных споров или ситуаций, которые могут привести к нарушению мира;

2. Развивать дружественные отношения между нациями на основе уважения принципа равноправия и самоопределения народов, а также принимать другие соответствующие меры для упрочения всеобщего мира;

3. Осуществлять международное сотрудничество в разрешении международных проблем экономического, социального, культурного и гуманитарного характера и в поощрении и развитии уважения к правам человека и основным свободам для всех, без различия расы, пола, языка и религии, и

4. Быть центром для согласования действий наций в достижении этих общих целей.

Статья 2

Для достижения целей, указанных в статье 1, Организация и ее Члены действуют в соответствии со следующими Принципами:

1. Организация основана на принципе суверенного равенства всех ее Членов;

2. Все Члены Организации Объединенных Наций добросовестно выполняют принятые на се-

бя по настоящему Уставу обязательства, чтобы обеспечить им всем в совокупности права и преимущества, вытекающие из принадлежности в составе Членов Организации;

3. Все Члены Организации Объединенных Наций разрешают свои международные споры мирными средствами таким образом, чтобы не подвергать угрозе международный мир и безопасность и справедливость;

4. Все Члены Организации Объединенных Наций воздерживаются в их международных отношениях от угрозы силой или ее применения как против территориальной неприкосновенности, или политической независимости любого государства, так и каким-либо другим образом, несовместимым с Целями Объединенных Наций;

5. Все Члены Организации Объединенных Наций оказывают ей всемерную помощь во всех действиях, предпринимаемых ею в соответствии с настоящим Уставом, и воздерживаются от оказания помощи любому государству, против которого Организация Объединенных Наций предпринимает действия превентивного или принудительного характера;

6. Организация обеспечивает, чтобы государства, которые не являются ее Членами, действовали в соответствии с этими Принципами, поскольку это может оказаться необходимым для поддержания международного мира и безопасности;

7. Настоящий Устав ни в коей мере не дает Организации Объединенных Наций права на вмешательство в дела, по существу входящие во внутреннюю компетенцию любого государства, и не требует от Членов Организации Объединенных Наций представлять такие дела на разрешение в порядке настоящего Устава; однако, этот принцип не затрагивает применения принудительных мер на основании Главы VII.

ГЛАВА II ЧЛЕНЫ ОРГАНИЗАЦИИ

Статья 3

Первоначальными Членами Организации Объединенных Наций являются государства, которые, приняв участие в Конференции в Сан-Франциско по созданию Международной Организации или ранее подписав Декларацию Объединенных Наций от 1-го января 1942 года, подписали и ратифицировали настоящий Устав в соответствии со статьей 110.

Статья 4

1. Прием в Члены Организации открыт для всех других миролюбивых государств, которые примут на себя содержащиеся в настоящем Уставе обязательства и которые, по суждению Организации, могут и желают эти обязательства выполнять.

2. Прием любого такого государства в Члены Организации производится постановлением Генеральной Ассамблеи по рекомендации Совета Безопасности.

Статья 5

Если против какого-либо Члена Организации были предприняты Советом Безопасности действия превентивного или принудительного характера, Генеральная Ассамблея имеет право, по рекомендации Совета Безопасности, приостанавливать осуществление прав и привилегий, принадлежащих ему, как Члену Организации. Осуществление этих прав и привилегий может быть восстановлено Советом Безопасности.

Статья 6

Член Организации, систематически нарушающий принципы, содержащиеся в настоящем Уставе, может быть исключен из Организации Генеральной Ассамблеей по рекомендации Совета Безопасности.

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ГЛАВА III ОРГАНЫ

Статья 7

1. В качестве главных органов Организации Объединенных Наций учреждаются: Генеральная Ассамблея, Совет Безопасности, Экономический и Социальный Совет, Совет по Опек, Международный Суд и Секретариат.

2. Вспомогательные органы, которые окажутся необходимыми, могут учреждаться в соответствии с настоящим Уставом.

Статья 8

Организация Объединенных Наций не устанавливает никаких ограничений в отношении права мужчин и женщин участвовать в любом качестве и на равных условиях в ее главных и вспомогательных органах.

ГЛАВА IV ГЕНЕРАЛЬНАЯ АССАМБЛЕЯ

Состав

Статья 9

1. Генеральная Ассамблея состоит из всех Членов Организации.

2. Каждый Член Организации имеет не более пяти представителей в Генеральной Ассамблее.

Функции и Полномочия

Статья 10

Генеральная Ассамблея уполномочивается обсуждать любые вопросы или дела в пределах настоящего Устава или относящиеся к полномочиям и функциям любого из органов, предусмотренных настоящим Уставом, и, за исключениями, предусмотренными статьей 12, делать рекомендации Членам Организации Объединенных Наций или Совету Безопасности или Членам Организации и Совету Безопасности по любым таким вопросам или делам.

Статья 11

1. Генеральная Ассамблея уполномачивается рассматривать общие принципы сотрудничества в деле поддержания международного мира и безопасности, в том числе принципы, определяющие разоружение и регулирование вооружений, и делать в отношении этих принципов рекомендации Членам Организации или Совету Безопасности или и Членам Организации и Совету Безопасности.

2. Генеральная Ассамблея уполномачивается обсуждать любые вопросы, относящиеся к поддержанию международного мира и безопасности, поставленные перед нею любым Членом Организации или Советом Безопасности или государством, которое не является Членом Организации, в соответствии с пунктом 2 статьи 35, и за исключениями, предусмотренными статьей 12, делать в отношении любых таких вопросов рекомендации заинтересованному государству или государствам или Совету Безопасности, или и Совету Безопасности и заинтересованному государству или государствам. Любой такой вопрос, по которому необходимо предпринять действие, передается Генеральной Ассамблеей Совету Безопасности до или после обсуждения.

3. Генеральная Ассамблея может обращать внимание Совета Безопасности на ситуации, которые могли бы угрожать международному миру и безопасности.

4. Полномочия Генеральной Ассамблеи, изложенные в настоящей статье, не должны ограничивать общего смысла статьи 10.

Статья 12

1. Когда Совет Безопасности выполняет возложенные на него настоящим Уставом функции по отношению к какому-либо спору или ситуации, Генеральная Ассамблея не может делать какие-либо рекомендации, касающиеся данного спора или ситуации, если Совет Безопасности не запросит об этом.

2. Генеральный Секретарь, с согласия Совета Безопасности, уведомляет Генеральную

Ассамблею на каждой ее сессии о всех вопросах, относящихся к поддержанию международного мира и безопасности, находящихся на рассмотрении Совета Безопасности, и таким же образом уведомляет Генеральную Ассамблею, а если Генеральная Ассамблея не заседает, то Членов Организации, немедленно, как только Совет Безопасности прекратит рассмотрение таких вопросов.

Статья 13

1. Генеральная Ассамблея организует исследование и делает рекомендации в целях:

а) Содействия международному сотрудничеству в политической области и поощрения прогрессивного развития международного права и его кодификации;

б) Содействия международному сотрудничеству в области экономической, социальной, культуры, образования, здравоохранения и содействия осуществлению прав человека и основных свобод для всех, без различия расы, пола, языка и религии.

2. Дальнейшие обязанности, функции и полномочия Генеральной Ассамблеи в отношении вопросов, упомянутых выше в пункте 1б, изложены в Главах IX и X.

Статья 14

С соблюдением положений статьи 12, Генеральная Ассамблея уполномачивается рекомендовать меры мирного улаживания любой ситуации, независимо от ее происхождения, которая, по мнению Ассамблеи, могла бы нарушить общее благополучие или дружественные отношения между нациями, включая ситуации, возникающие в результате нарушения положений настоящего Устава, излагающих Цели и Принципы Объединенных Наций.

Статья 15

1. Генеральная Ассамблея получает и рассматривает ежегодные и специальные доклады Совета Безопасности; эти доклады должны включать отчет о мерах по поддержанию меж-

дународного мира и безопасности, которые Совет Безопасности решил предпринять или предпринял.

2. Генеральная Ассамблея получает и рассматривает доклады других органов Организации.

Статья 16

Генеральная Ассамблея выполняет в отношении международной системы опеки такие функции, которые возложены на нее на основании Глав XII и XIII, включая утверждение соглашений по опеке для территорий, не отнесенных к числу стратегических.

Статья 17

1. Генеральная Ассамблея рассматривает и утверждает бюджет Организации.

2. Члены Организации несут ее расходы по распределению, устанавливаемому Генеральной Ассамблеей.

3. Генеральная Ассамблея рассматривает и утверждает любые финансовые и бюджетные соглашения со специализированными учреждениями, упомянутыми в статье 57, и проверяет административные бюджеты таких специализированных учреждений, с той целью, чтобы сделать рекомендации заинтересованным учреждениям.

Голосование

Статья 18

1. Каждый Член Генеральной Ассамблеи имеет один голос.

2. Решения Генеральной Ассамблеи по важным вопросам принимаются большинством в две трети присутствующих и участвующих в голосовании членов Ассамблеи. Эти вопросы включают: рекомендации в отношении поддержания международного мира и безопасности, выборы непостоянных членов Совета Безопасности, выборы членов Экономического и Социального Совета, выборы членов Совета по Опеке, в соответствии с пунктом 1е статьи 86, прием новых

Членов в Организацию Объединенных Наций, приостановление прав и привилегий Членов Организации, исключение из Организации ее Членов, вопросы, относящиеся к функционированию системы опеки и бюджетные вопросы.

3. Решения по другим вопросам, включая определение дополнительных категорий вопросов, которые подлежат решению большинством в две трети голосов, принимаются простым большинством присутствующих и участвующих в голосовании.

Статья 19

Член Организации, за которым числится задолженность по уплате Организации денежных взносов, лишается права голоса в Генеральной Ассамблее, если сумма его задолженности равняется или превышает сумму взносов, причитающихся с него за два полных предыдущих года. Генеральная Ассамблея может, однако, разрешить такому Члену Организации участвовать в голосовании, если она признает, что просрочка платежа произошла по независящим от него обстоятельствам.

Процедура

Статья 20

Генеральная Ассамблея собирается на очередные ежегодные сессии и на такие специальные сессии, которых могут потребовать обстоятельства. Специальные сессии созываются Генеральным Секретарем по требованию Совета Безопасности или большинства Членов Организации.

Статья 21

Генеральная Ассамблея устанавливает свои собственные правила процедуры. Она избирает своего Председателя на каждую сессию.

Статья 22

Генеральная Ассамблея уполномочивается учреждать также вспомогательные органы, которые она сочтет необходимыми для осуществления своих функций.

ГЛАВА V СОВЕТ БЕЗОПАСНОСТИ

Состав

Статья 23

1. Совет Безопасности состоит из одиннадцати Членов Организации. Китайская Республика, Франция, Союз Советских Социалистических Республик, Соединенное Королевство Великобритании и Северной Ирландии и Соединенные Штаты Америки являются постоянными членами Совета Безопасности. Генеральная Ассамблея избирает шесть других Членов Организации в качестве непостоянных членов Совета Безопасности, уделяя, в особенности, должное внимание, в первую очередь, степени участия Членов Организации в поддержании международного мира и безопасности и в достижении других целей Организации, а также справедливому географическому распределению.

2. Непостоянные члены Совета Безопасности избираются на двухгодичный срок. Однако при первых выборах непостоянных членов, трое избираются на срок в один год. Выбывающий член Совета Безопасности не подлежит немедленно переназначению.

3. Каждый член Совета Безопасности имеет одного представителя.

Функции и Полномочия

Статья 24

1. Для обеспечения быстрых и эффективных действий Организации Объединенных Наций, ее Члены возлагают на Совет Безопасности главную ответственность за поддержание международного мира и безопасности и соглашаются в том, что, при исполнении его обязанностей, вытекающих из этой ответственности, Совет Безопасности действует от их имени.

2. При исполнении этих обязанностей Совет Безопасности действует в соответствии с Целями и Принципами Объединенных Наций. Определенные полномочия, предоставленные Совету Без-

опасности для выполнения этих обязанностей, изложены в Главах VI, VII, VIII и XII.

3. Совет Безопасности представляет на рассмотрение Генеральной Ассамблеи ежегодные доклады и, по мере надобности, специальные доклады.

Статья 25

Члены Организации соглашаются, в соответствии с настоящим Уставом, подчиняться решениям Совета Безопасности и выполнять их.

Статья 26

В целях содействия установлению и поддержанию международного мира и безопасности с наименьшим отвлечением мировых людских сил и экономических ресурсов для дела вооружения, Совет Безопасности несет ответственность за формулирование, при помощи Военно-Штабного Комитета, указанного в статье 47, планов создания системы регулирования вооружений для представления их Членам Организации.

Голосование

Статья 27

1. Каждый член Совета Безопасности имеет один голос.

2. Решения Совета Безопасности по вопросам процедуры считаются принятыми, когда за них поданы голоса семи членов Совета.

3. Решения Совета Безопасности по всем другим вопросам считаются принятыми, когда за них поданы голоса семи членов Совета, включая совпадающие голоса всех постоянных членов Совета, причем сторона, участвующая в споре, должна воздержаться от голосования при принятии решения на основании Главы VI и на основании пункта 3 статьи 52.

Процедура

Статья 28

1. Совет Безопасности организуется таким образом, чтобы он мог функционировать непрерывно. Для этой цели каждый член Совета Без-

опасности должен быть всегда представлен в месте пребывания Организации Объединенных Наций.

2. Совет Безопасности собирается на периодические заседания, на которых каждый из его членов может, по своему желанию, быть представлен или членом правительства или каким либо другим особо назначенным представителем.

3. Заседания Совета Безопасности могут происходить не только в месте пребывания Организации, но и во всяком другом месте, которое, по мнению Совета, более способствует его работе.

Статья 29

Совет Безопасности может учреждать такие вспомогательные органы, какие он найдет необходимыми для выполнения своих функций.

Статья 30

Совет Безопасности устанавливает свои правила процедуры, включая порядок избрания своего Председателя.

Статья 31

Любой Член Организации, который не является членом Совета Безопасности, может принять участие, без права голоса, в обсуждении любого вопроса, внесенного в Совет Безопасности, во всех тех случаях, когда Совет Безопасности находит, что интересы этого Члена Организации специально затронуты.

Статья 32

Любой член Организации, который не состоит членом Совета Безопасности, или любое государство, не состоящее Членом Организации, если они являются сторонами в споре, рассматриваемом Советом Безопасности, приглашаются принять участие, без права голоса, в обсуждении, относящемся к этому спору. Совет Безопасности ставит такие условия для участия государства, не состоящего Членом Организации, какие он найдет справедливыми.

ГЛАВА VI МИРНОЕ РАЗРЕШЕНИЕ СПОРОВ

Статья 33

1. Стороны, участвующие в любом споре, продолжение которого могло бы угрожать поддержанию международного мира и безопасности, должны прежде всего стараться разрешить спор путем переговоров, обследования, посредничества, примирения, арбитража, судебного разбирательства, обращения к региональным органам или соглашениям или иными мирными средствами по своему выбору.

2. Совет Безопасности, когда он считает это необходимым, требует от сторон разрешения их спора при помощи таких средств.

Статья 34

Совет Безопасности уполномачивается расследовать любой спор или любую ситуацию, которая может привести к международным трениям или вызвать спор, для определения того, может ли продолжение этого спора или ситуации угрожать поддержанию международного мира и безопасности.

Статья 35

1. Любой Член Организации может довести о любом споре или ситуации, имеющей характер, указанный в статье 34, до сведения Совета Безопасности или Генеральной Ассамблеи.

2. Государство, которое не является Членом Организации, может довести до сведения Совета Безопасности или Генеральной Ассамблеи о любом споре, в котором оно является стороной, если оно примет на себя заранее в отношении этого спора обязательства мирного разрешения споров, предусмотренные в настоящем Уставе.

3. Разрешение Генеральной Ассамблеи дел, о которых доведено до ее сведения на основании настоящей статьи, производится с учетом положений статей 11 и 12.

Статья 36

1. Совет Безопасности уполномачивается в

любой стадии спора, имеющего характер, указанный в статье 33, или ситуации подобного же характера, рекомендовать надлежащую процедуру или методы урегулирования.

2. Совет Безопасности принимает во внимание любую процедуру для разрешения этого спора, которая уже была принята сторонами.

3. Делая рекомендации на основании настоящей статьи, Совет Безопасности принимает также во внимание, что споры юридического характера должны, как общее правило, передаваться сторонами в Международный Суд в соответствии с положениями Статута Суда.

Статья 37

1. Если стороны в споре, имеющем характер, указанный в статье 33, не разрешат его при помощи указанных в этой статье средств, они передают его в Совет Безопасности.

2. Если Совет Безопасности считает, что продолжение данного спора в действительности могло бы угрожать поддержанию международного мира и безопасности, он решает, действовать ли ему на основании статьи 39 или рекомендовать такие условия разрешения спора, какие он найдет подходящими.

Статья 38

Без ущерба для положений статей 33-37, Совет Безопасности уполномачивается, если все стороны, участвующие в любом споре, об этом просят, делать сторонам рекомендации с целью мирного разрешения этого спора.

ГЛАВА VII

ДЕЙСТВИЯ В ОТНОШЕНИИ УГРОЗЫ МИРУ, НАРУШЕНИЯ МИРА И АКТОВ АГРЕССИИ

Статья 39

Совет Безопасности определяет существование любой угрозы миру, любого нарушения

мира или акта агрессии и делает рекомендации или решает о том, какие меры следует предпринять в соответствии со статьями 41 и 42 для поддержания или восстановления международного мира и безопасности.

Статья 40

Чтобы предотвратить ухудшение ситуации, Совет Безопасности уполномачивается, прежде чем сделать рекомендации или решить о принятии мер, предусмотренных статьей 39, потребовать от заинтересованных сторон выполнения тех временных мер, которые он найдет необходимыми или желательными. Такие временные меры не должны наносить ущерба правам, притязаниям или положению заинтересованных сторон. Совет Безопасности должным образом учитывает невыполнение этих временных мер.

Статья 41

Совет Безопасности уполномачивается решать, какие меры, не связанные с использованием вооруженных сил, должны применяться для осуществления его решений, и он может потребовать от Членов Организации применения этих мер. Эти меры могут включать полный или частичный перерыв экономических отношений, железнодорожных, морских, воздушных, почтовых, телеграфных, радио или других средств сообщения, а также разрыв дипломатических отношений.

Статья 42

Если Совет Безопасности сочтет, что меры, предусмотренные в статье 41 могут оказаться недостаточными, или уже оказались недостаточными, он уполномачивается предпринимать такие действия воздушными, морскими или сухопутными силами, какие окажутся необходимыми для поддержания или восстановления международного мира и безопасности. Такие действия могут включать демонстрации, блокаду и другие операции воздушных, морских или сухопутных сил Членов Организации.

Статья 43

1. Все Члены Организации для того, чтобы внести свой вклад в дело поддержания международного мира и безопасности обязуются предоставлять в распоряжение Совета Безопасности по его требованию и в соответствии с особым соглашением, или соглашениями, необходимыми для поддержания международного мира и безопасности вооруженные силы, помощь и соответствующие средства обслуживания, включая право прохода.

2. Такое соглашение или соглашения определяют численность и род войск, степень их готовности и их общее расположение и характер предоставляемых средств обслуживания и помощи.

3. Переговоры о заключения соглашения или соглашений предпринимаются в возможно кратчайший срок по инициативе Совета Безопасности. Они заключаются между Советом Безопасности и Членами Организации или между Советом Безопасности и группами Членов Организации и подлежат ратификации подписавшими их государствами, в соответствии с их конституционной процедурой.

Статья 44

Когда Совет Безопасности решил применить силу, то прежде чем потребовать от Члена Организации непредставленного в Совете, предоставления вооруженных сил, во исполнение обязательств, принятых им на основании статьи 43, Совет Безопасности приглашает этого Члена Организации, если последний этого пожелает, принять участие в решениях Совета Безопасности относительно использования контингентов вооруженных сил данного Члена Организации.

Статья 45

В целях обеспечения для Организации Обединенных Наций возможности предпринимать срочные военные мероприятия, Члены Организации должны держать в состоянии немедленной готовности контингенты национальных военно-

воздушных сил для совместных международных принудительных действий. Численность и степень готовности этих контингентов и планы их совместных действий определяются Советом Безопасности с помощью Военно-Штабного Комитета в пределах, указанных в специальном соглашении или соглашениях, упомянутых в статье 43.

Статья 46

Планы применения вооруженных сил составляются Советом Безопасности с помощью Военно-Штабного Комитета.

Статья 47

1. Создается Военно-Штабной Комитет для того, чтобы давать советы и оказывать помощь Совету Безопасности по всем вопросам, относящимся к военным потребностям Совета Безопасности в деле поддержания международного мира и безопасности, к использованию войск, предоставленных в его распоряжение, и к командованию ими, а также к регулированию вооружений и к возможному разоружению.

2. Военно-Штабной Комитет состоит из Начальников Штабов постоянных членов Совета Безопасности или их представителей. Любой Член Организации, не представленный постоянно в Комитете, приглашается Комитетом сотрудничать с ним, если эффективное осуществление обязанностей Комитета требует участия этого Члена Организации в работе Комитета.

3. Военно-Штабной Комитет, находясь в подчинении Совета Безопасности, несет ответственность за стратегическое руководство любыми вооруженными силами, предоставленными в распоряжение Совета Безопасности. Вопросы, относящиеся к командованию такими силами, должны быть разработаны позднее.

4. Военно-Штабной Комитет может, с разрешения Совета Безопасности и после консультации с надлежащими региональными органами, учреждать свои региональные подкомитеты.

Статья 48

1. Действия, которые требуются для выполнения решений Совета Безопасности в целях поддержания международного мира и безопасности, предпринимаются всеми Членами Организации или некоторыми из них, в зависимости от того, как это определит Совет Безопасности.

2. Такие решения выполняются Членами Организации непосредственно, а также путем их действий в соответствующих международных учреждениях, членами которых они являются.

Статья 49

Члены Организации должны объединяться для оказания взаимной помощи в проведении мер, о которых принято решение Советом Безопасности.

Статья 50

Если Советом Безопасности принимаются превентивные или принудительные меры против какого-либо государства, всякое другое государство, независимо от того, состоит ли оно Членом Организации, перед которым встанут специальные экономические проблемы, возникшие из проведения вышеупомянутых мер, имеет право консультироваться с Советом Безопасности на предмет разрешения таких проблем.

Статья 51

Настоящий Устав ни в коей мере не затрагивает неотъемлемого права на индивидуальную или коллективную самооборону, если произойдет вооруженное нападение на Члена Организации, до тех пор пока Совет Безопасности не примет мер, необходимых для поддержания международного мира и безопасности. Меры, принятые Членами Организации при осуществлении этого права на самооборону, должны быть немедленно сообщены Совету Безопасности и никоим образом не должны затрагивать полномочий и ответственности Совета Безопасности, в соответствии с настоящим Уставом, в отношении предприятия в любое время таких

действий, какие он сочтет необходимыми для поддержания или восстановления международного мира и безопасности.

ГЛАВА VIII РЕГИОНАЛЬНЫЕ СОГЛАШЕНИЯ

Статья 52

1. Настоящий Устав ни в коей мере не препятствует существованию региональных соглашений или органов для разрешения таких вопросов, относящихся к поддержанию международного мира и безопасности, которые являются подходящими для региональных действий, при условии, что такие соглашения или органы и их деятельность совместимы с Целями и Принципами Организации.

2. Члены Организации, заключившие такие соглашения, или составляющие такие органы, должны приложить все свои усилия для достижения мирного разрешения местных споров при помощи таких региональных соглашений или таких региональных органов до передачи этих споров в Совет Безопасности.

3. Совет Безопасности должен поощрять развитие применения мирного разрешения местных споров при помощи таких региональных соглашений или таких региональных органов, либо по инициативе заинтересованных государств, либо по своей собственной инициативе.

4. Настоящая статья ни в коей мере не затрагивает применения статей 34 и 35.

Статья 53

1. Совет Безопасности использует, где это уместно, такие региональные соглашения или органы для принудительных действий под его руководством. Однако, никакие принудительные действия не предпринимаются, в силу этих региональных соглашений или региональными органами, без полномочий от Совета Безопасности, за исключением мер, предусмотренных статьей 107, против любого вражеского государ-

ства, как оно определено в пункте 2 настоящей статьи, или мер, предусмотренных в региональных соглашениях, направленных против возобновления агрессивной политики со стороны любого такого государства, до того времени, когда на Организацию, по просьбе заинтересованных Правительств, может быть возложена ответственность за предупреждение дальнейшей агрессии со стороны такого государства.

2. Термин «вражеское государство», как он применен в пункте 1 настоящей статьи, относится к любому государству, которое в течение Второй Мировой Войны являлось врагом любого из государств, подписавших настоящий Устав.

Статья 54

Совет Безопасности должен быть всегда полностью информирован о действиях, предпринимаемых или намечаемых в силу региональных соглашений, или региональными органами, для поддержания международного мира и безопасности.

ГЛАВА IX

МЕЖДУНАРОДНОЕ ЭКОНОМИЧЕСКОЕ И СОЦИАЛЬНОЕ СОТРУДНИЧЕСТВО

Статья 55

С целью создания условий стабильности и благополучия, необходимых для мирных и дружественных отношений между нациями, основанных на уважении принципа равноправия и самоопределения народов, Организация Объединенных Наций содействует:

- а) Повышению уровня жизни, полной занятости населения и условиям экономического и социального прогресса и развития;
- б) Разрешению международных проблем в области экономической, социальной, здравоохранения и подобных проблем; международному сотрудничеству в области культуры и образования;

в) Всеобщему уважению и соблюдению прав человека и основных свобод для всех, без различия расы, пола, языка и религии.

Статья 56

Все Члены Организации обязуются предпринимать совместные и самостоятельные действия в сотрудничестве с Организацией для достижения целей, указанных в статье 55.

Статья 57

1. Различные специализированные учреждения, созданные межправительственными соглашениями и облеченные широко международной, определенной в их учредительных актах, ответственностью в области экономической, социальной, культуры, образования, здравоохранения и подобных областях, будут поставлены в связь с Организацией в соответствии с положениями статьи 63.

2. Такие учреждения, которые будут поставлены указанным образом в связь с Организацией, именуются в последующих статьях «специализированные учреждения».

Статья 58

Организация делает рекомендации по согласованию политики и деятельности специализированных учреждений.

Статья 59

Организация, в случае надобности, проявляет инициативу в том, чтобы заинтересованные государства приступили к переговорам о создании любых новых специализированных учреждений, которые потребуются для выполнения целей, указанных в статье 55.

Статья 60

Ответственность за выполнение функций Организации, указанных в настоящей Главе, возлагается на Генеральную Ассамблею и, под руководством Генеральной Ассамблеи, на Экономический и Социальный Совет, которому для

этой цели предоставляются полномочия, указанные в Главе X.

ГЛАВА X ЭКОНОМИЧЕСКИЙ И СОЦИАЛЬНЫЙ СОВЕТ

Состав

Статья 61

1. Экономический и Социальный Совет состоит из восемнадцати Членов Организации, избираемых Генеральной Ассамблеей.

2. С соблюдением положений, изложенных в пункте 3, шесть членов Экономического и Социального Совета избираются ежегодно сроком на три года. Выбывающий член Совета может быть переизбран немедленно.

3. При первых выборах избираются восемнадцать членов Экономического и Социального Совета. Срок полномочий шести членов, избранных таким образом, истекает в конце первого года, а других шести членов — в конце второго года, в соответствии с указаниями Генеральной Ассамблеи.

4. Каждый член Экономического и Социального Совета имеет одного представителя.

Функции и Полномочия

Статья 62

1. Экономический и Социальный Совет уполномачивается предпринимать исследования и составлять доклады по международным вопросам в области экономической, социальной, культуры, образования, здравоохранения и подобным вопросам, или побуждать к этому других, а также делать по любому из этих вопросов рекомендации Генеральной Ассамблее, Членам Организации и заинтересованным специализированным учреждениям.

2. Совет уполномачивается делать рекомендации в целях поощрения уважения и соблюдения прав человека и основных свобод для всех.

3. Совет уполномачивается подготавливать

для представления Генеральной Ассамблее проекты конвенций по вопросам, входящим в его компетенцию.

4. Совет уполномачивается созывать, в соответствии с правилами, предписанными Организацией, международные конференции по вопросам, входящим в его компетенцию.

Статья 63

1. Экономический и Социальный Совет уполномачивается вступать с любым из учреждений, указанных в статье 57, в соглашения, определяющие условия, на которых соответствующие учреждения будут поставлены в связь с Организацией. Такие соглашения подлежат утверждению Генеральной Ассамблеи.

2. Совет уполномачивается согласовывать деятельность специализированных учреждений посредством консультаций с ними и рекомендаций таким учреждениям и посредством рекомендаций Генеральной Ассамблеи и Членам Организации.

Статья 64

1. Экономический и Социальный Совет уполномачивается принимать надлежащие меры для получения от специализированных учреждений регулярных докладов. Совет уполномачивается заключать соглашения с Членами Организации и со специализированными учреждениями с целью получения от них докладов о мерах, предпринятых ими во исполнение его собственных рекомендаций и рекомендаций Генеральной Ассамблеи по вопросам, входящим в его компетенцию.

2. Совет уполномачивается сообщать Генеральной Ассамблее свои замечания по этим докладам.

Статья 65

Экономический и Социальный Совет уполномачивается представлять Совету Безопасности информацию и, по предложению Совета Безопасности, обязан ему помогать.

Статья 66

1. Экономический и Социальный Совет осуществляет такие функции, какие входят в его компетенцию, в связи с выполнением рекомендаций Генеральной Ассамблеи.

2. Совет, с одобрения Генеральной Ассамблеи, уполномачивается выполнять работы по просьбе Членов Организации и по просьбе специализированных учреждений.

3. Совет должен выполнять такие другие функции, какие перечислены в других частях настоящего Устава, или какие могут быть возложены на него Генеральной Ассамблеей.

*Голосование**Статья 67*

1. Каждый член Экономического и Социального Совета имеет один голос.

2. Решения Экономического и Социального Совета принимаются большинством голосов членов Совета, присутствующих и участвующих в голосовании.

*Процедура**Статья 68*

Экономический и Социальный Совет создает комиссии в экономической и социальной области и поощрению прав человека, а также такие другие комиссии, которые могут потребоваться для выполнения его функций.

Статья 69

Экономический и Социальный Совет приглашает любого Члена Организации участвовать без права голоса в обсуждении им любого вопроса, представляющего особый интерес для данного Члена Организации.

Статья 70

Экономический и Социальный Совет уполномачивается проводить мероприятия для участия, без права голоса, представителей специализированных учреждений в обсуждении вопросов в Совете или в созданных им комиссиях, а также

для участия представителей Совета в обсуждении вопросов в специализированных учреждениях.

Статья 71

Экономический и Социальный Совет уполномачивается проводить надлежащие мероприятия для консультации с неправительственными организациями, заинтересованными в вопросах, входящих в его компетенцию. Такие мероприятия могут быть условлены с международными организациями, а, в случае надобности, с национальными организациями после консультации с заинтересованным Членом Организации.

Статья 72

1. Экономический и Социальный Совет устанавливает свои собственные правила процедуры, включая порядок избрания своего Председателя.

2. Экономический и Социальный Совет создается, по мере надобности, в соответствии со своими правилами, которые должны включать положения о созыве заседаний по требованию большинства его членов.

ГЛАВА XI

ДЕКЛАРАЦИЯ В ОТНОШЕНИИ
НЕСАМОУПРАВЛЯЮЩИХСЯ
ТЕРРИТОРИЙ*Статья 73*

Члены Организации Объединенных Наций, которые несут или принимают на себя ответственность за управление территориями, народы которых не достигли еще полного самоуправления, признают тот принцип, что интересы населения этих территорий являются первостепенными и, как священный долг, принимают обязательство максимально способствовать благополучию населения этих территорий в рамках системы международного мира и безопас-

ности, установленной настоящим Уставом, и с этой целью:

а) Обеспечивать, соблюдая должное уважение к культуре указанных народов, их политический, экономический и социальный прогресс, прогресс в области образования, справедливое обращение с ними и защиту их от злоупотреблений;

б) Развивать самоуправление, учитывать должным образом политические стремления этих народов и помогать им в прогрессивном развитии их свободных политических институтов в соответствии со специфическими обстоятельствами, присущими каждой территории и ее народам, и с их разными степенями развития;

в) Укреплять международный мир и безопасность;

г) Способствовать развитию совместных мероприятий, поощрять исследования и сотрудничать друг с другом и, где и когда это уместно, со специализированными международными организациями ради практического достижения изложенных в настоящей статье социальных, экономических и научных целей, и

е) Передавать регулярно Генеральному Секретарю для информации и с таким ограничением, какое может потребоваться по соображениям безопасности и конституционного порядка, статистическую и другую информацию специального характера, относящуюся к экономическим и социальным условиям, а также условиям образования на территориях, за которые они соответственно несут ответственность, кроме тех территорий, на которые распространяется действие Глав XII и XIII.

Статья 74

Члены Организации также соглашаются, что их политика в отношении территорий, на которые распространяется действие настоящей Главы, должна быть основана не менее, чем в отношении их метрополий, на общем принципе

добрососедства, с надлежащим учетом интересов и благополучия остального мира в делах социальных, экономических и торговли.

ГЛАВА XII

МЕЖДУНАРОДНАЯ СИСТЕМА ОПЕКИ

Статья 75

Организация Объединенных Наций создает под своим руководством международную систему опеки для управления теми территориями, которые могут быть включены в нее последующими индивидуальными соглашениями и для наблюдения за этими территориями. Эти территории именуется далее «территории под опекой».

Статья 76

Основные задачи системы опеки, в соответствии с Целями Организации Объединенных Наций, изложенными в статье 1 настоящего Устава, состоят в том, чтобы:

а) Укреплять международный мир и безопасность;

б) Способствовать политическому, экономическому и социальному прогрессу населения территорий под опекой, его прогрессу в области образования и его прогрессивному развитию в направлении к самоуправлению или независимости, как это может оказаться подходящим для специфических условий каждой территории и ее народов и имея в виду свободно выраженное желание этих народов, и как это может быть предусмотрено условиями каждого соглашения об опеке;

в) Поощрять уважение прав человека и основных свобод для всех, без различия расы, пола, языка и религии и поощрять признание взаимозависимости народов мира;

г) Обеспечивать равное отношение к Членам Организации и их гражданам в области социальной, экономической и торговой, а также равное отношение к ним в отправлении

правосудия без ущерба для достижения вышеизложенных задач и при условии соблюдения положений статьи 80.

Статья 77

1. Система опеки распространяется на такие территории из нижеперечисленных категорий, которые могут быть включены в нее соглашениями об опеке:

- а) Территории, ныне находящиеся под мандатом;
 - б) Территории, которые могут быть отторгнуты от вражеских государств в результате Второй Мировой Войны, и
 - в) Территории, добровольно включенные в систему опеки государствами, ответственными за их управление.
2. Вопрос о том, какие из территорий вышеперечисленных категорий должны быть включены в систему опеки и на каких условиях, будет предметом последующего соглашения.

Статья 78

Система опеки не распространяется на страны, ставшие Членами Организации, отношения между которыми должны основываться на уважении принципа суверенного равенства.

Статья 79

Условия опеки для каждой территории, подлежащей включению в систему опеки, в том числе все изменения и поправки, определяются соглашениями непосредственно заинтересованных государств, включая страны-мандатарии, в том случае, если территории находятся под мандатом одного из Членов Организации, и утверждаются, как предусмотрено в статьях 83 и 85.

Статья 80

1. За исключением случаев, которые могут быть согласованы в индивидуальных соглашениях об опеке, заключенных согласно статьям 77, 79 и 81, включающих каждую территорию в систему опеки, и впредь до заключения таких

соглашений, ничто в настоящей Главе не должно толковаться, как изменение каким либо образом каких бы то ни было прав любых государств или любых народов или условий существующих международных соглашений, участниками которых могут быть соответственно Члены Организации.

2. Пункт 1 настоящей статьи не должен толковаться, как дающий основания для задержки или отсрочки переговоров и заключения соглашений о включении подмандатных и других территорий в систему опеки, как это предусмотрено в статье 77.

Статья 81

Соглашение об опеке в каждом случае должно включать условия, на которых будет управляться территория под опекой, а также определять власть, которая будет осуществлять управление территорией под опекой. Такая власть, называемая далее управляющей властью, может представлять собою одно или более государств или Организацию Объединенных Наций, как таковую.

Статья 82

В любом соглашении об опеке может определяться стратегический район или районы, которые могут включать часть или всю территорию под опекой, на которую распространяется соглашение, без ущерба для какого бы то ни было особого соглашения или соглашений, заключенных на основании статьи 43.

Статья 83

1. Все функции Организации Объединенных Наций, относящиеся к стратегическим районам, включая утверждение условий соглашений об опеке и их изменений или поправок к ним, осуществляются Советом Безопасности.

2. Основные цели, изложенные в статье 76, относятся к народу каждого из стратегических районов.

3. Совет Безопасности, соблюдая условия со-

глашений об опеке и без ущерба для требований безопасности, пользуется помощью Совета по Опеке для выполнения тех функций Организации Объединенных Наций, в соответствии с системой опеки, которые относятся к политическим, экономическим и социальным вопросам, а также к вопросам в области образования в стратегических районах.

Статья 84

Обязанностью управляющей власти является обеспечение того, чтобы территория под опекой играла свою роль в поддержании международного мира и безопасности. С этой целью управляющая власть уполномачивается использовать добровольные вооруженные силы, средства обслуживания и помощь территории под опекой при выполнении обязательств, принятых в этом отношении управляющей властью перед Советом Безопасности, а равно и для местной обороны и поддержания закона и порядка в пределах территории под опекой.

Статья 85

1. Функции Организации Объединенных Наций в отношении соглашений об опеке для всех районов, не отнесенных к числу стратегических, включая утверждение условий соглашений об опеке и их изменений или поправок к ним, осуществляются Генеральной Ассамблеей.

2. Совет по Опеке, действующий под руководством Генеральной Ассамблеи, помогает Генеральной Ассамблее в выполнении этих функций.

ГЛАВА XIII СОВЕТ ПО ОПЕКЕ

Состав

Статья 86

1. Совет по Опеке состоит из следующих Членов Организации Объединенных Наций:

а) Тех Членов Организации, которые управляют территориями под опекой;

б) Тех Членов Организации, поименованных в статье 23, которые не управляют территориями под опекой;

с) Такого числа других Членов Организации, избранных Генеральной Ассамблеей на трехгодичный срок, какое может оказаться необходимым для обеспечения того, чтобы общее число членов Совета по Опеке распределялось поровну между Членами Организации, управляющими и не управляющими территориями под опекой.

2. Каждый член Совета по Опеке назначит одно особо квалифицированное лицо, которое будет его представителем в Совете по Опеке.

Функции и Полномочия

Статья 87

Генеральная Ассамблея и находящийся под ее руководством Совет по Опеке, при выполнении своих функций, уполномачиваются:

а) Рассматривать отчеты, представляемые управляющей властью;

б) Принимать петиции и рассматривать их, консультируясь с управляющей властью;

с) Устраивать периодические посещения соответствующих территорий под опекой, в согласованные с управляющей властью сроки, и

д) Предпринимать упомянутые и другие действия в соответствии с условиями соглашений об опеке.

Статья 88

Совет по Опеке разрабатывает анкету относительно политического, экономического и социального прогресса населения каждой территории под опекой, а также его прогресса в области образования, а управляющая власть каждой территории под опекой, входящей в компетенцию Генеральной Ассамблеи, представляет последней ежегодные доклады на основе этой анкеты.

*Голосование**Статья 88*

1. Каждый член Совета по Опеке имеет один голос.

2. Решения Совета по Опеке принимаются большинством голосов присутствующих и участвующих в голосовании членов Совета.

*Процедура**Статья 89*

1. Совет по Опеке принимает свои собственные правила процедуры, включая порядок избрания своего Председателя.

2. Заседания Совета по Опеке созываются по мере надобности в соответствии с его правилами процедуры, которые должны предусматривать созыв заседаний по требованию большинства членов Совета.

Статья 91

Совет по Опеке пользуется в соответствующих случаях помощью Экономического и Социального Совета и специализированных учреждений в отношении вопросов, в которых они ответственно заинтересованы.

ГЛАВА XIV

МЕЖДУНАРОДНЫЙ СУД

Статья 92

Международный Суд является главным судебным органом Организации Объединенных Наций. Он действует в соответствии с прилагаемым Статутом, который основан на Статуте Постоянной Палаты Международного Правосудия и образует неотъемлемую часть настоящего Устава.

Статья 93

1. Все Члены Организации являются ipso facto участниками Статута Международного Суда.

2. Государство, не являющееся Членом Организации, может стать участником Статута Меж-

дународного Суда, на условиях, которые определяются, в каждом отдельном случае, Генеральной Ассамблеей по рекомендации Совета Безопасности.

Статья 94

1. Каждый Член Организации обязуется выполнить решение Международного Суда по тому делу, в котором он является стороной.

2. В случае, если какая либо сторона в деле не выполнит обязательства, возложенного на нее решением Суда, другая сторона может обратиться в Совет Безопасности, который может, если признает это необходимым, сделать рекомендации или репшить о принятии мер для приведения решения в исполнение.

Статья 95

Настоящий Устав ни в коей мере не препятствует Членам Организации поручать разрешенные своих разногласий другим судам, в силу уже существующих соглашений или таких, которые могут быть заключены в будущем.

Статья 96

1. Генеральная Ассамблея или Совет Безопасности могут запрашивать от Международного Суда консультативные заключения по любому юридическому вопросу.

2. Другие органы Организации Объединенных Наций и специализированные учреждения, которым Генеральная Ассамблея может дать в любое время разрешение на это, также могут запрашивать консультативные заключения Суда по юридическим вопросам, возникающим в пределах их круга деятельности.

ГЛАВА XV

СЕКРЕТАРИАТ

Статья 97

Секретариат состоит из Генерального Секретаря и такого персонала, который может потре-

боваться для Организации. Генеральный Секретарь назначается Генеральной Ассамблеей по рекомендации Совета Безопасности. Генеральный Секретарь является главным административным должностным лицом Организации.

Статья 98

Генеральный Секретарь действует в этом качестве на всех заседаниях Генеральной Ассамблеи, Совета Безопасности, Экономического и Социального Совета и Совета по Опеке и выполняет также другие функции, какие возлагаются на него этими органами. Генеральный Секретарь представляет Генеральной Ассамблее ежегодный отчет о работе Организации.

Статья 99

Генеральный Секретарь имеет право доводить до сведения Совета Безопасности о любых вопросах, которые, по его мнению, могут угрожать поддержанию международного мира и безопасности.

Статья 100

1. При исполнении своих обязанностей Генеральный Секретарь и персонал Секретариата не должны запрашивать или получать указаний от какого бы то ни было правительства или власти, посторонней для Организации. Они должны воздерживаться от любых действий, которые могли бы отразиться на их положении, как международных должностных лиц, ответственных только перед Организацией.

2. Каждый Член Организации обязуется уважать строго международный характер обязанностей Генерального Секретаря и персонала Секретариата и не пытаться оказывать на них влияние при исполнении ими своих обязанностей.

Статья 101

1. Персонал Секретариата назначается Генеральным Секретарем, согласно правилам, устанавливаемым Генеральной Ассамблеей.

2. Надлежащий персонал выделяется для постоянной работы в Экономический и Социальный Совет, в Совет по Опеке и, по мере необходимости, в другие органы Организации. Этот персонал составляет часть Секретариата.

3. При приеме на службу и определении условий службы, следует руководствоваться, главным образом, необходимостью обеспечить высокий уровень работоспособности, компетентности и добросовестности. Должное внимание следует уделять важности подбора персонала на возможно более широкой географической основе.

ГЛАВА XVI

РАЗНЫЕ ПОСТАНОВЛЕНИЯ

Статья 102

1. Всякий договор и всякое международное соглашение, заключенное любым Членом Организации после вступления в силу настоящего Устава, должны быть, при первой возможности, зарегистрированы в Секретариате и им опубликованы.

2. Ни одна из сторон в любом таком договоре или международном соглашении, не зарегистрированных в соответствии с пунктом 1 настоящей статьи, не может ссылаться на такой договор или соглашение ни в одном из органов Организации Объединенных Наций.

Статья 103

В том случае, когда обязательства Членов Организации по настоящему Уставу окажутся в противоречии с их обязательствами по какому либо другому международному соглашению, преимущественную силу имеют обязательства по настоящему Уставу.

Статья 104

Организация Объединенных Наций пользуется на территории каждого из своих Членов такой правоспособностью, которая может оказаться

необходимой для выполнения ее функций и достижения ее целей.

Статья 105

1. Организация Объединенных Наций пользуется на территории каждого из своих Членов такими привилегиями и иммунитетами, которые необходимы для достижения ее целей.

2. Представители Членов Организации и ее должностные лица также пользуются привилегиями и иммунитетами, которые необходимы для самостоятельного выполнения ими своих функций, связанных с деятельностью Организации.

3. Генеральная Ассамблея может делать рекомендации для определения деталей применения пунктов 1 и 2 настоящей статьи, а также может предлагать Членам Организации конвенции для этой цели.

ГЛАВА XVII

МЕРОПРИЯТИЯ ПО БЕЗОПАСНОСТИ В ПЕРЕХОДНЫЙ ПЕРИОД

Статья 106

Впредь до вступления в силу таких упомянутых в статье 43 особых соглашений, какие, по мнению Совета Безопасности, дают ему возможность начать осуществление своих обязанностей, согласно статье 42, участники Декларации Четырех Держав, подписанной в Москве 30 Октября 1943 г., и Франция будут, в соответствии с положениями пункта 5 этой Декларации, консультироваться друг с другом и, в случае необходимости, с другими Членами Организации с целью таких совместных действий от имени Организации, какие могут оказаться необходимыми для поддержания международного мира и безопасности.

Статья 107

Настоящий Устав, ни в коей мере, не лишает юридической силы действия, предпринятые или санкционированные в результате Второй Мировой Войны несущими ответственность за такие

действия правительствами, в отношении любого государства, которое в течение второй мировой войны было врагом любого из государств, подписавших настоящий Устав, а также не препятствует таким действиям.

ГЛАВА XVIII

ПОПРАВКИ

Статья 108

Поправки к настоящему Уставу вступают в силу для всех Членов Организации, после того как они приняты двумя третями голосов членов Генеральной Ассамблеи и ратифицированы, в соответствии с их конституционной процедурой, двумя третями Членов Организации, включая всех постоянных членов Совета Безопасности.

Статья 109

1. С целью пересмотра настоящего Устава может быть созвана Генеральная Конференция Членов Организации в срок и в месте, которые должны быть определены двумя третями голосов членов Генеральной Ассамблеи, и голосами любых семи членов Совета Безопасности. Каждый Член Организации будет иметь на Конференции один голос.

2. Любое изменение настоящего Устава, рекомендованное двумя третями голосов участников Конференции, вступит в силу по ратификации, в соответствии с их конституционной процедурой, двумя третями Членов Организации, включая всех постоянных членов Совета Безопасности.

3. Если такая Конференция не состоится до десятой ежегодной сессии Генеральной Ассамблеи, считая со вступления настоящего Устава в силу, предложение созвать такую Конференцию включается в повестку дня этой сессии Генеральной Ассамблеи, и Конференция созывается, если это будет решено простым большинством голосов членов Генеральной Ассам-

блей и голосами любых семи членов Совета Безопасности.

ГЛАВА XIX

РАТИФИКАЦИЯ И ПОДПИСАНИЕ

Статья 110

1. Настоящий Устав подлежит ратификации подписавшими его государствами, в соответствии с их конституционной процедурой.

2. Ратификационные грамоты должны сдаваться на хранение Правительству Соединенных Штатов Америки, которое будет извещать о сдаче на хранение каждой грамоты все государства, подписавшие Устав, также как и Генерального Секретаря Организации, когда он будет назначен.

3. Настоящий Устав вступит в силу по сдаче на хранение ратификационных грамот Китайской Республикой, Францией, Союзом Советских Социалистических Республик, Соединенным Королевством Великобритании и Северной Ирландии и Соединенными Штатами Америки, и большинством других государств, подписавших Устав. После этого Правительством Соеди-

ненных Штатов Америки будет составлен протокол о сдаче на хранение ратификационных грамот, копии с которого будут разосланы всем подписавшим Устав государствам.

4. Государства, подписавшие настоящий Устав, которые ратифицируют его после того, как он вступит в силу, станут Первоначальными Членами Организации Объединенных Наций со дня сдачи ими на хранение своих соответствующих ратификационных грамот.

Статья 111

Настоящий Устав, китайский, французский, русский, английский и испанский тексты которого являются равно аутентичными, будет храниться в архиве Правительства Соединенных Штатов Америки. Это правительство препровождает копии Устава, должным образом заверенные, Правительствам всех других подписавших его государств.

В УДОСТОВЕРЕНИЕ ЧЕГО представители Правительства Объединенных Наций подписали настоящий Устав.

СОСТАВЛЕНО в городе Сан-Франциско, июня двадцать шестого дня, тысяча девятьсот сорок пятого года.

СТАТУТ МЕЖДУНАРОДНОГО СУДА

Статья 1

Международный Суд, учрежденный Уставом Объединенных Наций в качестве главного судебного органа Объединенных Наций, образуется и действует в соответствии с нижеследующими постановлениями настоящего Статута.

ГЛАВА I ОРГАНИЗАЦИЯ СУДА

Статья 2

Суд состоит из коллегии независимых судей, избранных, вне зависимости от их гражданства, из числа лиц высоких моральных качеств, удовлетворяющих требованиям, предъявляемым в их странах для назначения на высшие судебные должности, или являющихся юристами с признанным авторитетом в области международного права.

Статья 3

1. Суд состоит из пятнадцати членов, причем в его составе не может быть двух граждан одного и того же государства.

2. Лицо, которое можно рассматривать, в применении к составу Суда, как гражданина более чем одного государства, считается гражданином того государства, в котором он обычно пользуется своими гражданскими и политическими правами.

Статья 4

1. Члены Суда избираются Генеральной Ассамблеей и Советом Безопасности из числа лиц, внесенных в список по предложению национальных групп Постоянной Палаты Третейского Суда согласно нижеследующим положениям.

2. Что касается Членов Объединенных Наций, не представленных в Постоянной Палате Третейского Суда, то кандидаты выставляются на-

циональными группами, назначенными для этой цели их правительствами, с соблюдением условий, установленных для членов Постоянной Палаты Третейского Суда статьей 44 Гаагской Конвенции 1907 года о мирном решении международных столкновений.

3. Условия, на которых государство, участник настоящего Статута, но не входящее в состав Объединенных Наций, может участвовать в избрании членов Суда, определяются, при отсутствии особого соглашения, Генеральной Ассамблеей по рекомендации Совета Безопасности.

Статья 5

1. Не позднее чем за три месяца до дня выборов Генеральный Секретарь Объединенных Наций обращается к членам Постоянной Палаты Третейского Суда, принадлежащим к государствам-участникам настоящего Статута, и к членам национальных групп, назначенных в порядке пункта 2 статьи 4, с письменным предложением о том, чтобы каждая национальная группа указала, в течение определенного срока, кандидатов, могущих принять на себя обязанности члена Суда.

2. Никакая группа не может выставить более четырех кандидатов, причем не более двух кандидатов могут состоять в гражданстве государства, представляемого группой. Число кандидатов, выставленных группой, ни в коем случае не может превышать более чем вдвое число мест, подлежащих заполнению.

Статья 6

Рекомендуется, чтобы каждая группа до представления кандидатур запрашивала мнение высших судебных установлений, юридических факультетов, правовых высших учебных заведений и Академий своей страны, а также национальных отделений международных Академий, занимающихся изучением права.

Статья 7

1. Генеральный Секретарь составляет в алфавитном порядке список всех лиц, чьи кандидатуры были выставлены. Кроме случая, предусмотренного в пункте 2 статьи 12, только лица, внесенные в этот список, могут быть избраны.

2. Генеральный Секретарь представляет этот список Генеральной Ассамблее и Совету Безопасности.

Статья 8

Генеральная Ассамблея и Совет Безопасности приступают к выборам членов Суда независимо друг от друга.

Статья 9

При избрании, избиратели должны иметь в виду, что не только каждый избранный, в отдельности, должен удовлетворять всем предъявляемым требованиям, но и весь состав судей, в целом, должен обеспечить представительство главнейших форм цивилизации и основных правовых систем мира.

Статья 10

1. Избранными считаются кандидаты, получившие абсолютное большинство голосов и в Генеральной Ассамблее, и в Совете Безопасности.

2. Любое голосование в Совете Безопасности, как при выборах судей, так и при назначении членов согласительной комиссии, предусмотренной статьей 12, производится без всякого различия между постоянными и непостоянными членами Совета Безопасности.

3. В случае, если бы абсолютное большинство голосов было подано и в Генеральной Ассамблее, и в Совете Безопасности, более чем за одного гражданина того же государства, избранным считается лишь старший по возрасту.

Статья 11

Если после первого заседания, созванного для выборов, одно или несколько мест окажутся

незаполненными, состоится второе, а в случае надобности, и третье заседание.

Статья 12

1. Если после третьего заседания одно или несколько мест окажутся незаполненными, то в любое время, по требованию либо Генеральной Ассамблеи, либо Совета Безопасности, может быть созвана согласительная комиссия в составе шести членов: трех по назначению Генеральной Ассамблеи и трех по назначению Совета Безопасности, для избрания, абсолютным большинством голосов, одного лица на каждое еще свободное место и представления его кандидатуры на усмотрение Генеральной Ассамблеи и Совета Безопасности.

2. Если согласительная комиссия единогласно остановится на кандидатуре какого-либо лица, удовлетворяющего предъявляемым требованиям, его имя может быть включено в список, хотя бы оно и не было внесено в кандидатские списки, предусмотренные статьей 7.

3. Если согласительная комиссия придет к убеждению, что выборы не могут состояться, тогда члены Суда, уже избранные, приступают в срок, определяемый Советом Безопасности, к заполнению свободных мест путем избрания членов Суда из числа кандидатов, за которых были поданы голоса, либо в Генеральной Ассамблее, либо в Совете Безопасности.

4. В случае равенства голосов судей, голос старшего по возрасту дает перевес.

Статья 13

1. Члены Суда избираются на девять лет и могут быть переизбраны, с тем, однако, что срок полномочий пяти судей первого состава Суда истекает через три года, а срок полномочий еще пяти судей — через шесть лет.

2. Генеральный Секретарь, немедленно по окончании первых выборов, определяет по жребию, кто из судей считается избранным на указанные выше первоначальные сроки в три года и в шесть лет.

3. Члены Суда продолжают исполнять свою должность впредь до замещения их мест. Даже после замещения они обязаны закончить начатые дела.

4. В случае подачи членом Суда заявления об отставке, это заявление адресуется Председателю Суда для передачи Генеральному Секретарю. По получении последним заявления место считается вакантным.

Статья 14

Открывшиеся вакансии заполняются тем же порядком, который установлен для первых выборов, с соблюдением нижеследующего правила: в течение месяца после открытия вакансии Генеральный Секретарь приступает к посылке приглашений, предусмотренных статьей 5, а день выборов устанавливается Советом Безопасности.

Статья 15

Член Суда, избранный взамен члена, срок полномочий которого еще не истек, остается в должности до истечения срока полномочий своего предшественника.

Статья 16

1. Члены Суда не могут исполнять никаких политических или административных обязанностей и не могут посвящать себя никакому другому занятию профессионального характера.

2. Сомнения по настоящему вопросу разрешаются определением Суда.

Статья 17

1. Никто из членов Суда не может исполнять обязанностей представителя, поверенного или адвоката ни в каком деле.

2. Никто из членов Суда не может участвовать в разрешении какого-либо дела, в котором он ранее участвовал в качестве представителя, поверенного, или адвоката одной из сторон, или члена национального или международного суда,

следственной комиссии или в каком-либо ином качестве.

3. Сомнения по настоящему вопросу разрешаются определением Суда.

Статья 18

1. Член Суда не может быть отрешен от должности, кроме случая когда, по единогласному мнению прочих членов, он перестает удовлетворять предъявляемым требованиям.

2. Об этом Генеральный Секретарь официально уведомляется Секретарем Суда.

3. По получении этого уведомления место считается вакантным.

Статья 19

Члены Суда при исполнении ими судебных обязанностей пользуются дипломатическими привилегиями и иммунитетами.

Статья 20

Каждый член Суда обязан до вступления в должность сделать в открытом заседании Суда торжественное заявление, что он будет отправлять свою должность беспристрастно и добросовестно.

Статья 21

1. Суд избирает Председателя и Вице-Председателя на три года. Они могут быть переизбраны.

2. Суд назначает своего Секретаря и может принять меры для назначения таких других должностных лиц, которые могут оказаться необходимыми.

Статья 22

1. Местопребыванием Суда является Гаага. Это, однако, не препятствует Суду заседать и выполнять свои функции в других местах во всех случаях, когда Суд найдет это желательным.

2. Председатель и Секретарь Суда должны проживать в месте пребывания Суда.

Статья 23

1. Суд заседает постоянно, за исключением судебных вакансий, сроки и длительность которых устанавливаются Судом.

2. Члены Суда имеют право на периодический отпуск, время и продолжительность которого определяются Судом, причем принимается во внимание расстояние от Гааги до постоянного местожительства каждого судьи на родине.

3. Члены Суда обязаны быть в распоряжении Суда во всякое время, за исключением времени нахождения в отпуску и отсутствия по причине болезни или по иным серьезным основаниям, должным образом объясненным Председателю.

Статья 24

1. Если по какой-либо особой причине член Суда считает, что он не должен участвовать в разрешении определенного дела, он сообщает об этом Председателю.

2. Если Председатель находит, что кто-либо из членов Суда не должен по какой-либо особой причине участвовать в заседании по определенному делу, он предупреждает его об этом.

3. Если при этом возникает разногласие между членом Суда и Председателем, то оно разрешается определенным Судом.

Статья 25

1. Кроме случаев, специально предусмотренных в настоящем Статуте, Суд заседает в полном составе.

2. При условии, что число судей, имеющих наличию для образования Суда, не меньше одиннадцати, Регламент Суда может предусмотреть, что один или несколько судей могут быть, в зависимости от обстоятельств, освобождены, по очереди, от участия в заседаниях.

3. Кворум в девять судей достаточен для образования судебного присутствия.

Статья 26

1. Суд может, по мере надобности, образовать одну или несколько камер, в составе

трех или более судей, по усмотрению Суда для разбора определенных категорий дел, например, трудовых дел и дел, касающихся транзита и связи.

2. Суд может в любое время образовать камеру для разбора отдельного дела. Число судей, образующих такую камеру, определяется Судом с одобрения сторон.

3. Дела заслушиваются и разрешаются камерами, предусмотренными настоящей статьей, если стороны об этом просят.

Статья 27

Решение, постановленное одной из камер, предусмотренных в статьях 26 и 29, считается вынесенным самим Судом.

Статья 28

Камеры, предусмотренные статьями 26 и 29, могут, с согласия сторон, заседать и выполнять свои функции в других местах, помимо Гааги.

Статья 29

В целях ускорения разрешения дел Суд ежегодно образует камеру в составе пяти судей, которая, по просьбе сторон, может рассматривать и разрешать дела в порядке упрощенного судопроизводства. Для замены судей, которые признают для себя невозможным принять участие в заседаниях, выделяются дополнительно два судьи.

Статья 30

1. Суд составляет Регламент, определяющий порядок выполнения им своих функций. Суд, в частности, устанавливает правила судопроизводства.

2. В Регламенте Суда может быть предусмотрено участие в заседаниях Суда или его камер ассесоров без права решающего голоса.

Статья 31

1. Судьи, состоящие в гражданстве каждой из сторон, сохраняют право участвовать в заседаниях по производящемуся в Суде делу.

2. Если в составе судебного присутствия находится судья, состоящий в гражданстве одной стороны, любая другая сторона может избрать для участия в присутствии в качестве судьи лицо по своему выбору. Это лицо избирается преимущественно из числа тех лиц, которые выдвигались в качестве кандидатов, в порядке, предусмотренном в статьях 4 и 5.

3. Если в составе судебного присутствия нет ни одного судьи, состоящего в гражданстве сторон, то каждая из этих сторон может избрать судью в порядке, предусмотренном в пункте 2 настоящей статьи.

4. Постановления настоящей статьи применяются к случаям, предусмотренным в статьях 26 и 29. В таких случаях Председатель просит одного, или, в случае надобности, двух членов Суда из состава камеры, уступить свое место членам Суда, состоящим в гражданстве заинтересованных сторон, либо, при отсутствии таковых или в случае невозможности присутствовать, судьям, специально избранным сторонами.

5. Если у нескольких сторон имеется общий интерес, то они, поскольку это касается применения предыдущих постановлений, рассматриваются, как одна сторона. В случае сомнений по этому вопросу, они разрешаются определенным Судом.

6. Судьи, избранные согласно изложенному в пунктах 2, 3 и 4 настоящей статьи, должны удовлетворять условиям, требуемым статьей 2 и пунктом 2 статьи 17 и статьями 20 и 24 настоящего Статута. Они участвуют в принятии решений на равных правах с их коллегами.

Статья 32

1. Члены Суда получают годовой оклад.
2. Председатель получает особую годовую прибавку.
3. Вице-Председатель получает особую прибавку за каждый день, когда он исполняет обязанности Председателя.
4. Избранные в порядке статьи 31 судьи, не являющиеся членами Суда, получают вознаграждение за каждый день выполнения ими своих функций.

гражданине за каждый день выполнения ими своих функций.

5. Эти оклады, прибавки и вознаграждение устанавливаются Генеральной Ассамблеей. Они не могут быть уменьшены в течение срока службы.

6. Оклад Секретаря Суда устанавливается Генеральной Ассамблеей по представлению Суда.

7. Правила, установленные Генеральной Ассамблеей, определяют условия, на которых членам Суда и Секретарю Суда назначаются пенсии при выходе их в отставку, равно как и условия, на которых члены и Секретарь Суда получают возмещение своих путевых расходов.

8. Указанные выше оклады, прибавки и вознаграждение освобождаются от всякого обложения.

Статья 33

Объединенные Нации несут расходы Суда в порядке, определяемом Генеральной Ассамблеей.

ГЛАВА II КОМПЕТЕНЦИЯ СУДА

Статья 34

1. Только государства могут быть сторонами по делам, разбираемым Судом.

2. На условиях своего Регламента и в соответствии с ним, Суд может запрашивать у публичных международных организаций информацию, относящуюся к делам, находящимся на его рассмотрении, а также получает подобную информацию, представляемую указанными организациями по их собственной инициативе.

3. Когда по делу, разбираемому Судом, ему надлежит дать толкование учредительному документу какой-либо публичной международной организации или международной конвенции, заключенной в силу такого документа, Секретарь Суда уведомляет данную публичную меж-

дународную организацию и препровождает ей копии всего письменного производства.

Статья 35

1. Суд открыт для государств, являющихся участниками настоящего Статута.

2. Условия, на которых Суд открыт для других государств, определяются Советом Безопасности, с соблюдением особых постановлений, содержащихся в действующих договорах; эти условия, ни в коем случае, не могут поставить стороны в неравное положение перед Судом.

3. Когда государство, не состоящее Членом Объединенных Наций, является стороной в деле, Суд определяет сумму, которую эта сторона должна внести на покрытие расходов Суда. Это постановление не применяется, если данное государство уже участвует в расходах Суда.

Статья 36

1. К ведению Суда относятся все дела, которые будут переданы ему сторонами, и все вопросы, специально предусмотренные Уставом Объединенных Наций, или действующими договорами и конвенциями.

2. Государства-участники настоящего Статута могут в любое время заявить, что они признают без особого о том соглашения, *ipso facto*, в отношении любого иного государства, принявшего такое же обязательство, юрисдикцию Суда обязательной по всем правовым спорам, касающимся:

- a) толкование договора;
- b) любого вопроса международного права;
- c) наличия факта, который, если он будет установлен, представит собой нарушение международного обязательства;
- d) характера и размеров возмещения, причитающегося за нарушение международного обязательства.

3. Вышеуказанные заявления могут быть безусловными, или на условиях взаимности со стороны тех или иных государств, или же на определенное время.

4. Такие заявления сдаются на хранение Генеральному Секретарю, который препровождает копии таковых участникам настоящего Статута и Секретарю Суда.

5. Заявления, сделанные на основании статьи 36 Статута Постоянной Палаты Международного Правосудия, продолжаящие оставаться в силе, считаются, в отношениях между участниками настоящего Статута, признанием ими юрисдикции Международного Суда для себя обязательной на неистекший срок действия этих заявлений и в соответствии с условиями, в них изложенными.

6. В случае спора о подсудности дела Суду, вопрос разрешается определением Суда.

Статья 37

Во всех случаях, когда действующие договор или конвенция предусматривают передачу дела Суду, который должен был быть учрежден Лигой Наций, или Постоянной Палате Международного Правосудия, дело между сторонами-участниками настоящего Статута должно передаваться в Международный Суд.

Статья 38

1. Суд, — который обязан решать переданные ему споры на основании международного права, — применяет:

- a) международные конвенции, как общие так и специальные, устанавливающие правила, определено признанные спорящими государствами;
- b) международный обычай, как доказательство всеобщей практики, признанной в качестве правовой нормы;
- c) общие принципы права, признанные цивилизованными нациями;
- d) с оговоркой, указанной в статье 59, судебные решения и доктрины наиболее квалифицированных специалистов по публичному праву различных наций, в качестве вспомогательного средства для определения правовых норм.

2. Это постановление не ограничивает права Суда разрешать дело *ex aequo et bono*, если стороны с этим согласны.

ГЛАВА III СУДОПРОИЗВОДСТВО

Статья 39

1. Официальными языками Суда являются французский и английский. Если стороны согласны на ведение дела на французском языке, то решение выносится на французском языке. Если стороны согласны на ведение дела на английском языке, то решение выносится на английском языке.

2. При отсутствии соглашения относительно того, какой язык будет применяться, каждая сторона может в судопроизводении пользоваться тем языком, который она предпочитает; решение Суда выносится на французском и английском языках. В этом случае Суд одновременно определяет, какой из двух текстов рассматривается в качестве аутентичного.

3. Суд обязан по ходатайству любой стороны предоставить ей право пользоваться другим языком, помимо французского и английского.

Статья 40

1. Дела возбуждаются в Суде, в зависимости от обстоятельств, или нотификацией специального соглашения, или письменным заявлением на имя Секретаря. В обоих случаях должны быть указаны предмет спора и стороны.

2. Секретарь немедленно сообщает заявления всем заинтересованным лицам.

3. Он также извещает Членов Объединенных Наций, через посредство Генерального Секретаря, а также и другие государства, имеющие право доступа к Суду.

Статья 41

1. Суд имеет право указать, если, по его мнению, это требуется обстоятельствами, любые временные меры, которые должны быть приняты

для обеспечения прав каждой из сторон.

2. Впредь до окончательного решения, сообщение о предлагаемых мерах немедленно доводится до сведения сторон и Совета Безопасности.

Статья 42

1. Стороны выступают через представителей.

2. Они могут пользоваться в Суде помощью поверенных или адвокатов.

3. Представители, поверенные и адвокаты, представляющие стороны в Суде, пользуются привилегиями и иммунитетами, необходимыми для самостоятельного выполнения ими своих обязанностей.

Статья 43

1. Судопроизводство состоит из двух частей: письменного и устного судопроизводства.

2. Письменное судопроизводство состоит из сообщения Суду и сторонам меморандумов, контр-меморандумов и, если потребуется, ответов на них, а равно всех подтверждающих их бумаг и документов.

3. Эти сообщения производятся через Секретаря, в порядке и в сроки, установленные Судом.

4. Всякий документ, представляемый одной из сторон, должен быть сообщен другой в засвидетельствованной копии.

5. Устное судопроизводство состоит в заслушании Судом свидетелей, экспертов, представителей, поверенных и адвокатов.

Статья 44

1. Для передачи всех извещений иным лицам, кроме представителей, поверенных и адвокатов, Суд обращается непосредственно к правительству государства, на территории которого извещение должно быть вручено.

2. То же правило применяется в случаях, когда необходимо принять меры к получению доказательств на месте.

Статья 45

Слушание дела ведется под руководством Председателя или, если он не может председа-

тельствовать, **Вице-Председателя**; если ни тот ни другой не могут председательствовать, председательствует старший из присутствующих судей.

Статья 46

Слушание дела в Суде производится публично, если не последовало иного решения Суда или если стороны не требуют, чтобы публика не была допущена.

Статья 47

1. Каждому судебному заседанию ведется протокол, подписываемый Секретарем и Председателем.

2. Лишь этот протокол аутентичен.

Статья 48

Суд распоряжается о направлении дела, определяет формы и сроки, в которые каждая сторона должна окончательно изложить свои доводы, и принимает все меры, относящиеся к собиранию доказательств.

Статья 49

Суд может, даже до начала слушания дела, требовать от представителей предъявления любого документа или объяснений. В случае отказа составляется акт.

Статья 50

Суд может во всякое время поручить производство расследования или экспертизы всякому лицу, коллегии, бюро, комиссии или другой организации по своему выбору.

Статья 51

При слушании дела все относящиеся к делу вопросы предлагаются свидетелям и экспертам с соблюдением условий, определяемых Судом в Регламенте, упомянутом в статье 30.

Статья 52

После получения доказательств в установленные для этого сроки, Суд может отказать в

принятии всех дальнейших устных и письменных доказательств, которые одна из сторон желала бы предъявить без согласия другой.

Статья 53

1. Если одна из сторон не явится в Суд или не представит своих доводов, другая сторона может просить Суд о разрешении дела в свою пользу.

2. Суд обязан, к удовлетворению этого ходатайства, удостовериться не только в подсудности ему дела, согласно статей 36 и 37, но также и в том, имеет ли это притязание достаточное фактическое и правовое обоснование.

Статья 54

1. Когда представители, адвокаты и поверенные закончили под руководством Суда свои объяснения по делу, Председатель объявляет слушание законченным.

2. Суд удаляется для обсуждения решения.

3. Совещания Суда происходят в закрытом заседании и сохраняются в тайне.

Статья 55

1. Все вопросы разрешаются большинством голосов присутствующих судей.

2. В случае разделения голосов поровну, голос Председателя, или замещающего его Судьи, дает перевес.

Статья 56

1. В решении должны быть приведены соображения, на которых оно основано.

2. Решение содержит имена судей, участвовавших в его принятии.

Статья 57

Если решение, в целом или в части, не выражает единогласного мнения судей, то каждый судья имеет право представить свое особое мнение.

Статья 58

Решение подписывается Председателем и

Секретарем Суда. Оно оглашается в открытом заседании Суда после надлежащего уведомления представителей сторон.

Статья 59

Решение Суда обязательно лишь для участвующих в деле сторон и лишь по данному делу.

Статья 60

Решение окончательно и не подлежит обжалованию. В случае спора о смысле или объеме решения, толкование его принадлежит Суду по требованию любой стороны.

Статья 61

1. Просьба о пересмотре решения может быть заявлена лишь на основании вновь открывшихся обстоятельств, которые, по своему характеру, могут оказать решающее влияние на исход дела и которые, при вынесении решения, не были известны ни Суду, ни стороне, просящей о пересмотре, при том неприменимом условии, что такая неосведомленность не была следствием небрежности.

2. Производство по пересмотру открывается определенным Судом, в котором определенно устанавливается наличие нового обстоятельства с признанием за последним характера, дающего основание к пересмотру дела, и объявляется о принятии, в силу этого, просьбы о пересмотре.

3. Суд может потребовать, чтобы условия решения были выполнены, прежде чем он откроет производство по пересмотру дела.

4. Просьба о пересмотре должна быть заявлена до истечения шестимесячного срока после открытия новых обстоятельств.

5. Никакие просьбы о пересмотре не могут быть заявлены по истечении десяти лет с момента вынесения решения.

Статья 62

1. Если какое-либо государство считает, что решение по делу может затронуть какой-либо его интерес правового характера, то это государ-

ство может обратиться в Суд с просьбой о разрешении вступить в дело.

2. Решение по такой просьбе принадлежит Суду.

Статья 63

1. В случае возникновения вопроса о толковании конвенции, в которой, кроме заинтересованных в деле сторон, участвуют и другие государства, Секретарь Суда немедленно извещает все эти государства.

2. Каждое из государств, получивших такое извещение, имеет право вступить в дело, и, если оно воспользуется этим правом, толкование, содержащееся в решении, равным образом обязательно и для него.

Статья 64

При отсутствии иного определения Суда, каждая сторона несет свои собственные судебные издержки.

ГЛАВА IV

КОНСУЛЬТАТИВНЫЕ ЗАКЛЮЧЕНИЯ

Статья 65

1. Суд может давать консультативные заключения по любому юридическому вопросу, по запросу любого учреждения, уполномоченного делать такие запросы самим Уставом Объединенных Наций или согласно этому Уставу.

2. Вопросы, по которым испрашивается консультативное заключение Суда, представляются Суду в письменном заявлении, содержащем точное изложение вопроса, по которому требуется заключение; к нему прилагаются все документы, могущие послужить к разъяснению вопроса.

Статья 66

1. Секретарь Суда немедленно сообщает о заявлении, содержащем просьбу о консультативном заключении всем государствам, имеющим право доступа к Суду.

2. Кроме того, Секретарь Суда посылкою особого и непосредственного уведомления сообщает любому имеющему доступ к Суду государству, а также любой международной организации, которые могут, по мнению Суда (или его Председателя, если Суд не заседает), дать сведения по данному вопросу, что Суд готов принять, в течение устанавливаемого Председателем срока, относящиеся к вопросу письменные доклады или же выслушать также же устные доклады на открытом заседании, назначаемом с этой целью.

3. Если такое государство, имеющее право доступа к Суду, не получит особого уведомления, упомянутого в пункте 2 настоящей статьи, то оно может выразить желание представить письменный доклад или быть выслушанным; Суд принимает решение по этому вопросу.

4. Государства и организации, которые представили письменные или устные доклады, или и те и другие, допускаются к обсуждению докладов, сделанных другими государствами или организациями, в формах, пределах и в сроки, устанавливаемые в каждом отдельном случае Судом или, если он не заседает, Председателем Суда. Для этой цели Секретарь Суда сообщает в надлежащее время все такие письменные доклады государствам и организациям, которые сами представили подобные доклады.

Статья 67

Суд выносит свои консультативные заключения в открытом заседании, о чем предупреж-

даются Генеральный Секретарь и представители непосредственно заинтересованных членов Объединенных Наций, других государств и международных организаций.

Статья 68

При осуществлении своих консультативных функций Суд, помимо указанного, руководствуется постановлениями настоящего Статута, относящимися к спорным делам, в той мере, в какой Суд признает их применимыми.

ГЛАВА V ПОПРАВКИ

Статья 69

Поправки к настоящему Статуту вводятся тем же порядком, какой предусмотрен Уставом Объединенных Наций для поправок к этому Уставу, при соблюдении, однако, всех правил, какие могут быть установлены Генеральной Ассамблеей по рекомендации Совета Безопасности относительно участия государств, не состоящих Членами Объединенных Наций, но являющихся участниками Статута.

Статья 70

Суд имеет право предлагать поправки к настоящему Статуту, какие он признает необходимыми, сообщая их письменно Генеральному Секретарю для дальнейшего рассмотрения соответственно с правилами, изложенными в статье 69.

CARTA DE LAS NACIONES UNIDAS

Y

ESTATUTO DE LA CORTE INTERNACIONAL DE JUSTICIA



SAN FRANCISCO · 1945

CARTA DE LAS NACIONES UNIDAS

NOSOTROS LOS PUEBLOS DE LAS NACIONES UNIDAS RESUELTOS

- a preservar a las generaciones venideras del flagelo de la guerra, que dos veces durante nuestra vida ha infligido a la humanidad sufrimientos indecibles,
- a reafirmar la fe en los derechos fundamentales del hombre, en la dignidad y el valor de la persona humana, en la igualdad de derechos de hombres y mujeres y de las naciones grandes y pequeñas,
- a crear condiciones bajo las cuales puedan mantenerse la justicia y el respeto a las obligaciones emanadas de los tratados y de otras fuentes del derecho internacional,
- a promover el progreso social y a elevar el nivel de vida dentro de un concepto más amplio de la libertad,

Y CON TALES FINALIDADES

- a practicar la tolerancia y a convivir en paz como buenos vecinos,
- a unir nuestras fuerzas para el mantenimiento de la paz y la seguridad internacionales,
- a asegurar, mediante la aceptación de principios y la adopción de métodos, que no se usará la fuerza armada sino en servicio del interés común, y
- a emplear un mecanismo internacional para promover el progreso económico y social de todos los pueblos,

HEMOS DECIDIDO AUNAR NUESTROS ESFUERZOS PARA REALIZAR ESTOS DESIGNIOS

Por lo tanto, nuestros respectivos Gobiernos, por medio de representantes reunidos en la ciudad de San Francisco que han exhibido sus plenos poderes, encontrados en buena y debida forma, han convenido en la presente Carta de las Naciones Unidas, y por este acto establecen una organización internacional que se denominará las Naciones Unidas.

CAPITULO I

PROPOSITOS Y PRINCIPIOS

Artículo 1

Los Propósitos de las Naciones Unidas son:

1. Mantener la paz y la seguridad internacionales, y con tal fin: tomar medidas colectivas eficaces para prevenir y eliminar amenazas a la paz, y para suprimir actos de agresión u otros quebrantamientos de la paz; y lograr por medios pacíficos, y de conformidad con los principios de la justicia y del derecho internacional, el ajuste o arreglo de controversias o situaciones internacionales susceptibles de conducir a quebrantamientos de la paz;

2. Fomentar entre las naciones relaciones de amistad basadas en el respeto al principio de la igualdad de derechos y al de la libre determinación de los pueblos, y tomar otras medidas adecuadas para fortalecer la paz universal;

3. Realizar la cooperación internacional en la solución de problemas internacionales de carácter económico, social, cultural o humanitario, y en el desarrollo y estímulo del respeto a los derechos humanos y a las libertades fundamentales de todos, sin hacer distinción por motivos de raza, sexo, idioma o religión; y

4. Servir de centro que armonice los esfuerzos de las naciones por alcanzar estos propósitos comunes.

Artículo 2

Para la realización de los Propósitos consignados en el Artículo 1, la Organización y sus Miembros procederán de acuerdo con los siguientes Principios:

1. La Organización está basada en el principio de la igualdad soberana de todos sus Miembros.

2. Los Miembros de la Organización, a fin de asegurarse los derechos y beneficios inherentes a su condición de tales, cumplirán de buena fe las

obligaciones contraídas por ellos de conformidad con esta Carta.

3. Los Miembros de la Organización arreglarán sus controversias internacionales por medios pacíficos de tal manera que no se pongan en peligro ni la paz y la seguridad internacionales ni la justicia.

4. Los Miembros de la Organización, en sus relaciones internacionales, se abstendrán de recurrir a la amenaza o al uso de la fuerza contra la integridad territorial o la independencia política de cualquier Estado, o en cualquier otra forma incompatible con los Propósitos de las Naciones Unidas.

5. Los Miembros de la Organización prestarán a ésta toda clase de ayuda en cualquier acción que ejerza de conformidad con esta Carta, y se abstendrán de dar ayuda a Estado alguno contra el cual la Organización estuviere ejerciendo acción preventiva o coercitiva.

6. La Organización hará que los Estados que no son Miembros de las Naciones Unidas se conduzcan de acuerdo con estos Principios en la medida que sea necesaria para mantener la paz y la seguridad internacionales.

7. Ninguna disposición de esta Carta autorizará a las Naciones Unidas a intervenir en los asuntos que son esencialmente de la jurisdicción interna de los Estados, ni obligará a los Miembros a someter dichos asuntos a procedimientos de arreglo conforme a la presente Carta; pero este principio no se opone a la aplicación de las medidas coercitivas prescritas en el Capítulo VII.

CAPITULO II

MIEMBROS

Artículo 3

Son Miembros originarios de las Naciones Unidas los Estados que habiendo participado en la Conferencia de las Naciones Unidas sobre Organi-

zación Internacional celebrada en San Francisco, o que habiendo firmado previamente la Declaración de las Naciones Unidas de 1 de enero de 1942, suscriban esta Carta y la ratifiquen de conformidad con el Artículo 110.

Artículo 4

1. Podrán ser Miembros de las Naciones Unidas todos los demás Estados amantes de la paz que acepten las obligaciones consignadas en esta Carta, y que, a juicio de la Organización, estén capacitados para cumplir dichas obligaciones y se hallen dispuestos a hacerlo.

2. La admisión de tales Estados como Miembros de las Naciones Unidas se efectuará por decisión de la Asamblea General a recomendación del Consejo de Seguridad.

Artículo 5

Todo Miembro de las Naciones Unidas que haya sido objeto de acción preventiva o coercitiva por parte del Consejo de Seguridad podrá ser suspendido por la Asamblea General, a recomendación del Consejo de Seguridad, del ejercicio de los derechos y privilegios inherentes a su calidad de Miembro. El ejercicio de tales derechos y privilegios podrá ser restituído por el Consejo de Seguridad.

Artículo 6

Todo Miembro de las Naciones Unidas que haya violado repetidamente los Principios contenidos en esta Carta podrá ser expulsado de la Organización por la Asamblea General a recomendación del Consejo de Seguridad.

CAPITULO III

ORGANOS

Artículo 7

1. Se establecen como órganos principales de las Naciones Unidas: una Asamblea General, un

Consejo de Seguridad, un Consejo Económico y Social, un Consejo de Administración Fiduciaria, una Corte Internacional de Justicia y una Secretaría.

2. Se podrán establecer, de acuerdo con las disposiciones de la presente Carta, los órganos subsidiarios que se estimen necesarios.

Artículo 8

La Organización no establecerá restricciones en cuanto a la elegibilidad de hombres y mujeres para participar en condiciones de igualdad y en cualquier carácter en las funciones de sus órganos principales y subsidiarios.

CAPITULO IV

LA ASAMBLEA GENERAL

Composición

Artículo 9

1. La Asamblea General estará integrada por todos los Miembros de las Naciones Unidas.

2. Ningún Miembro podrá tener más de cinco representantes en la Asamblea General.

Funciones y Poderes

Artículo 10

La Asamblea General podrá discutir cualesquier asuntos o cuestiones dentro de los límites de esta Carta o que se refieran a los poderes y funciones de cualquiera de los órganos creados por esta Carta, y salvo lo dispuesto en el Artículo 12 podrá hacer recomendaciones sobre tales asuntos o cuestiones a los Miembros de las Naciones Unidas o al Consejo de Seguridad o a éste y a aquéllos.

Artículo 11

1. La Asamblea General podrá considerar los principios generales de la cooperación en el mantenimiento de la paz y la seguridad internacio-

nales, incluso los principios que rigen el desarme y la regulación de los armamentos, y podrá también hacer recomendaciones respecto de tales principios a los Miembros o al Consejo de Seguridad o a éste y a aquéllos.

2. La Asamblea General podrá discutir toda cuestión relativa al mantenimiento de la paz y la seguridad internacionales que presente a su consideración cualquier Miembro de las Naciones Unidas o el Consejo de Seguridad, o que un Estado que no es Miembro de las Naciones Unidas presente de conformidad con el Artículo 35, párrafo 2, y salvo lo dispuesto en el Artículo 12, podrá hacer recomendaciones acerca de tales cuestiones al Estado o Estados interesados o al Consejo de Seguridad o a éste y a aquéllos. Toda cuestión de esta naturaleza con respecto a la cual se requiera acción será referida al Consejo de Seguridad por la Asamblea General antes o después de discutirla.

3. La Asamblea General podrá llamar la atención del Consejo de Seguridad hacia situaciones susceptibles de poner en peligro la paz y la seguridad internacionales.

4. Los poderes de la Asamblea General enumerados en este Artículo no limitarán el alcance general del Artículo 10.

Artículo 12

1. Mientras el Consejo de Seguridad esté desempeñando las funciones que le asigna esta Carta con respecto a una controversia o situación, la Asamblea General no hará recomendación alguna sobre tal controversia o situación, a no ser que lo solicite el Consejo de Seguridad.

2. El Secretario General, con el consentimiento del Consejo de Seguridad, informará a la Asamblea General, en cada período de sesiones, sobre todo asunto relativo al mantenimiento de la paz y la seguridad internacionales que estuviere tratando el Consejo de Seguridad, e informará asimismo a la Asamblea General, o a los Miembros de las Naciones Unidas si la Asamblea no estuviere

reunida, tan pronto como el Consejo de Seguridad cese de tratar dichos asuntos.

Artículo 13

1. La Asamblea General promoverá estudios y hará recomendaciones para los fines siguientes:

a. fomentar la cooperación internacional en el campo político e impulsar el desarrollo progresivo del derecho internacional y su codificación;

b. fomentar la cooperación internacional en materias de carácter económico, social, cultural, educativo y sanitario y ayudar a hacer efectivos los derechos humanos y las libertades fundamentales de todos, sin hacer distinción por motivos de raza, sexo, idioma o religión.

2. Los demás poderes, responsabilidades y funciones de la Asamblea General con relación a los asuntos que se mencionan en el inciso *b* del párrafo 1 precedente quedan enumerados en los Capítulos IX y X.

Artículo 14

Salvo lo dispuesto en el Artículo 12, la Asamblea General podrá recomendar medidas para el arreglo pacífico de cualesquiera situaciones, sea cual fuere su origen, que a juicio de la Asamblea puedan perjudicar el bienestar general o las relaciones amistosas entre naciones, incluso las situaciones resultantes de una violación de las disposiciones de esta Carta que enuncian los Propósitos y Principios de las Naciones Unidas.

Artículo 15

1. La Asamblea General recibirá y considerará informes anuales y especiales del Consejo de Seguridad. Estos informes comprenderán una relación de las medidas que el Consejo de Seguridad haya decidido aplicar o haya aplicado para mantener la paz y la seguridad internacionales.

2. La Asamblea General recibirá y considerará

informes de los demás órganos de las Naciones Unidas.

Artículo 16

La Asamblea General desempeñará, con respecto al régimen internacional de administración fiduciaria, las funciones que se le atribuyen conforme a los Capítulos XII y XIII, incluso la aprobación de los acuerdos de administración fiduciaria de zonas no designadas como estratégicas.

Artículo 17

1. La Asamblea General examinará y aprobará el presupuesto de la Organización.

2. Los Miembros sufragarán los gastos de la Organización en la proporción que determine la Asamblea General.

3. La Asamblea General considerará y aprobará los arreglos financieros y presupuestarios que se celebren con los organismos especializados de que trata el Artículo 57 y examinará los presupuestos administrativos de tales organismos especializados con el fin de hacer recomendaciones a los organismos correspondientes.

Votación

Artículo 18

1. Cada Miembro de la Asamblea General tendrá un voto.

2. Las decisiones de la Asamblea General en cuestiones importantes se tomarán por el voto de una mayoría de dos tercios de los miembros presentes y votantes. Estas cuestiones comprenderán: las recomendaciones relativas al mantenimiento de la paz y la seguridad internacionales, la elección de los miembros no permanentes del Consejo de Seguridad, la elección de los miembros del Consejo Económico y Social, la elección de los miembros del Consejo de Administración Fiduciaria de conformidad con el inciso c, párrafo 1, del Artículo 86, la admisión de nuevos Miembros a las Naciones Unidas, la suspensión de los derechos y privilegios

de los Miembros, la expulsión de Miembros, las cuestiones relativas al funcionamiento del régimen de administración fiduciaria y las cuestiones presupuestarias.

3. Las decisiones sobre otras cuestiones, incluso la determinación de categorías adicionales de cuestiones que deban resolverse por mayoría de dos tercios, se tomarán por la mayoría de los miembros presentes y votantes.

Artículo 19

El Miembro de las Naciones Unidas que esté en mora en el pago de sus cuotas financieras para los gastos de la Organización, no tendrá voto en la Asamblea General cuando la suma adeudada sea igual o superior al total de las cuotas adeudadas por los dos años anteriores completos. La Asamblea General podrá, sin embargo, permitir que dicho Miembro vote si llegare a la conclusión de que la mora se debe a circunstancias ajenas a la voluntad de dicho Miembro.

Procedimiento

Artículo 20

La Asamblea General se reunirá anualmente en sesiones ordinarias y, cada vez que las circunstancias lo exijan, en sesiones extraordinarias. El Secretario General convocará a sesiones extraordinarias a solicitud del Consejo de Seguridad o de la mayoría de los Miembros de las Naciones Unidas.

Artículo 21

La Asamblea General dictará su propio reglamento y elegirá su Presidente para cada período de sesiones.

Artículo 22

La Asamblea General podrá establecer los organismos subsidiarios que estime necesarios para el desempeño de sus funciones.

CAPITULO V

EL CONSEJO DE SEGURIDAD

Composición

Artículo 23

1. El Consejo de Seguridad se compondrá de once miembros de las Naciones Unidas. La República de China, Francia, la Unión de las Repúblicas Socialistas Soviéticas, el Reino Unido de la Gran Bretaña e Irlanda del Norte y los Estados Unidos de América, serán miembros permanentes del Consejo de Seguridad. La Asamblea General elegirá otros seis Miembros de las Naciones Unidas que serán miembros no permanentes del Consejo de Seguridad, prestando especial atención, en primer término, a la contribución de los Miembros de las Naciones Unidas al mantenimiento de la paz y la seguridad internacionales y a los demás propósitos de la Organización, como también a una distribución geográfica equitativa.

2. Los miembros no permanentes del Consejo de Seguridad serán elegidos por un período de dos años. Sin embargo, en la primera elección de los miembros no permanentes, tres serán elegidos por un período de un año. Los miembros salientes no serán reelegibles para el período subsiguiente.

3. Cada miembro del Consejo de Seguridad tendrá un representante.

Funciones y Poderes

Artículo 24

1. A fin de asegurar acción rápida y eficaz por parte de las Naciones Unidas, sus Miembros confieren al Consejo de Seguridad la responsabilidad primordial de mantener la paz y la seguridad internacionales, y reconocen que el Consejo de Seguridad actúa a nombre de ellos al desempeñar las funciones que le impone aquella responsabilidad.

2. En el desempeño de estas funciones, el Consejo de Seguridad procederá de acuerdo con los Propósitos y Principios de las Naciones Unidas.

Los poderes otorgados al Consejo de Seguridad para el desempeño de dichas funciones quedan definidos en los Capítulos VI, VII, VIII y XII.

3. El Consejo de Seguridad presentará a la Asamblea General para su consideración informes anuales y, cuando fuere necesario, informes especiales.

Artículo 25

Los Miembros de las Naciones Unidas convienen en aceptar y cumplir las decisiones del Consejo de Seguridad de acuerdo con esta Carta.

Artículo 26

A fin de promover el establecimiento y mantenimiento de la paz y la seguridad internacionales con la menor desviación posible de los recursos humanos y económicos del mundo hacia los armamentos, el Consejo de Seguridad tendrá a su cargo, con la ayuda del Comité de Estado Mayor a que se refiere el Artículo 47, la elaboración de planes que se someterán a los Miembros de las Naciones Unidas para el establecimiento de un sistema de regulación de los armamentos.

Votación

Artículo 27

1. Cada miembro del Consejo de Seguridad tendrá un voto.

2. Las decisiones del Consejo de Seguridad sobre cuestiones de procedimiento serán tomadas por el voto afirmativo de siete miembros.

3. Las decisiones del Consejo de Seguridad sobre todas las demás cuestiones serán tomadas por el voto afirmativo de siete miembros, incluso los votos afirmativos de todos los miembros permanentes; pero en las decisiones tomadas en virtud del Capítulo VI y del párrafo 3 del Artículo 52, la parte en una controversia se abstendrá de votar.

*Procedimiento**Artículo 28*

1. El Consejo de Seguridad será organizado de modo que pueda funcionar continuamente. Con tal fin, cada miembro del Consejo de Seguridad tendrá en todo momento su representante en la sede de la Organización.

2. El Consejo de Seguridad celebrará reuniones periódicas en las cuales cada uno de sus miembros podrá, si lo desea, hacerse representar por un miembro de su Gobierno o por otro representante especialmente designado.

3. El Consejo de Seguridad podrá celebrar reuniones en cualesquiera lugares, fuera de la sede de la Organización, que juzgue más apropiados para facilitar sus labores.

Artículo 29

El Consejo de Seguridad podrá establecer los organismos subsidiarios que estime necesarios para el desempeño de sus funciones.

Artículo 30

El Consejo de Seguridad dictará su propio reglamento, el cual establecerá el método de elegir su Presidente.

Artículo 31

Cualquier Miembro de las Naciones Unidas que no sea miembro del Consejo de Seguridad podrá participar sin derecho a voto en la discusión de toda cuestión llevada ante el Consejo de Seguridad cuando éste considere que los intereses de ese Miembro están afectados de manera especial.

Artículo 32

El Miembro de las Naciones Unidas que no tenga asiento en el Consejo de Seguridad o el Estado que no sea Miembro de las Naciones Unidas, si fuere parte en una controversia que esté considerando el Consejo de Seguridad, será invitado a participar sin derecho a voto en las discu-

siones relativas a dicha controversia. El Consejo de Seguridad establecerá las condiciones que estime justas para la participación de los Estados que no sean Miembros de las Naciones Unidas.

CAPITULO VI

ARREGLO PACIFICO DE CONTROVERSIAS

Artículo 33

1. Las partes en una controversia cuya continuación sea susceptible de poner en peligro el mantenimiento de la paz y la seguridad internacionales tratarán de buscarle solución, ante todo, mediante la negociación, la investigación, la mediación, la conciliación, el arbitraje, el arreglo judicial, el recurso a organismos o acuerdos regionales u otros medios pacíficos de su elección.

2. El Consejo de Seguridad, si lo estimare necesario, instará a las partes a que arreglen sus controversias por dichos medios.

Artículo 34

El Consejo de Seguridad podrá investigar toda controversia, o toda situación susceptible de conducir a fricción internacional o dar origen a una controversia, a fin de determinar si la prolongación de tal controversia o situación puede poner en peligro el mantenimiento de la paz y la seguridad internacionales.

Artículo 35

1. Todo Miembro de las Naciones Unidas podrá llevar cualquiera controversia, o cualquiera situación de la naturaleza expresada en el Artículo 34, a la atención del Consejo de Seguridad o de la Asamblea General.

2. Un Estado que no es Miembro de las Naciones Unidas podrá llevar a la atención del Consejo de Seguridad o de la Asamblea General toda controversia en que sea parte, si acepta de antemano, en lo relativo a la controversia, las obliga-

ciones de arreglo pacífico establecidas en esta Carta.

3. El procedimiento que siga la Asamblea General con respecto a asuntos que le sean presentados de acuerdo con este Artículo quedará sujeto a las disposiciones de los Artículos 11 y 12.

Artículo 36

1. El Consejo de Seguridad podrá, en cualquier estado en que se encuentre una controversia de la naturaleza de que trata el Artículo 33 o una situación de índole semejante, recomendar los procedimientos o métodos de ajuste que sean apropiados.

2. El Consejo de Seguridad deberá tomar en consideración todo procedimiento que las partes hayan adoptado para el arreglo de la controversia.

3. Al hacer recomendaciones de acuerdo con este Artículo, el Consejo de Seguridad deberá tomar también en consideración que las controversias de orden jurídico, por regla general, deben ser sometidas por las partes a la Corte Internacional de Justicia, de conformidad con las disposiciones del Estatuto de la Corte.

Artículo 37

1. Si las partes en una controversia de la naturaleza definida en el Artículo 33 no logren arreglarla por los medios indicados en dicho Artículo, la someterán al Consejo de Seguridad.

2. Si el Consejo de Seguridad estimare que la continuación de la controversia es realmente susceptible de poner en peligro el mantenimiento de la paz y la seguridad internacionales, el Consejo decidirá si ha de proceder de conformidad con el Artículo 36 o si ha de recomendar los términos de arreglo que considere apropiados.

Artículo 38

Sin perjuicio de lo dispuesto en los Artículos 33 a 37, el Consejo de Seguridad podrá, si así lo solicitan todas las partes en una controversia,

hacerles recomendaciones a efecto de que se llegue a un arreglo pacífico.

CAPITULO VII

ACCION EN CASO DE AMENAZAS A LA PAZ, QUEBRANTAMIENTOS DE LA PAZ O ACTOS DE AGRESION

Artículo 39

El Consejo de Seguridad determinará la existencia de toda amenaza a la paz, quebrantamiento de la paz o acto de agresión y hará recomendaciones o decidirá qué medidas serán tomadas de conformidad con los Artículos 41 y 42 para mantener o restablecer la paz y la seguridad internacionales.

Artículo 40

A fin de evitar que la situación se agrave, el Consejo de Seguridad, antes de hacer las recomendaciones o decidir las medidas de que trata el Artículo 39, podrá instar a las partes interesadas a que cumplan con las medidas provisionales que juzgue necesarias o aconsejables. Dichas medidas provisionales no perjudicarán los derechos, las reclamaciones o la posición de las partes interesadas. El Consejo de Seguridad tomará debida nota del incumplimiento de dichas medidas provisionales.

Artículo 41

El Consejo de Seguridad podrá decidir qué medidas que no impliquen el uso de la fuerza armada han de emplearse para hacer efectivas sus decisiones, y podrá instar a los Miembros de las Naciones Unidas a que apliquen dichas medidas, que podrán comprender la interrupción total o parcial de las relaciones económicas y de las comunicaciones ferroviarias, marítimas, aéreas, postales, telegráficas, radioeléctricas, y otros medios de comunicación, así como la ruptura de relaciones diplomáticas.

Artículo 42

Si el Consejo de Seguridad estimare que las medidas de que trata el Artículo 41 pueden ser inadecuadas o han demostrado serlo, podrá ejercer, por medio de fuerzas aéreas, navales o terrestres, la acción que sea necesaria para mantener o restablecer la paz y la seguridad internacionales. Tal acción podrá comprender demostraciones, bloqueos y otras operaciones ejecutadas por fuerzas aéreas, navales o terrestres de Miembros de las Naciones Unidas.

Artículo 43

1. Todos los Miembros de las Naciones Unidas, con el fin de contribuir al mantenimiento de la paz y la seguridad internacionales, se comprometen a poner a disposición del Consejo de Seguridad, cuando éste lo solicite, y de conformidad con un convenio especial o con convenios especiales, las fuerzas armadas, la ayuda y las facilidades, incluso el derecho de paso, que sean necesarias para el propósito de mantener la paz y la seguridad internacionales.

2. Dicho convenio o convenios fijarán el número y clase de las fuerzas, su grado de preparación y su ubicación general, como también la naturaleza de las facilidades y de la ayuda que habrán de darse.

3. El convenio o convenios serán negociados a iniciativa del Consejo de Seguridad tan pronto como sea posible; serán concertados entre el Consejo de Seguridad y Miembros individuales o entre el Consejo de Seguridad y grupos de Miembros, y estarán sujetos a ratificación por los Estados signatarios de acuerdo con sus respectivos procedimientos constitucionales.

Artículo 44

Cuando el Consejo de Seguridad haya decidido hacer uso de la fuerza, antes de requerir a un Miembro que no esté representado en él a que provea fuerzas armadas en cumplimiento de las obligaciones contraídas en virtud del Artículo 43,

invitará a dicho Miembro, si éste así lo deseara, a participar en las decisiones del Consejo de Seguridad relativas al empleo de contingentes de fuerzas armadas de dicho Miembro.

Artículo 45

A fin de que la Organización pueda tomar medidas militares urgentes, sus Miembros mantendrán contingentes de fuerzas aéreas nacionales inmediatamente disponibles para la ejecución combinada de una acción coercitiva internacional. La potencia y el grado de preparación de estos contingentes y los planes para su acción combinada serán determinados, dentro de los límites establecidos en el convenio o convenios especiales de que trata el Artículo 43, por el Consejo de Seguridad con la ayuda del Comité de Estado Mayor.

Artículo 46

Los planes para el empleo de la fuerza armada serán hechos por el Consejo de Seguridad con la ayuda del Comité de Estado Mayor.

Artículo 47

1. Se establecerá un Comité de Estado Mayor para asesorar y asistir al Consejo de Seguridad en todas las cuestiones relativas a las necesidades militares del Consejo para el mantenimiento de la paz y la seguridad internacionales, al empleo y comando de las fuerzas puestas a su disposición, a la regulación de los armamentos y al posible desarme.

2. El Comité de Estado Mayor estará integrado por los Jefes de Estado Mayor de los miembros permanentes del Consejo de Seguridad o sus representantes. Todo Miembro de las Naciones Unidas que no esté permanentemente representado en el Comité será invitado por éste a asociarse a sus labores cuando el desempeño eficiente de las funciones del Comité requiera la participación de dicho Miembro.

3. El Comité de Estado Mayor tendrá a su cargo,

bajo la autoridad del Consejo de Seguridad, la dirección estratégica de todas las fuerzas armadas puestas a disposición del Consejo. Las cuestiones relativas al comando de dichas fuerzas serán resueltas posteriormente.

4. El Comité de Estado Mayor, con autorización del Consejo de Seguridad y después de consultar con los organismos regionales apropiados, podrá establecer subcomités regionales.

Artículo 48

1. La acción requerida para llevar a cabo las decisiones del Consejo de Seguridad para el mantenimiento de la paz y la seguridad internacionales será ejercida por todos los Miembros de las Naciones Unidas o por algunos de ellos, según lo determine el Consejo de Seguridad.

2. Dichas decisiones serán llevadas a cabo por los Miembros de las Naciones Unidas directamente y mediante su acción en los organismos internacionales apropiados de que formen parte.

Artículo 49

Los Miembros de las Naciones Unidas deberán prestarse ayuda mutua para llevar a cabo las medidas dispuestas por el Consejo de Seguridad.

Artículo 50

Si el Consejo de Seguridad tomare medidas preventivas o coercitivas contra un Estado, cualquier otro Estado, sea o no Miembro de las Naciones Unidas, que confrontare problemas económicos especiales originados por la ejecución de dichas medidas, tendrá el derecho de consultar al Consejo de Seguridad acerca de la solución de esos problemas.

Artículo 51

Ninguna disposición de esta Carta menoscabará el derecho inmanente de legítima defensa, indivi-

dual o colectiva, en caso de ataque armado contra un Miembro de las Naciones Unidas, hasta tanto que el Consejo de Seguridad haya tomado las medidas necesarias para mantener la paz y la seguridad internacionales. Las medidas tomadas por los Miembros en ejercicio del derecho de legítima defensa serán comunicadas inmediatamente al Consejo de Seguridad, y no afectarán en manera alguna la autoridad y responsabilidad del Consejo conforme a la presente Carta para ejercer en cualquier momento la acción que estime necesaria con el fin de mantener o restablecer la paz y la seguridad internacionales.

CAPITULO VIII

ACUERDOS REGIONALES

Artículo 52

1. Ninguna disposición de esta Carta se opone a la existencia de acuerdos u organismos regionales cuyo fin sea entender en los asuntos relativos al mantenimiento de la paz y la seguridad internacionales y susceptibles de acción regional, siempre que dichos acuerdos u organismos, y sus actividades, sean compatibles con los Propósitos y Principios de las Naciones Unidas.

2. Los Miembros de las Naciones Unidas que sean partes en dichos acuerdos o que constituyan dichos organismos, harán todos los esfuerzos posibles para lograr el arreglo pacífico de las controversias de carácter local por medio de tales acuerdos u organismos regionales antes de someterlas al Consejo de Seguridad.

3. El Consejo de Seguridad promoverá el desarrollo del arreglo pacífico de las controversias de carácter local por medio de dichos acuerdos u organismos regionales, procediendo, bien a iniciativa de los Estados interesados, bien a instancia del Consejo de Seguridad.

4. Este Artículo no afecta en manera alguna la aplicación de los Artículos 34 y 35.

Artículo 53

1. El Consejo de Seguridad utilizará dichos acuerdos u organismos regionales, si a ello hubiere lugar, para aplicar medidas coercitivas bajo su autoridad. Sin embargo, no se aplicarán medidas coercitivas en virtud de acuerdos regionales o por organismos regionales sin autorización del Consejo de Seguridad, salvo que contra Estados enemigos, según se les define en el párrafo 2 de este Artículo, se tomen las medidas dispuestas en virtud del Artículo 107 o en acuerdos regionales dirigidos contra la renovación de una política de agresión de parte de dichos Estados, hasta tanto que a solicitud de los gobiernos interesados quede a cargo de la Organización la responsabilidad de prevenir nuevas agresiones de parte de aquellos Estados.

2. El término "Estados enemigos" empleado en el párrafo 1 de este Artículo se aplica a todo Estado que durante la segunda guerra mundial haya sido enemigo de cualquiera de los signatarios de esta Carta.

Artículo 54

Se deberá mantener en todo tiempo al Consejo de Seguridad plenamente informado de las actividades emprendidas o proyectadas de conformidad con acuerdos regionales o por organismos regionales con el propósito de mantener la paz y la seguridad internacionales.

CAPITULO IX

COOPERACION INTERNACIONAL
ECONOMICA Y SOCIAL*Artículo 55*

Con el propósito de crear las condiciones de estabilidad y bienestar necesarias para las relaciones pacíficas y amistosas entre las naciones, basadas en el respeto al principio de la igualdad de derechos y al de la libre determinación de los pueblos, la Organización promoverá:

a. niveles de vida más elevados, trabajo permanente para todos, y condiciones de progreso y desarrollo económico y social;

b. la solución de problemas internacionales de carácter económico, social y sanitario, y de otros problemas conexos; y la cooperación internacional en el orden cultural y educativo; y

c. el respeto universal a los derechos humanos y a las libertades fundamentales de todos, sin hacer distinción por motivos de raza, sexo, idioma o religión, y la efectividad de tales derechos y libertades.

Artículo 56

Todos los Miembros se comprometen a tomar medidas conjunta o separadamente, en cooperación con la Organización, para la realización de los propósitos consignados en el Artículo 55.

Artículo 57

1. Los distintos organismos especializados establecidos por acuerdos intergubernamentales, que tengan amplias atribuciones internacionales definidas en sus estatutos, y relativas a materias de carácter económico, social, cultural, educativo, sanitario, y otras conexas, serán vinculados con la Organización de acuerdo con las disposiciones del Artículo 63.

2. Tales organismos especializados así vinculados con la Organización se denominarán en adelante "los organismos especializados".

Artículo 58

La Organización hará recomendaciones con el objeto de coordinar las normas de acción y las actividades de los organismos especializados.

Artículo 59

La Organización iniciará, cuando hubiere lugar, negociaciones entre los Estados interesados para crear los nuevos organismos especializados que

fueren necesarios para la realización de los propósitos enunciados en el Artículo 55.

Artículo 60

La responsabilidad por el desempeño de las funciones de la Organización señaladas en este Capítulo corresponderá a la Asamblea General y, bajo la autoridad de ésta, al Consejo Económico y Social, que dispondrá a este efecto de las facultades expresadas en el Capítulo X.

CAPITULO X

EL CONSEJO ECONOMICO Y SOCIAL

Composición

Artículo 61

1. El Consejo Económico y Social estará integrado por dieciocho Miembros de las Naciones Unidas elegidos por la Asamblea General.
2. Salvo lo prescrito en el párrafo 3, seis miembros del Consejo Económico y Social serán elegidos cada año por un período de tres años. Los miembros salientes serán reelegibles para el período subsiguiente.
3. En la primera elección serán designados dieciocho miembros del Consejo Económico y Social. El mandato de seis de los miembros así designados expirará al terminar el primer año, y el de otros seis miembros, una vez transcurridos dos años, conforme a las disposiciones que dicte la Asamblea General.
4. Cada miembro del Consejo Económico y Social tendrá un representante.

Funciones y Poderes

Artículo 62

1. El Consejo Económico y Social podrá hacer o iniciar estudios e informes con respecto a asuntos internacionales de carácter económico, social, cultural, educativo y sanitario, y otros asuntos co-

nexos, y hacer recomendaciones sobre tales asuntos a la Asamblea General, a los Miembros de las Naciones Unidas y a los organismos especializados interesados.

2. El Consejo Económico y Social podrá hacer recomendaciones con el objeto de promover el respeto a los derechos humanos y a las libertades fundamentales de todos, y la efectividad de tales derechos y libertades.

3. El Consejo Económico y Social podrá formular proyectos de convención con respecto a cuestiones de su competencia para someterlos a la Asamblea General.

4. El Consejo Económico y Social podrá convocar, conforme a las reglas que prescriba la Organización, conferencias internacionales sobre asuntos de su competencia.

Artículo 63

1. El Consejo Económico y Social podrá concertar con cualquiera de los organismos especializados de que trata el Artículo 57, acuerdos por medio de los cuales se establezcan las condiciones en que dichos organismos habrán de vincularse con la Organización. Talés acuerdos estarán sujetos a la aprobación de la Asamblea General.
2. El Consejo Económico y Social podrá coordinar las actividades de los organismos especializados mediante consultas con ellos y haciéndoles recomendaciones, como también mediante recomendaciones a la Asamblea General y a los Miembros de las Naciones Unidas.

Artículo 64

1. El Consejo Económico y Social podrá tomar las medidas apropiadas para obtener informes periódicos de los organismos especializados. También podrá hacer arreglos con los Miembros de las Naciones Unidas y con los organismos especializados para obtener informes con respecto a las medidas tomadas para hacer efectivas sus propias recomendaciones y las que haga la Asamblea

General acerca de materias de la competencia del Consejo.

2. El Consejo Económico y Social podrá comunicar a la Asamblea General sus observaciones sobre dichos informes.

Artículo 65

El Consejo Económico y Social podrá suministrar información al Consejo de Seguridad y deberá darle la ayuda que éste le solicite.

Artículo 66

1. El Consejo Económico y Social desempeñará las funciones que caigan dentro de su competencia en relación con el cumplimiento de las recomendaciones de la Asamblea General.

2. El Consejo Económico y Social podrá prestar, con aprobación de la Asamblea General, los servicios que le soliciten los Miembros de las Naciones Unidas y los organismos especializados.

3. El Consejo Económico y Social desempeñará las demás funciones prescritas en otras partes de esta Carta o que le asignare la Asamblea General.

Votación

Artículo 67

1. Cada miembro del Consejo Económico y Social tendrá un voto.

2. Las decisiones del Consejo Económico y Social se tomarán por la mayoría de los miembros presentes y votantes.

Procedimiento

Artículo 68

El Consejo Económico y Social establecerá comisiones de orden económico y social y para la promoción de los derechos humanos, así como las demás comisiones necesarias para el desempeño de sus funciones.

Artículo 69

El Consejo Económico y Social invitará a

cualquier Miembro de las Naciones Unidas a participar, sin derecho a voto, en sus deliberaciones sobre cualquier asunto de particular interés para dicho Miembro.

Artículo 70

El Consejo Económico y Social podrá hacer arreglos para que representantes de los organismos especializados participen, sin derecho a voto, en sus deliberaciones y en las de las comisiones que establezca, y para que sus propios representantes participen en las deliberaciones de aquellos organismos.

Artículo 71

El Consejo Económico y Social podrá hacer arreglos adecuados para celebrar consultas con organizaciones no gubernamentales que se ocupen en asuntos de la competencia del Consejo. Podrán hacerse dichos arreglos con organizaciones internacionales y, si a ello hubiere lugar, con organizaciones nacionales, previa consulta con el respectivo Miembro de las Naciones Unidas.

Artículo 72

1. El Consejo Económico y Social dictará su propio reglamento, el cual establecerá el método de elegir su Presidente.

2. El Consejo Económico y Social se reunirá cuando sea necesario de acuerdo con su reglamento, el cual incluirá disposiciones para la convocación a sesiones cuando lo solicite una mayoría de sus miembros.

CAPITULO XI

DECLARACION RELATIVA A TERRITORIOS NO AUTONOMOS

Artículo 73

Los Miembros de las Naciones Unidas que tengan o asuman la responsabilidad de administrar territorios cuyos pueblos no hayan alcanzado

todavía la plenitud del gobierno propio reconocen el principio de que los intereses de los habitantes de esos territorios están por encima de todo, aceptan como un encargo sagrado la obligación de promover en todo lo posible, dentro del sistema de paz y de seguridad internacionales establecido por esta Carta, el bienestar de los habitantes de esos territorios, y asimismo se obligan:

a. a asegurar, con el debido respeto a la cultura de los pueblos respectivos, su adelanto político, económico, social y educativo, el justo tratamiento de dichos pueblos y su protección contra todo abuso;

b. a desarrollar el gobierno propio, a tener debidamente en cuenta las aspiraciones políticas de los pueblos, y a ayudarlos en el desenvolvimiento progresivo de sus libres instituciones políticas, de acuerdo con las circunstancias especiales de cada territorio, de sus pueblos y de sus distintos grados de adelanto;

c. a promover la paz y la seguridad internacionales;

d. a promover medidas constructivas de desarrollo, estimular la investigación, y cooperar unos con otros y, cuando y donde fuere del caso, con organismos internacionales especializados, para conseguir la realización práctica de los propósitos de carácter social, económico y científico expresados en este Artículo; y

e. a transmitir regularmente al Secretario General, a título informativo y dentro de los límites que la seguridad y consideraciones de orden constitucional requieran, la información estadística y de cualquier otra naturaleza técnica que verse sobre las condiciones económicas, sociales y educativas de los territorios por los cuales son respectivamente responsables, que no sean de los territorios a que se refieren los Capítulos XII y XIII de esta Carta.

Artículo 74

Los Miembros de las Naciones Unidas convie-

nen igualmente en que su política con respecto a los territorios a que se refiere este Capítulo, no menos que con respecto a sus territorios metropolitanos, deberá fundarse en el principio general de la buena vecindad, teniendo debidamente en cuenta los intereses y el bienestar del resto del mundo en cuestiones de carácter social, económico y comercial.

CAPITULO XII

REGIMEN INTERNACIONAL DE ADMINISTRACION FIDUCIARIA

Artículo 75

La Organización establecerá bajo su autoridad un régimen internacional de administración fiduciaria para la administración y vigilancia de los territorios que puedan colocarse bajo dicho régimen en virtud de acuerdos especiales posteriores. A dichos territorios se les denominará "territorios fideicometidos."

Artículo 76

Los objetivos básicos del régimen de administración fiduciaria, de acuerdo con los Propósitos de las Naciones Unidas enunciados en el Artículo 1 de esta Carta, serán:

a. fomentar la paz y la seguridad internacionales;

b. promover el adelanto político, económico, social y educativo de los habitantes de los territorios fideicometidos, y su desarrollo progresivo hacia el gobierno propio o la independencia, teniéndose en cuenta las circunstancias particulares de cada territorio y de sus pueblos y los deseos libremente expresados de los pueblos interesados, y según se dispusiere en cada acuerdo sobre administración fiduciaria;

c. promover el respeto a los derechos humanos y a las libertades fundamentales de

todos, sin hacer distinción por motivos de raza, sexo, idioma o religión, así como el reconocimiento de la interdependencia de los pueblos del mundo; y

d. asegurar tratamiento igual para todos los Miembros de las Naciones Unidas y sus nacionales en materias de carácter social, económico y comercial, así como tratamiento igual para dichos nacionales en la administración de la justicia, sin perjuicio de la realización de los objetivos arriba expuestos y con sujeción a las disposiciones del Artículo 80.

Artículo 77

1. El régimen de administración fiduciaria se aplicará a los territorios de las siguientes categorías que se colocaren bajo dicho régimen por medio de los correspondientes acuerdos:

- a. territorios actualmente bajo mandato;
- b. territorios que, como resultado de la segunda guerra mundial, fueren segregados de Estados enemigos; y
- c. territorios voluntariamente colocados bajo este régimen por los Estados responsables de su administración.

2. Será objeto de acuerdo posterior el determinar cuáles territorios de las categorías anteriormente mencionadas serán colocados bajo el régimen de administración fiduciaria y en qué condiciones.

Artículo 78

El régimen de administración fiduciaria no se aplicará a territorios que hayan adquirido la calidad de Miembros de las Naciones Unidas, cuyas relaciones entre sí se basarán en el respeto al principio de la igualdad soberana.

Artículo 79

Los términos de la administración fiduciaria para cada territorio que haya de colocarse bajo el régimen expresado, y cualquier modificación o

reforma, deberán ser acordados por los Estados directamente interesados, incluso la potencia mandataria en el caso de territorios bajo mandato de un Miembro de las Naciones Unidas, y serán aprobados según se dispone en los Artículos 83 y 85.

Artículo 80

1. Salvo lo que se conviniere en los acuerdos especiales sobre administración fiduciaria concertados de conformidad con los Artículos 77, 79 y 81 y mediante los cuales se coloque cada territorio bajo el régimen de administración fiduciaria, y hasta tanto se concierten tales acuerdos, ninguna disposición de este Capítulo será interpretada en el sentido de que modifica en manera alguna los derechos de cualesquiera Estados o pueblos, o los términos de los instrumentos internacionales vigentes en que sean partes Miembros de las Naciones Unidas.

2. El párrafo 1 de este Artículo no será interpretado en el sentido de que da motivo para demorar o diferir la negociación y celebración de acuerdos para aplicar el régimen de administración fiduciaria a territorios bajo mandato y otros territorios, conforme al Artículo 77.

Artículo 81

El acuerdo sobre administración fiduciaria contendrá en cada caso las condiciones en que se administrará el territorio fideicometido, y designará la autoridad que ha de ejercer la administración. Dicha autoridad, que en lo sucesivo se denominará la "autoridad administradora", podrá ser uno o más Estados o la misma Organización.

Artículo 82

Podrán designarse en cualquier acuerdo sobre administración fiduciaria, una o varias zonas estratégicas que comprendan parte o la totalidad del territorio fideicometido a que se refiera el acuerdo, sin perjuicio de los acuerdos especiales celebrados con arreglo al Artículo 43.

Artículo 83

1. Todas las funciones de las Naciones Unidas relativas a zonas estratégicas, incluso la de aprobar los términos de los acuerdos sobre administración fiduciaria y de las modificaciones o reformas de los mismos, serán ejercidas por el Consejo de Seguridad.

2. Los objetivos básicos enunciados en el Artículo 76 serán aplicables a la población de cada zona estratégica.

3. Salvo las disposiciones de los acuerdos sobre administración fiduciaria y sin perjuicio de las exigencias de la seguridad, el Consejo de Seguridad aprovechará la ayuda del Consejo de Administración Fiduciaria para desempeñar, en las zonas estratégicas, aquellas funciones de la Organización relativas a materias políticas, económicas, sociales y educativas que correspondan al régimen de administración fiduciaria.

Artículo 84

La autoridad administradora tendrá el deber de velar por que el territorio fideicometido contribuya al mantenimiento de la paz y la seguridad internacionales. Con tal fin, la autoridad administradora podrá hacer uso de las fuerzas voluntarias, de las facilidades y de la ayuda del citado territorio, a efecto de cumplir con las obligaciones por ella contraídas a este respecto ante el Consejo de Seguridad, como también para la defensa local y el mantenimiento de la ley y del orden dentro del territorio fideicometido.

Artículo 85

1. Las funciones de la Organización en lo que respecta a los acuerdos sobre administración fiduciaria relativos a todas las zonas no designadas como estratégicas, incluso la de aprobar los términos de los acuerdos y las modificaciones o reformas de los mismos, serán ejercidas por la Asamblea General.

2. El Consejo de Administración Fiduciaria,

bajo la autoridad de la Asamblea General, ayudará a ésta en el desempeño de las funciones aquí enumeradas.

CAPITULO XIII

EL CONSEJO DE ADMINISTRACION
FIDUCIARIA*Composición**Artículo 86*

1. El Consejo de Administración Fiduciaria estará integrado por los siguientes Miembros de las Naciones Unidas:

a. los Miembros que administren territorios fideicometidos;

b. los Miembros mencionados por su nombre en el Artículo 23 que no estén administrando territorios fideicometidos; y

c. tantos otros Miembros elegidos por períodos de tres años por la Asamblea General cuantos sean necesarios para asegurar que el número total de miembros del Consejo de Administración Fiduciaria se divida por igual entre los Miembros de las Naciones Unidas administradores de tales territorios y los no administradores.

2. Cada miembro del Consejo de Administración Fiduciaria designará a una persona especialmente calificada para que lo represente en el Consejo.

*Funciones y Poderes**Artículo 87*

En el desempeño de sus funciones, la Asamblea General y, bajo su autoridad, el Consejo de Administración Fiduciaria, podrán:

a. considerar informes que les haya rendido la autoridad administradora;

b. aceptar peticiones y examinarlas en consulta con la autoridad administradora;

c. disponer visitas periódicas a los territo-

rios fideicometidos en fechas convenidas con la autoridad administradora; y

d. tomar estas y otras medidas de conformidad con los términos de los acuerdos sobre administración fiduciaria.

Artículo 88

El Consejo de Administración Fiduciaria formulará un cuestionario sobre el adelanto político, económico, social y educativo de los habitantes de cada territorio fideicometido; y la autoridad administradora de cada territorio fideicometido dentro de la competencia de la Asamblea General, rendirá a ésta un informe anual sobre la base de dicho cuestionario.

Votación

Artículo 89

1. Cada miembro del Consejo de Administración Fiduciaria tendrá un voto.

2. Las decisiones del Consejo de Administración Fiduciaria serán tomadas por el voto de la mayoría de los miembros presentes y votantes.

Procedimiento

Artículo 90

1. El Consejo de Administración Fiduciaria dictará su propio reglamento, el cual establecerá el método de elegir su Presidente.

2. El Consejo de Administración Fiduciaria se reunirá cuando sea necesario, según su reglamento. Este contendrá disposiciones sobre convocación del Consejo a solicitud de la mayoría de sus miembros.

Artículo 91

El Consejo de Administración Fiduciaria, cuando lo estime conveniente, se valdrá de la ayuda del Consejo Económico y Social y de la de los organismos especializados con respecto a los asuntos de la respectiva competencia de los mismos.

CAPITULO XIV

LA CORTE INTERNACIONAL DE JUSTICIA

Artículo 92

La Corte Internacional de Justicia será el órgano judicial principal de las Naciones Unidas; funcionará de conformidad con el Estatuto anexo, que está basado en el de la Corte Permanente de Justicia Internacional, y que forma parte integrante de esta Carta.

Artículo 93

1. Todos los miembros de las Naciones Unidas son *ipso facto* partes en el Estatuto de la Corte Internacional de Justicia.

2. Un Estado podrá llegar a ser parte en el Estatuto de la Corte Internacional de Justicia de acuerdo con las condiciones que determine en cada caso la Asamblea General a recomendación del Consejo de Seguridad.

Artículo 94

1. Cada Miembro de las Naciones Unidas se compromete a cumplir la decisión de la Corte Internacional de Justicia en todo litigio en que sea parte.

2. Si una de las partes en un litigio dejare de cumplir las obligaciones que le imponga un fallo de la Corte, la otra parte podrá recurrir al Consejo de Seguridad, el cual podrá, si lo cree necesario, hacer recomendaciones o dictar medidas con el objeto de que se lleve a efecto la ejecución del fallo.

Artículo 95

Ninguna de las disposiciones de esta Carta impedirá a los Miembros de las Naciones Unidas encomendar la solución de sus diferencias a otros tribunales en virtud de acuerdos ya existentes o que puedan concertarse en el futuro.

Artículo 96

1. La Asamblea General o el Consejo de Seguridad podrán solicitar de la Corte Internacional de Justicia que emita una opinión consultiva sobre cualquier cuestión jurídica.

2. Los otros órganos de las Naciones Unidas y los organismos especializados que en cualquier momento sean autorizados para ello por la Asamblea General, podrán igualmente solicitar de la Corte opiniones consultivas sobre cuestiones jurídicas que surjan dentro de la esfera de sus actividades.

CAPITULO XV

LA SECRETARIA

Artículo 97

La Secretaría se compondrá de un Secretario General y del personal que requiera la Organización. El Secretario General será nombrado por la Asamblea General a recomendación del Consejo de Seguridad. El Secretario General será el más alto funcionario administrativo de la Organización.

Artículo 98

El Secretario General actuará como tal en todas las sesiones de la Asamblea General, del Consejo de Seguridad, del Consejo Económico y Social y del Consejo de Administración Fiduciaria, y desempeñará las demás funciones que le encomienden dichos órganos. El Secretario General rendirá a la Asamblea General un informe anual sobre las actividades de la Organización.

Artículo 99

El Secretario General podrá llamar la atención del Consejo de Seguridad hacia cualquier asunto que en su opinión pueda poner en peligro el mantenimiento de la paz y la seguridad internacionales.

Artículo 100

1. En el cumplimiento de sus deberes, el Secretario General y el personal de la Secretaría no solicitarán ni recibirán instrucciones de ningún gobierno ni de ninguna autoridad ajena a la Organización, y se abstendrán de actuar en forma alguna que sea incompatible con su condición de funcionarios internacionales responsables únicamente ante la Organización.

2. Cada uno de los Miembros de las Naciones Unidas se compromete a respetar el carácter exclusivamente internacional de las funciones del Secretario General y del personal de la Secretaría, y a no tratar de influir sobre ellos en el desempeño de sus funciones.

Artículo 101

1. El personal de la Secretaría será nombrado por el Secretario General de acuerdo con las reglas establecidas por la Asamblea General.

2. Se asignará permanentemente personal adecuado al Consejo Económico y Social, al Consejo de Administración Fiduciaria y, según se requiera, a otros órganos de las Naciones Unidas. Este personal formará parte de la Secretaría.

3. La consideración primordial que se tendrá en cuenta al nombrar el personal de la Secretaría y al determinar las condiciones del servicio, es la necesidad de asegurar el más alto grado de eficiencia, competencia e integridad. Se dará debida consideración también a la importancia de contratar el personal en forma de que haya la más amplia representación geográfica posible.

CAPITULO XVI

DISPOSICIONES VARIAS

Artículo 102

1. Todo tratado y todo acuerdo internacional concertados por cualesquiera Miembros de las Na-

ciones Unidas después de entrar en vigor esta Carta, serán registrados en la Secretaría y publicados por ésta a la mayor brevedad posible.

2. Ninguna de las partes en un tratado o acuerdo internacional que no haya sido registrado conforme a las disposiciones del párrafo 1 de este Artículo podrá invocar dicho tratado o acuerdo ante órgano alguno de las Naciones Unidas.

Artículo 103

En caso de conflicto entre las obligaciones contraídas por los Miembros de las Naciones Unidas en virtud de la presente Carta y sus obligaciones contraídas en virtud de cualquier otro convenio internacional, prevalecerán las obligaciones impuestas por la presente Carta.

Artículo 104

La Organización gozará, en el territorio de cada uno de sus Miembros, de la capacidad jurídica que sea necesaria para el ejercicio de sus funciones y la realización de sus propósitos.

Artículo 105

1. La Organización gozará, en el territorio de cada uno de sus Miembros, de los privilegios e inmunidades necesarios para la realización de sus propósitos.

2. Los representantes de los Miembros de la Organización y los funcionarios de ésta, gozarán asimismo de los privilegios e inmunidades necesarios para desempeñar con independencia sus funciones en relación con la Organización.

3. La Asamblea General podrá hacer recomendaciones con el objeto de determinar los pormenores de la aplicación de los párrafos 1 y 2 de este Artículo, o proponer convenciones a los Miembros de las Naciones Unidas con el mismo objeto.

CAPITULO XVII

ACUERDOS TRANSITORIOS SOBRE SEGURIDAD

Artículo 106

Mientras entran en vigor los convenios especiales previstos en el Artículo 43 que a juicio del Consejo de Seguridad lo capaciten para ejercer las atribuciones a que se refiere el Artículo 42, las partes en la Declaración de las Cuatro Potencias firmada en Moscú el 30 de octubre de 1943, y Francia, deberán, conforme a las disposiciones del párrafo 5 de esa Declaración, celebrar consultas entre sí, y cuando a ello hubiere lugar, con otros miembros de la Organización, a fin de acordar en nombre de ésta la acción conjunta que fuere necesaria para mantener la paz y la seguridad internacionales.

Artículo 107

Ninguna de las disposiciones de esta Carta invalidará o impedirá cualquier acción ejercida o autorizada como resultado de la segunda guerra mundial con respecto a un Estado enemigo de cualquiera de los signatarios de esta Carta durante la citada guerra, por los gobiernos responsables de dicha acción.

CAPITULO XVIII

REFORMAS

Artículo 108

Las reformas a la presente Carta entrarán en vigor para todos los Miembros de las Naciones Unidas cuando hayan sido adoptadas por el voto de las dos terceras partes de los miembros de la Asamblea General y ratificadas, de conformidad con sus respectivos procedimientos constitucionales, por las dos terceras partes de los Miembros de

las Naciones Unidas, incluyendo a todos los miembros permanentes del Consejo de Seguridad.

Artículo 109

1. Se podrá celebrar una Conferencia General de los Miembros de las Naciones Unidas con el propósito de revisar esta Carta, en la fecha y lugar que se determinen por el voto de las dos terceras partes de los miembros de la Asamblea General y por el voto de cualesquiera siete miembros del Consejo de Seguridad. Cada Miembro de las Naciones Unidas tendrá un voto en la Conferencia.

2. Toda modificación de esta Carta recomendada por el voto de las dos terceras partes de la Conferencia entrará en vigor al ser ratificada de acuerdo con sus respectivos procedimientos constitucionales por las dos terceras partes de los Miembros de las Naciones Unidas, incluyendo a todos los miembros permanentes del Consejo de Seguridad.

3. Si no se hubiere celebrado tal Conferencia antes de la décima reunión anual de la Asamblea General después de entrar en vigor esta Carta, la proposición de convocar tal Conferencia será puesta en la agenda de dicha reunión de la Asamblea General, y la Conferencia será celebrada si así lo decidieren la mayoría de los miembros de la Asamblea General y siete miembros cualesquiera del Consejo de Seguridad.

CAPITULO XIX

RATIFICACION Y FIRMA

Artículo 110

1. La presente Carta será ratificada por los Estados signatarios de acuerdo con sus respectivos procedimientos constitucionales.

2. Las ratificaciones serán entregadas para su depósito al Gobierno de los Estados Unidos de América, el cual notificará cada depósito a todos los Estados signatarios así como al Secretario General de la Organización cuando haya sido designado.

3. La presente Carta entrará en vigor tan pronto como hayan sido depositadas las ratificaciones de la República de China, Francia, la Unión de las Repúblicas Socialistas Soviéticas, el Reino Unido de la Gran Bretaña e Irlanda del Norte y los Estados Unidos de América, y por la mayoría de los demás Estados signatarios. Acto seguido se dejará constancia de las ratificaciones depositadas en un protocolo que extenderá el Gobierno de los Estados Unidos de América, y del cual transmitirá copias a todos los Estados signatarios.

4. Los Estados signatarios de esta Carta que la ratifiquen después que haya entrado en vigor adquirirán la calidad de miembros originarios de las Naciones Unidas en la fecha del depósito de sus respectivas ratificaciones.

Artículo 111

La presente Carta, cuyos textos en chino, francés, ruso, inglés y español son igualmente auténticos, será depositada en los archivos del Gobierno de los Estados Unidos de América. Dicho Gobierno enviará copias debidamente certificadas de la misma a los Gobiernos de los demás Estados signatarios.

EN FE DE LO CUAL los Representantes de los Gobiernos de las Naciones Unidas han suscrito esta Carta.

FIRMADA en la ciudad de San Francisco, a los veintiseis días del mes de junio de mil novecientos cuarenta y cinco.

ESTATUTO DE LA CORTE INTERNACIONAL DE JUSTICIA

Artículo 1

LA CORTE INTERNACIONAL DE JUSTICIA establecida por la Carta de las Naciones Unidas como órgano judicial principal de las Naciones Unidas, quedará constituida y funcionará conforme a las disposiciones del presente Estatuto.

CAPITULO I

ORGANIZACION DE LA CORTE

Artículo 2

La Corte será un cuerpo de magistrados independientes elegidos, sin tener en cuenta su nacionalidad, de entre personas que gocen de alta consideración moral y que reúnan las condiciones requeridas para el ejercicio de las más altas funciones judiciales en sus respectivos países, o que sean juriconsultos de reconocida competencia en materia de derecho internacional.

Artículo 3

1. La Corte se compondrá de quince miembros, de los cuales no podrá haber dos que sean nacionales del mismo Estado.

2. Toda persona que para ser elegida miembro de la Corte pudiera ser tenida por nacional de más de un Estado, será considerada nacional del Estado donde ejerza ordinariamente sus derechos civiles y políticos.

Artículo 4

1. Los miembros de la Corte serán elegidos por la Asamblea General y el Consejo de Seguridad de una nómina de candidatos propuestos por los grupos nacionales de la Corte Permanente de Arbitraje, de conformidad con las disposiciones siguientes.

2. En el caso de los Miembros de las Naciones Unidas que no estén representados en la Corte Permanente de Arbitraje, los candidatos serán propuestos por grupos nacionales que designen a este efecto sus respectivos gobiernos, en condiciones iguales a las estipuladas para los miembros de la Corte Permanente de Arbitraje por el Artículo 44 de la Convención de La Haya de 1907 sobre arreglo pacífico de las controversias internacionales.

3. A falta de acuerdo especial, la Asamblea General fijará, previa recomendación del Consejo de Seguridad, las condiciones en que pueda participar en la elección de los miembros de la Corte un Estado que sea parte en el presente Estatuto sin ser Miembro de las Naciones Unidas.

Artículo 5

1. Por lo menos tres meses antes de la fecha de la elección, el Secretario General de las Naciones Unidas invitará por escrito a los miembros de la Corte Permanente de Arbitraje pertenecientes a los Estados partes en este Estatuto y a los miembros de los grupos nacionales designados según el párrafo 2 del Artículo 4 a que, dentro de un plazo determinado y por grupos nacionales, propongan como candidatos a personas que estén en condiciones de desempeñar las funciones de miembro de la Corte.

2. Ningún grupo podrá proponer más de cuatro candidatos, de los cuales no más de dos serán de su misma nacionalidad. El número de candidatos propuestos por un grupo no será, en ningún caso, mayor que el doble del número de plazas por llenar.

Artículo 6

Antes de proponer estos candidatos, se recomienda a cada grupo nacional que consulte con

su más alto tribunal de justicia, sus facultades y escuelas de derecho, sus academias nacionales y las secciones nacionales de academias internacionales dedicadas al estudio del derecho.

Artículo 7

1. El Secretario General de las Naciones Unidas preparará una lista por orden alfabético de todas las personas así designadas. Salvo lo que se dispone en el párrafo 2 del Artículo 12, únicamente esas personas serán elegibles.

2. El Secretario General presentará esta lista a la Asamblea General y al Consejo de Seguridad.

Artículo 8

La Asamblea General y el Consejo de Seguridad procederán independientemente a la elección de los miembros de la Corte.

Artículo 9

En toda elección, los electores tendrán en cuenta no sólo que las personas que hayan de elegirse reúnan individualmente las condiciones requeridas, sino también que en el conjunto estén representadas las grandes civilizaciones y los principales sistemas jurídicos del mundo.

Artículo 10

1. Se considerarán electos los candidatos que obtengan una mayoría absoluta de votos en la Asamblea General y en el Consejo de Seguridad.

2. En las votaciones del Consejo de Seguridad, sean para elegir magistrados o para designar los miembros de la comisión prevista en el Artículo 12, no habrá distinción alguna entre miembros permanentes y miembros no permanentes del Consejo de Seguridad.

3. En el caso de que más de un nacional del mismo Estado obtenga una mayoría absoluta de votos tanto en la Asamblea General como en el Consejo de Seguridad, se considerará electo el de mayor edad.

Artículo 11

Si después de la primera sesión celebrada para las elecciones quedan todavía una o más plazas por llenar, se celebrará una segunda sesión y, si necesario fuere, una tercera.

Artículo 12

1. Si después de la tercera sesión para elecciones quedan todavía una o más plazas por llenar, se podrá constituir en cualquier momento, a petición de la Asamblea General o del Consejo de Seguridad, una comisión conjunta compuesta de seis miembros, tres nombrados por la Asamblea General y tres por el Consejo de Seguridad, con el objeto de escoger, por mayoría absoluta de votos, un nombre para cada plaza aún vacante, a fin de someterlo a la aprobación respectiva de la Asamblea General y del Consejo de Seguridad.

2. Si la comisión conjunta acordare unánimemente proponer a una persona que satisfaga las condiciones requeridas, podrá incluirla en su lista aunque esa persona no figure en la lista de candidatos a que se refiere el Artículo 7.

3. Si la comisión conjunta llegare a la conclusión de que no logrará asegurar la elección, los miembros de la Corte ya electos llenarán las plazas vacantes dentro del término que fije el Consejo de Seguridad, escogiendo a candidatos que hayan recibido votos en la Asamblea General o en el Consejo de Seguridad.

4. En caso de empate en la votación, el magistrado de mayor edad decidirá con su voto.

Artículo 13

1. Los miembros de la Corte desempeñarán sus cargos por nueve años, y podrán ser reelectos. Sin embargo, el período de cinco de los magistrados electos en la primera elección expirará a los tres años, y el período de otros cinco magistrados expirará a los seis años.

2. Los magistrados cuyos períodos hayan de expirar al cumplirse los mencionados períodos

iniciales de tres y de seis años, serán designados mediante sorteo que efectuará el Secretario General de las Naciones Unidas inmediatamente después de terminada la primera elección.

3. Los miembros de la Corte continuarán desempeñando las funciones de sus cargos hasta que tomen posesión sus sucesores. Después de reemplazados, continuarán conociendo de los casos que hubieren iniciado, hasta su terminación.

4. Si renunciare un miembro de la Corte, dirigirá la renuncia al Presidente de la Corte, quien la transmitirá al Secretario General de las Naciones Unidas. Esta última notificación determinará la vacante del cargo.

Artículo 14

Las vacantes se llenarán por el mismo procedimiento seguido en la primera elección, con arreglo a la disposición siguiente: dentro de un mes de ocurrida la vacante, el Secretario General de las Naciones Unidas extenderá las invitaciones que dispone el Artículo 5, y el Consejo de Seguridad fijará la fecha de la elección.

Artículo 15

Todo miembro de la Corte electo para reemplazar a otro que no hubiere terminado su período desempeñará el cargo por el resto del período de su predecesor.

Artículo 16

1. Ningún miembro de la Corte podrá ejercer función política o administrativa alguna, ni dedicarse a ninguna otra ocupación de carácter profesional.

2. En caso de duda, la Corte decidirá.

Artículo 17

1. Los miembros de la Corte no podrán ejercer funciones de agente, consejero o abogado en ningún asunto.

2. No podrán tampoco participar en la decisión

de ningún asunto en que hayan intervenido anteriormente como agentes, consejeros o abogados de cualquiera de las partes, o como miembros de un tribunal nacional o internacional o de una comisión investigadora, o en cualquier otra calidad.

3. En caso de duda, la Corte decidirá.

Artículo 18

1. No será separado del cargo ningún miembro de la Corte a menos que, a juicio unánime de los demás miembros, haya dejado de satisfacer las condiciones requeridas.

2. El Secretario de la Corte comunicará oficialmente lo anterior al Secretario General de las Naciones Unidas.

3. Esta comunicación determinará la vacante del cargo.

Artículo 19

En el ejercicio de las funciones del cargo, los miembros de la Corte gozarán de privilegios e inmunidades diplomáticos.

Artículo 20

Antes de asumir las obligaciones del cargo, cada miembro de la Corte declarará solemnemente, en sesión pública, que ejercerá sus atribuciones con toda imparcialidad y conciencia.

Artículo 21

1. La Corte elegirá por tres años a su Presidente y Vicepresidente; éstos podrán ser reelectos.

2. La Corte nombrará su Secretario y podrá disponer el nombramiento de los demás funcionarios que fueren menester.

Artículo 22

1. La sede de la Corte será La Haya. La Corte podrá, sin embargo, reunirse y funcionar en cualquier otro lugar cuando lo considere conveniente.

2. El Presidente y el Secretario residirán en la sede de la Corte.

Artículo 23

1. La Corte funcionará permanentemente, excepto durante las vacaciones judiciales, cuyas fechas y duración fijará la misma Corte.

2. Los miembros de la Corte tienen derecho a usar de licencias periódicas, cuyas fechas y duración fijará la misma Corte, teniendo en cuenta la distancia de La Haya al domicilio de cada magistrado.

3. Los miembros de la Corte tienen la obligación de estar en todo momento a disposición de la misma, salvo que estén en uso de licencia o impedidos de asistir por enfermedad o por razones graves debidamente explicadas al Presidente.

Artículo 24

1. Si por alguna razón especial uno de los miembros de la Corte considerare que no debe participar en la decisión de determinado asunto, lo hará saber así al Presidente.

2. Si el Presidente considerare que uno de los miembros de la Corte no debe conocer de determinado asunto por alguna razón especial, así se lo hará saber.

3. Si en uno de estos casos el miembro de la Corte y el Presidente estuvieren en desacuerdo, la cuestión será resuelta por la Corte.

Artículo 25

1. Salvo lo que expresamente disponga en contrario este Estatuto, la Corte ejercerá sus funciones en sesión plenaria.

2. El Reglamento de la Corte podrá disponer que, según las circunstancias y por turno, se permita a uno o más magistrados no asistir a las sesiones, a condición de que no se reduzca a menos de once el número de magistrados disponibles para constituir la Corte.

3. Bastará un quórum de nueve magistrados para constituir la Corte.

Artículo 26

1. Cada vez que sea necesario, la Corte podrá constituir una o más Salas compuestas de tres o más magistrados, según lo disponga la propia Corte, para conocer de determinadas categorías de negocios, como los litigios de trabajo y los relativos al tránsito y las comunicaciones.

2. La Corte podrá constituir en cualquier tiempo una Sala para conocer de un negocio determinado. La Corte fijará, con la aprobación de las partes, el número de magistrados de que se compondrá dicha Sala.

3. Si las partes lo solicitaren, las Salas de que trata este Artículo oirán y fallarán los casos.

Artículo 27

Se considerará dictada por la Corte la sentencia que dicte cualquiera de las Salas de que tratan los Artículos 26 y 29.

Artículo 28

Las Salas de que tratan los Artículos 26 y 29 podrán reunirse y funcionar, con el consentimiento de las partes, en cualquier lugar que no sea La Haya.

Artículo 29

Con el fin de facilitar el pronto despacho de los asuntos, la Corte constituirá anualmente una Sala de cinco magistrados que, a petición de las partes, podrá oír y fallar casos sumariamente. Se designarán además dos magistrados para reemplazar a los que no pudieren actuar.

Artículo 30

1. La Corte formulará un reglamento mediante el cual determinará la manera de ejercer sus funciones. Establecerá, en particular, sus reglas de procedimiento.

2. El Reglamento de la Corte podrá disponer

que haya asesores con asiento en la Corte o en cualquiera de sus Salas, pero sin derecho a voto.

Artículo 31

1. Los magistrados de la misma nacionalidad de cada una de las partes litigantes conservarán su derecho a participar en la vista del negocio de que conoce la Corte.

2. Si la Corte incluyere entre los magistrados del conocimiento uno de la nacionalidad de una de las partes, cualquier otra parte podrá designar a una persona de su elección para que tome asiento en calidad de magistrado. Esa persona deberá escogerse preferiblemente de entre las que hayan sido propuestas como candidatos de acuerdo con los Artículos 4 y 5.

3. Si la Corte no incluyere entre los magistrados del conocimiento ningún magistrado de la nacionalidad de las partes, cada una de éstas podrá designar uno de acuerdo con el párrafo 2 de este Artículo.

4. Las disposiciones de este Artículo se aplicarán a los casos de que tratan los Artículos 26 y 29. En tales casos, el Presidente pedirá a uno de los miembros de la Corte que constituyen la Sala, o a dos de ellos, si fuere necesario, que cedan sus puestos a los miembros de la Corte que sean de la nacionalidad de las partes interesadas, y si no los hubiere, o si estuvieren impedidos, a los magistrados especialmente designados por las partes.

5. Si varias partes tuvieren un mismo interés, se contarán como una sola parte para los fines de las disposiciones precedentes. En caso de duda, la Corte decidirá.

6. Los magistrados designados según se dispone en los párrafos 2, 3 y 4 del presente Artículo, deberán tener las condiciones requeridas por los Artículos 2, 17 (párrafo 2), 20 y 24 del presente Estatuto, y participarán en las decisiones de la Corte en términos de absoluta igualdad con sus colegas.

Artículo 32

1. Cada miembro de la Corte percibirá un sueldo anual.

2. El Presidente percibirá un estipendio anual especial.

3. El Vicepresidente percibirá un estipendio especial por cada día que desempeñe las funciones de Presidente.

4. Los magistrados designados de acuerdo con el Artículo 31, que no sean miembros de la Corte, percibirán remuneración por cada día que desempeñen las funciones del cargo.

5. Los sueldos, estipendios y remuneraciones serán fijados por la Asamblea General, y no podrán ser disminuídos durante el período del cargo.

6. El sueldo del Secretario será fijado por la Asamblea General a propuesta de la Corte.

7. La Asamblea General fijará por reglamento las condiciones para conceder pensiones de retiro a los miembros de la Corte y al Secretario, como también las que rijan el reembolso de gastos de viaje a los miembros de la Corte y al Secretario.

8. Los sueldos, estipendios y remuneraciones arriba mencionados estarán exentos de toda clase de impuestos.

Artículo 33

Los gastos de la Corte serán sufragados por las Naciones Unidas de la manera que determine la Asamblea General.

CAPITULO II

COMPETENCIA DE LA CORTE

Artículo 34

1. Sólo los Estados podrán ser partes en casos ante la Corte.

2. Sujeta a su propio Reglamento y de conformidad con el mismo, la Corte podrá solicitar de organizaciones internacionales públicas informa-

ción relativa a casos que se litiguen ante la Corte, y recibirá la información que dichas organizaciones envíen a iniciativa propia.

3. Cuando en un caso que se litigue ante la Corte se discuta la interpretación del instrumento constitutivo de una organización internacional pública, o de una convención internacional concertada en virtud del mismo, el Secretario lo comunicará a la respectiva organización internacional pública y le enviará copias de todo el expediente.

Artículo 35

1. La Corte estará abierta a los Estados partes en este Estatuto.

2. Las condiciones bajo las cuales la Corte estará abierta a otros Estados serán fijadas por el Consejo de Seguridad con sujeción a las disposiciones especiales de los tratados vigentes, pero tales condiciones no podrán en manera alguna colocar a las partes en situación de desigualdad ante la Corte.

3. Cuando un Estado que no es Miembro de las Naciones Unidas sea parte en un negocio, la Corte fijará la cantidad con que dicha parte debe contribuir a los gastos de la Corte. Esta disposición no es aplicable cuando dicho Estado contribuye a los gastos de la Corte.

Artículo 36

1. La competencia de la Corte se extiende a todos los litigios que las partes le sometan y a todos los asuntos especialmente previstos en la Carta de las Naciones Unidas o en los tratados y convenciones vigentes.

2. Los Estados partes en el presente Estatuto podrán declarar en cualquier momento que reconocen como obligatoria *ipso facto* y sin convenio especial, respecto a cualquier otro Estado que acepte la misma obligación, la jurisdicción de la Corte en todas las controversias de orden jurídico que versen sobre:

a. la interpretación de un tratado;

b. cualquier cuestión de derecho internacional;

c. la existencia de todo hecho que, si fuere establecido, constituiría violación de una obligación internacional;

d. la naturaleza o extensión de la reparación que ha de hacerse por el quebrantamiento de una obligación internacional.

3. La declaración a que se refiere este Artículo podrá hacerse incondicionalmente o bajo condición de reciprocidad por parte de varios o determinados Estados, o por determinado tiempo.

4. Estas declaraciones serán remitidas para su depósito al Secretario General de las Naciones Unidas, quien transmitirá copias de ellas a las partes en este Estatuto y al Secretario de la Corte.

5. Las declaraciones hechas de acuerdo con el Artículo 36 del Estatuto de la Corte Permanente de Justicia Internacional que estén aún vigentes, serán consideradas, respecto de las partes en el presente Estatuto, como aceptación de la jurisdicción obligatoria de la Corte Internacional de Justicia por el período que aun les quede de vigencia y conforme a los términos de dichas declaraciones.

6. En caso de disputa en cuanto a si la Corte tiene o no jurisdicción, la Corte decidirá.

Artículo 37

Cuando un tratado o convención vigente disponga que un asunto sea sometido a una jurisdicción que debía instituir la Sociedad de las Naciones, o a la Corte Permanente de Justicia Internacional, dicho asunto, por lo que respecta a las partes en este Estatuto, será sometido a la Corte Internacional de Justicia.

Artículo 38

1. La Corte, cuya función es decidir conforme al derecho internacional las controversias que le sean sometidas, deberá aplicar:

a. las convenciones internacionales, sean generales o particulares, que establecen reglas

expresamente reconocidas por los Estados litigantes;

b. la costumbre internacional como prueba de una práctica generalmente aceptada como derecho;

c. los principios generales de derecho reconocidos por las naciones civilizadas;

d. las decisiones judiciales y las doctrinas de los publicistas de mayor competencia de las distintas naciones, como medio auxiliar para la determinación de las reglas de derecho, sin perjuicio de lo dispuesto en el Artículo 59.

2. La presente disposición no restringe la facultad de la Corte para decidir un litigio *ex aequo et bono*, si las partes así lo convinieren.

CAPITULO III PROCEDIMIENTO

Artículo 39

1. Los idiomas oficiales de la Corte serán el francés y el inglés. Si las partes acordaren que el procedimiento se siga en francés, la sentencia se pronunciará en este idioma. Si acordaren que el procedimiento se siga en inglés, en este idioma se pronunciará la sentencia.

2. A falta de acuerdo respecto del idioma que ha de usarse, cada parte podrá presentar sus alegatos en el que prefiera, y la Corte dictará la sentencia en francés y en inglés. En tal caso, la Corte determinará al mismo tiempo cuál de los dos textos hará fe.

3. Si lo solicitare una de las partes, la Corte la autorizará para usar cualquier idioma que no sea ni el francés ni el inglés.

Artículo 40

1. Los negocios serán incoados ante la Corte, según el caso, mediante notificación del compromiso o mediante solicitud escrita dirigida al Secretario. En ambos casos se indicarán el objeto de la controversia y las partes.

2. El Secretario comunicará inmediatamente la solicitud a todos los interesados.

3. El Secretario notificará también a los Miembros de las Naciones Unidas por conducto del Secretario General, así como a los otros Estados con derecho a comparecer ante la Corte.

Artículo 41

1. La Corte tendrá facultad para indicar, si considera que las circunstancias así lo exigen, las medidas provisionales que deban tomarse para resguardar los derechos de cada una de las partes.

2. Mientras se pronuncia el fallo, se notificarán inmediatamente a las partes y al Consejo de Seguridad las medidas indicadas.

Artículo 42

1. Las partes estarán representadas por agentes.

2. Podrán tener ante la Corte consejeros o abogados.

3. Los agentes, los consejeros y los abogados de las partes ante la Corte gozarán de los privilegios e inmunidades necesarios para el libre desempeño de sus funciones.

Artículo 43

1. El procedimiento tendrá dos fases: una escrita y otra oral.

2. El procedimiento escrito comprenderá la comunicación, a la Corte y a las partes, de memorias, contramemorias y, si necesario fuere, de réplicas, así como de toda pieza o documento en apoyo de las mismas.

3. La comunicación se hará por conducto del Secretario, en el orden y dentro de los términos fijados por la Corte.

4. Todo documento presentado por una de las partes será comunicado a la otra mediante copia certificada.

5. El procedimiento oral consistirá en la audiencia que la Corte otorgue a testigos, peritos, agentes, consejeros y abogados.

Artículo 44

1. Para toda notificación que deba hacerse a personas que no sean los agentes, consejeros o abogados, la Corte se dirigirá directamente al gobierno del Estado en cuyo territorio deba diligenciarse.

2. Se seguirá el mismo procedimiento cuando se trate de obtener pruebas en el lugar de los hechos.

Artículo 45

El Presidente dirigirá las vistas de la Corte y, en su ausencia, el Vicepresidente; y si ninguno de ellos pudiere hacerlo, presidirá el más antiguo de los magistrados presentes.

Artículo 46

Las vistas de la Corte serán públicas, salvo lo que disponga la propia Corte en contrario, o que las partes pidan que no se admita al público.

Artículo 47

1. De cada vista se levantará un acta, que firmarán el Secretario y el Presidente.
2. Esta acta será la única auténtica.

Artículo 48

La Corte dictará las providencias necesarias para el curso del proceso, decidirá la forma y términos a que cada parte debe ajustar sus alegatos, y adoptará las medidas necesarias para la práctica de pruebas.

Artículo 49

Aun antes de empezar una vista, la Corte puede pedir a los agentes que produzcan cualquier documento o den cualesquiera explicaciones. Si se negaren a hacerlo, se dejará constancia formal del hecho.

Artículo 50

La Corte podrá, en cualquier momento, comisionar a cualquier individuo, entidad, negociado,

comisión u otro organismo que ella escoja, para que haga una investigación o emita un dictamen pericial.

Artículo 51

Las preguntas pertinentes que se hagan a testigos y peritos en el curso de una vista, estarán sujetas a las condiciones que fije la Corte en las reglas de procedimiento de que trata el Artículo 30.

Artículo 52

Una vez recibidas las pruebas dentro del término fijado, la Corte podrá negarse a aceptar toda prueba adicional, oral o escrita, que una de las partes desee presentar, salvo que la otra dé su consentimiento.

Artículo 53

1. Cuando una de las partes no comparezca ante la Corte, o se abstenga de defender su caso, la otra parte podrá pedir a la Corte que decida a su favor.

2. Antes de dictar su decisión, la Corte deberá asegurarse no sólo de que tiene competencia conforme a las disposiciones de los Artículos 36 y 37, sino también de que la demanda está bien fundada en cuanto a los hechos y al derecho.

Artículo 54

1. Cuando los agentes, consejeros y abogados, conforme a lo proveído por la Corte, hayan completado la presentación de su caso, el Presidente declarará terminada la vista.

2. La Corte se retirará a deliberar.

3. Las deliberaciones de la Corte se celebrarán en privado y permanecerán secretas.

Artículo 55

1. Todas las decisiones de la Corte se tomarán por mayoría de votos de los magistrados presentes.

2. En caso de empate, decidirá el voto del Presidente o del magistrado que lo reemplace.

Artículo 56

1. El fallo será motivado.
2. El fallo mencionará los nombres de los magistrados que hayan tomado parte en él.

Artículo 57

Si el fallo no expresare en todo o en parte la opinión unánime de los magistrados, cualquiera de éstos tendrá derecho a que se agregue al fallo su opinión disidente.

Artículo 58

El fallo será firmado por el Presidente y el Secretario, y será leído en sesión pública después de notificarse debidamente a los agentes.

Artículo 59

La decisión de la Corte no es obligatoria sino para las partes en litigio y respecto del caso que ha sido decidido.

Artículo 60

El fallo será definitivo e inapelable. En caso de desacuerdo sobre el sentido o el alcance del fallo, la Corte lo interpretará a solicitud de cualquiera de las partes.

Artículo 61

1. Sólo podrá pedirse la revisión de un fallo cuando la solicitud se funde en el descubrimiento de un hecho de tal naturaleza que pueda ser factor decisivo y que, al pronunciarse el fallo, fuera desconocido de la Corte y de la parte que pida la revisión, siempre que su desconocimiento no se deba a negligencia.

2. La Corte abrirá el proceso de revisión mediante una resolución en que se haga constar expresamente la existencia del hecho nuevo, en que se reconozca que éste por su naturaleza justifica la revisión, y en que se declare que hay lugar a la solicitud.

3. Antes de iniciar el proceso de revisión la Corte podrá exigir que se cumpla lo dispuesto por el fallo.

4. La solicitud de revisión deberá formularse dentro del término de seis meses después de descubierto el hecho nuevo.

5. No podrá pedirse la revisión una vez transcurrido el término de diez años desde la fecha del fallo.

Artículo 62

1. Si un Estado considerare que tiene un interés de orden jurídico que puede ser afectado por la decisión del litigio, podrá pedir a la Corte que le permita intervenir.

2. La Corte decidirá con respecto a dicha petición.

Artículo 63

1. Cuando se trate de la interpretación de una convención en la cual sean partes otros Estados además de las partes en litigio, el Secretario notificará inmediatamente a todos los Estados interesados.

2. Todo Estado así notificado tendrá derecho a intervenir en el proceso; pero si ejerce ese derecho, la interpretación contenida en el fallo será igualmente obligatoria para él.

Artículo 64

Salvo que la Corte determine otra cosa, cada parte sufragará sus propias costas.

CAPITULO IV

OPINIONES CONSULTIVAS

Artículo 65

1. La Corte podrá emitir opiniones consultivas respecto de cualquier cuestión jurídica, a solicitud de cualquier organismo autorizado para ello por la Carta de las Naciones Unidas, o de acuerdo con las disposiciones de la misma.

2. Las cuestiones sobre las cuales se solicite opinión consultiva serán expuestas a la Corte mediante solicitud escrita, en que se formule en términos precisos la cuestión respecto de la cual

se haga la consulta. Con dicha solicitud se acompañarán todos los documentos que puedan arrojar luz sobre la cuestión.

Artículo 66

1. Tan pronto como se reciba una solicitud de opinión consultiva, el Secretario la notificará a todos los Estados que tengan derecho a comparecer ante la Corte.

2. El Secretario notificará también, mediante comunicación especial y directa a todo Estado con derecho a comparecer ante la Corte, y a toda organización internacional que a juicio de la Corte, o de su Presidente si la Corte no estuviere reunida, puedan suministrar alguna información sobre la cuestión, que la Corte estará lista para recibir exposiciones escritas dentro del término que fijará el Presidente, o para oír en audiencia pública que se celebrará al efecto, exposiciones orales relativas a dicha cuestión.

3. Cualquier Estado con derecho a comparecer ante la Corte que no haya recibido la comunicación especial mencionada en el párrafo 2 de este Artículo, podrá expresar su deseo de presentar una exposición escrita o de ser oído, y la Corte decidirá.

4. Se permitirá a los Estados y a las organizaciones que hayan presentado exposiciones escritas u orales, o de ambas clases, discutir las exposiciones presentadas por otros Estados u organizaciones, en la forma, en la extensión y dentro del término que en cada caso fije la Corte, o su Presidente si la Corte no estuviere reunida. Con tal fin, el Secretario comunicará oportunamente tales exposiciones escritas a los Estados y organizaciones que hayan presentado las suyas.

Artículo 67

La Corte pronunciará sus opiniones consultivas en audiencia pública, previa notificación al Secretario General de las Naciones Unidas y a los representantes de los Miembros de las Naciones Unidas, de los otros Estados y de las organizaciones internacionales directamente interesados.

Artículo 68

En el ejercicio de sus funciones consultivas, la Corte se guiará además por las disposiciones de este Estatuto que rijan en materia contenciosa, en la medida en que la propia Corte las considere aplicables.

CAPITULO V

REFORMAS

Artículo 69

Las reformas al presente Estatuto se efectuarán mediante el mismo procedimiento que establece la Carta de las Naciones Unidas para la reforma de dicha Carta, con sujeción a las disposiciones que la Asamblea General adopte, previa recomendación del Consejo de Seguridad, con respecto a la participación de Estados que sean partes en el Estatuto pero no Miembros de las Naciones Unidas.

Artículo 70

La Corte estará facultada para proponer las reformas que juzgue necesarias al presente Estatuto, comunicándolas por escrito al Secretario General de las Naciones Unidas a fin de que sean consideradas de conformidad con las disposiciones del Artículo 69.

FOR CHINA:

POUR LA CHINE:

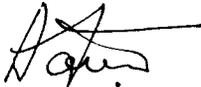
中國:

3a Китай:

FOR LA CHINA:

預	維	鈞
王	寵	惠
魏	道	明
吳	貽	芳
李		璜
張	君	勳
董	必	武
胡		霖

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES RÉPUBLIQUES SOVIÉTIQUES SOCIALISTES:
蘇維埃社會主義共和國聯邦:
За Союз Советских Социалистических Республик:
POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:


А. А. Громыко
М. С. Горбачев
Р. В. Косигов
С. М. Лавров
С. К. Рязанский
В. М. Чирков

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:

大不列顛及北愛爾蘭聯合王國:

За Соединенное Королевство Великобритании и Северной Ирландии:

POR EL REINO UNIDO DE LA GRAN BRETAÑA E IRLANDA DEL NORTE:

*Halifax.
Cranborne.*

FOR THE UNITED STATES OF AMERICA:

POUR LES ETATS-UNIS D'AMÉRIQUE:

美利堅合衆國:

За Соединенные Штаты Америки:

FOR LOS ESTADOS UNIDOS DE AMÉRICA:

*E. Stettin
Cordell Hull
Tom C. Blanton
Arthur Vandenberg
Joaq. Bloom
Charles A. Eaton
Harold E. Stassen
Virginia C. Gildersleeve.*

FOR FRANCE:
 POUR LA FRANCE:
 法蘭西:
 За Францію:
 POR FRANCIA:

J. Carl-Boncomp

FOR ARGENTINA:
 POUR L'ARGENTINE:
 阿根廷:
 За Аргентину:
 POR LA ARGENTINA:

Julian...
J. ...
...

FOR AUSTRALIA:
POUR L'AUSTRALIE:
澳大利亞:
За Австралию:
FOR AUSTRALIA:



F. M. Forde.
W. L. Latt.

FOR THE KINGDOM OF BELGIUM:
POUR LE ROYAUME DE BELGIQUE:
比利時王國:
За Королевство Бельгии:
FOR EL REINO DE BÉLGICA:

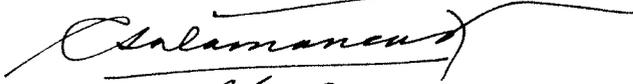


M. Rebecq

FOR BOLIVIA:
POUR LA BOLIVIE:
玻利維亞:
За Бولیвию:
FOR BOLIVIA:



J. Andrade



Salamanca

Salamanca

FOR BRAZIL:
 POUR LE BRÉSIL:
 巴西:
 За Бразилію:
 POR EL BRASIL:

P. Luis Viana
 cedente a stamp.
 Gen. Estevão Lito de Carvalho
 A. - Lourenço & Arari.
 Dr. Thysotha Lito

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOVIÉTIQUE SOCIALISTE DE BÉLORUSSIE:
白俄羅斯蘇維埃社會主義共和國:
За Белорусскую Советскую Социалистическую Республику:
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA BIELORRUSA:

[Handwritten signatures in Cyrillic script]
А. А. Герасимов
В. Терещук
Байдаков
Ф. Шлыков

FOR CANADA:
POUR LE CANADA:
加拿大:
За Канаду:
POR EL CANADÁ:

[Handwritten signature in Cyrillic script]
Левин С. С. Канар

FOR CHILE:
 POUR LE CHILI:
 智利:
 За Чили:
 FOR CHILE:

Gregorio F. Novoa
Baron
si
Accepté
Contreras y Barria
J. Luis
E. A. Leal
Amantegui
Julio Landero

FOR COLOMBIA:
POUR LA COLOMBIE:
哥倫比亞:
За Колумбию:
POR COLOMBIA:

Alfredo Utrera
Alfonso de Serna
~~Francisco de Serna~~
Jimi Gilbey
Jesus M. Yepes

FOR COSTA RICA:
POUR COSTA-RICA:
哥斯大黎加:
За Коста-Рику:
POR COSTA RICA:

Quintana
Rafael Oreamuno

FOR CUBA:

POUR CUBA:

古巴:

За Кубу:

FOR CUBA:



Ernesto Dillig

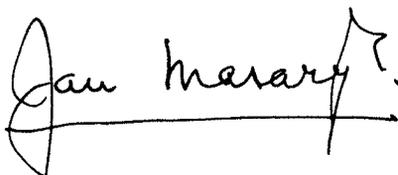
FOR CZECHOSLOVAKIA:

POUR LA TCHÉCOSLOVAQUIE:

捷克斯拉夫:

За Чехословакию:

FOR CHECOESLOVAQUIA:



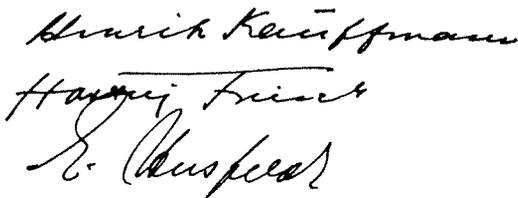
FOR DENMARK:

POUR LE DANEMARK:

丹麥:

За Данию:

FOR DINAMARCA:



FOR THE DOMINICAN REPUBLIC:
POUR LA REPUBLIQUE DOMINICAINE:
多明尼加共和國:
За Доминиканскую Республику:
POR LA REPÚBLICA DOMINICANA:

M. Juan Báez
Juan G. G. G. G.
León Sánchez
L. Sánchez
Minerva Germar dino

FOR ECUADOR:
POUR L'EQUATEUR:
厄瓜多:
За Эквадор:
POR EL ECUADOR:

J. Somo Ciguay
Yalo
C. Tobay Zaldumbide
P. 2020

FOR EGYPT:
POUR L'EGYPTE:
埃及:
За Египет:
POR EGIPTO:

A. Badar
A. Hach

FOR EL SALVADOR:
 POUR LE SALVADOR:
 薩爾瓦多:
 За Сальвадор:
 FOR EL SALVADOR:

Walter P. Smith
Carlos Leizaola, M. D.

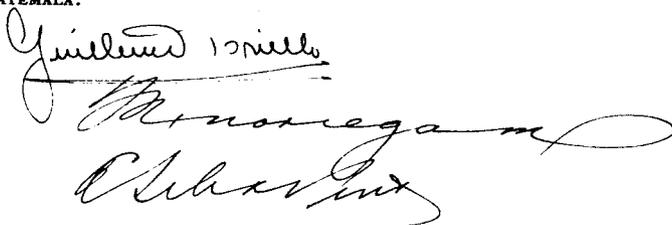
FOR ETHIOPIA:
 POUR L'ETHIOPIE:
 阿比西尼亞:
 За Эфиопию:
 FOR ETIOPIA:

Walter P. Smith
Ambassador
Stephen T. Medley

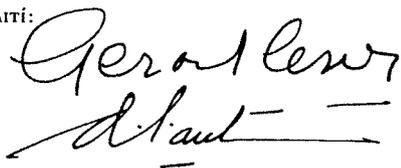
FOR GREECE:
POUR LA GRÈCE:
希臘:
За Грецию:
FOR GRECIA:



FOR GUATEMALA:
POUR LE GUATEMALA:
瓜地馬拉:
За Гватемалу:
FOR GUATEMALA:



FOR HAITI:
POUR HAÏTI:
海地:
За Гаити:
FOR HAÏTI:



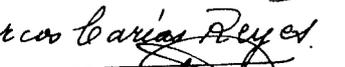
FOR HONDURAS:

POUR LE HONDURAS:

洪都拉斯:

За Гондурас:

POR HONDURAS:


 Julián Velasco

 Marcos Varín Reyes

 Agustín

FOR INDIA:

POUR L'INDE:

印度:

За Индию:

POR LA INDIA:


 Arumamoni Mudaliar

 V. T. Krishnama Chari

FOR IRAN:

POUR L'IRAN:

伊朗:

За Иран:

POR IRAN:


 Mostafa Ardj

FOR IRAQ:
POUR L'IRAK:
伊拉克:
За Ирак:
FOR IRAK:

Mohd. Fadhel Jamali

FOR LEBANON:
POUR LE LIBAN:
黎巴嫩:
За Ливан:
FOR EL LIBANO:

W. Kaim
A. J. J. J.
S. J. J.
Charles Malik

FOR LIBERIA:

POUR LE LIBÉRIA:

利比里亞:

За Либерию:

FOR LIBERIA:







FOR THE GRAND DUCHY OF LUXEMBOURG:

POUR LE GRAND DUCHÉ DE LUXEMBOURG:

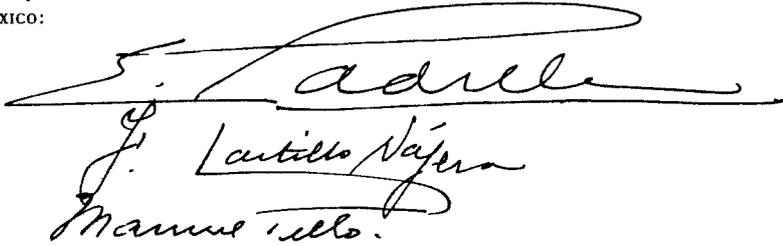
盧森堡大公國:

За Великое Герцогство Люксембург:

POR EL GRAN DUCADO DE LUXEMBURGO:

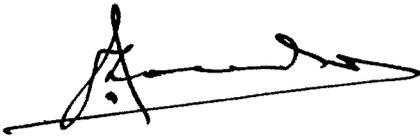


FOR MEXICO:
POUR LE MEXIQUE:
墨西哥:
За Мексику:
POR MÉXICO:



J. Lantillo Najera
Mannu ello.

FOR THE KINGDOM OF THE NETHERLANDS:
POUR LE ROYAUME DES PAYS-BAS:
荷蘭王國:
За Королевство Нидерландов:
POR EL REINO DE HOLANDA:



FOR NEW ZEALAND:
POUR LA NOUVELLE-ZÉLANDE:
紐西蘭:
За Новую Зеландию:
POR NUEVA ZELANDIA:



FOR NICARAGUA:

POUR LE NICARAGUA:

尼加拉瓜:

За Никарагуа:

POR NICARAGUA:




FOR THE KINGDOM OF NORWAY:

POUR LE ROYAUME DE NORVÈGE:

挪威王國:

За Королевство Норвегии:

POR EL REINO DE NORUEGA:



FOR PANAMA:

POUR LE PANAMA:

巴拿馬:

За Панаму:

POR PANAMÁ:



FOR PARAGUAY:
POUR LE PARAGUAY:
巴拉圭:
За Парагвай:
POR EL PARAGUAY:

Gen. R. Velazquez
J. B. Alvarez

FOR PERU:
POUR LE PÉROU:
秘魯:
За Перу:
POR EL PERÚ:

M. de la Jara
J. B. Belaunde
Quiromanicsueta

FOR THE PHILIPPINE COMMONWEALTH:
 POUR LE COMMONWEALTH DES PHILIPPINES:
 菲律賓共和國:
 За Филиппины:
 POR LA MANCOMUNIDAD DE FILIPINAS:

Carlos P. Romulo

Francisco A. Delgado,

FOR POLAND:
 POUR LA POLOGNE:
 波蘭:
 За Польшу:
 POR POLONIA:

W. Ruzhewski
October 15, 1945

FOR SAUDI ARABIA:
POUR L'ARABIE SAOUDITE:
蘇地亞拉伯:
За Саудн Аравню:
FOR ARABIA SAUDITA:

[Handwritten signature]

FOR SYRIA:
POUR LA SYRIE:
叙利亞:
За Сирию:
FOR SIRIA:

F. Al-Khouri

Le Awtaki ~~*[Handwritten signature]*~~

N. Roudsi *[Handwritten signature]*

FOR TURKEY:
POUR LA TURQUIE:
土耳其:
За Турцию:
FOR TURQUIA:

Hasan Sakar

Muhsin Nazif Baydar

Behic Mulvan

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:
POUR LA RÉPUBLIQUE SOVIÉTIQUE SOCIALISTE D'UKRAINE:
烏克蘭蘇維埃社會主義共和國:
За Украинскую Советскую Социалистическую Республику:
POR LA REPÚBLICA SOCIALISTA SOVIÉTICA UCRAÏIANA:

Д. М. Мануйловский

Тван Сенін

Олександр Талочкін

Микола Шевцовський

FOR THE UNION OF SOUTH AFRICA:
POUR L'UNION SUD-AFRICAINE:
南非聯邦:
За Южноафриканский Союз:
POR LA UNIÓN SUDAFRICANA:

FOR URUGUAY:
POUR L'URUGUAY:
烏拉圭:
За Уругвай:
POR EL URUGUAY:

Jose Ferrato
Jacobs Varela
Alfredo Quiroga
Alfredo
Lucrecia F. Guindon
Witold Wasyl

FOR VENEZUELA:
POUR LE VENEZUELA:
委內瑞拉:
За Венесуэлу:
POR VENEZUELA:

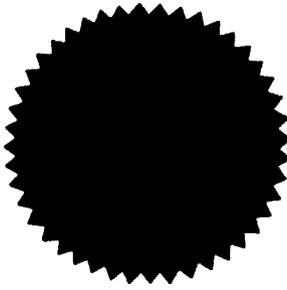
Alfonso
Antonio
Marcelo
Rodriguez Lopez

FOR YUGOSLAVIA:
 POUR LA YOUGOSLAVIE:
 南斯拉夫:
 За ЮГОСЛАВИЈУ:
 FOR YUGOSLAVIA:

Stanoje Simić

I Certify That the foregoing is a true copy of the Charter of the United Nations, with the Statute of the International Court of Justice annexed thereto, signed in San Francisco, California, on June 26, 1945, in the Chinese, French, Russian, English, and Spanish languages, the signed original of which is deposited in the archives of the Government of the United States of America.

In Testimony Whereof, I, EDWARD R. STETTINIUS, JR., Secretary of State, have hereto caused the seal of the Department of State to be affixed and my name subscribed by an Assistant Chief, Division of Central Services of the said Department, at the city of Washington, in the District of Columbia, this twenty ~~eight~~ day of June 1945.



E. R. Stettinius Jr.
 Secretary of State

By *M. L. Kentstrich*
 Assistant Chief, Division of Central Services

AND WHEREAS the Senate of the United States of America by their Resolution of July 28 (legislative day of July 9), 1945, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Charter, with annexed Statute;

AND WHEREAS the said Charter, with annexed Statute, was duly ratified by the President of the United States of America on August 8, 1945, in pursuance of the aforesaid advice and consent of the Senate;

AND WHEREAS it is provided by paragraph 3 of Article 110 of the said Charter that the Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states, and that a protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America;

AND WHEREAS the Secretary of State of the United States of America signed on October 24, 1945 a protocol of deposit of ratifications of the Charter of the United Nations stating that the requirements of the said paragraph 3 of Article 110 with respect to the coming into force of the said Charter have been fulfilled by the deposit of instruments of ratification of the said Charter by the following states:

the Republic of China on September 28, 1945,

France on August 31, 1945,

the Union of Soviet Socialist Republics on October 24, 1945,

the United Kingdom of Great Britain and Northern Ireland on
October 20, 1945, and

the United States of America on August 8, 1945;

and by [1]

Argentina on September 24, 1945,

Brazil on September 21, 1945,

the Byelorussian Soviet Socialist Republic on October 24, 1945,

Chile on October 11, 1945,

Cuba on October 15, 1945,

Czechoslovakia on October 19, 1945,

Denmark on October 9, 1945,

the Dominican Republic on September 4, 1945,

¹ [Since Oct. 24, 1945, the date of signature of the protocol of deposit, instruments of ratification have been deposited by all the other signatories as follows: Greece on Oct. 25, 1945; India on Oct. 30, 1945; Peru on Oct. 31, 1945; Australia on Nov. 1, 1945; Liberia on Nov. 2, 1945; Costa Rica on Nov. 2, 1945; Colombia on Nov. 5, 1945; Union of South Africa on Nov. 7, 1945; Mexico on Nov. 7, 1945; Canada on Nov. 9, 1945; Panama on Nov. 13, 1945; Ethiopia on Nov. 13, 1945; Bolivia on Nov. 14, 1945; Venezuela on Nov. 15, 1945; Guatemala on Nov. 21, 1945; Norway on Nov. 27, 1945; Netherlands on Dec. 10, 1945; Honduras on Dec. 17, 1945; Uruguay on Dec. 18, 1945; Ecuador on Dec. 21, 1945; Iraq on Dec. 21, 1945; Belgium on Dec. 27, 1945.]

Egypt on October 22, 1945,
El Salvador on September 26, 1945,
Haiti on September 27, 1945,
Iran on October 16, 1945,
Lebanon on October 15, 1945,
Luxembourg on October 17, 1945,
New Zealand on September 19, 1945,
Nicaragua on September 6, 1945,
Paraguay on October 12, 1945,
the Philippine Commonwealth on October 11, 1945,
Poland on October 24, 1945,
Saudi Arabia on October 18, 1945,
Syria on October 19, 1945,
Turkey on September 28, 1945,
the Ukrainian Soviet Socialist Republic on October 24, 1945, and
Yugoslavia on October 19, 1945;

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said Charter of the United Nations, with the Statute of the International Court of Justice annexed thereto, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith, on and from the twenty-fourth day of October, one thousand nine hundred forty-five, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this thirty-first day of October in the year of our Lord one thousand nine hundred forty-five [SEAL] and of the Independence of the United States of America the one hundred seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES
Secretary of State

Note by the Department of State

The following is a romanization of the facsimile signatures.

FOR CHINA:

VI-KYUIN WELLINGTON KOO
WANG CHUNG-HUI
WEI TAO-MING
WU YI-FANG
LI HWANG
CHUN-MAI CARSON CHANG
TUNG PI-WU
HU LIN

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

A GROMYKO.
A LAVRENTIEV
K NOVIKOV
S. TSARAPKIN
S GOLUNSKY
S KRYLOV
RODIONOV

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

HALIFAX.
CRANBORNE.

FOR THE UNITED STATES OF AMERICA:

E R STETINIUS, JR
CORDELL HULL
TOM CONNALLY
A H VANDENBERG.
SOL. BLOOM
CHARLES A. EATON.
HAROLD E STASSEN
VIRGINIA C. GILDERSLEEVE.

FOR FRANCE:

J. PAUL-BONCOUR

FOR ARGENTINA:

M CÁRCANO
O IBARRA G.
JUAN CARLOS BASSI
A D BRUNET

FOR AUSTRALIA:

F. M. FORDE.
H V EVATT.

FOR THE KINGDOM OF BELGIUM:

A E DE SCHRYVER

FOR BOLIVIA:

V ANDRADE
C SALAMANCA F
E ARZE Q.

FOR BRAZIL:

P. LEÃO VELLOSO
C DE FREITAS VALLE.
GEN. ESTEVAO LEITAO DE CARVALHO
A. CAMILLO DE OLIVEIRA.
DR BERTHA LUTZ

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

K KISELEV
A ZHEBRAK
V. PERTSEV
G BAIDAKOV
F. SHMYGAV

FOR CANADA:

W. L. MACKENZIE KING.
LOUIS. S. ST. LAURENT

FOR CHILE:

JOAQUÍN FERNÁNDEZ F
MARCIAL MORA M
JOSÉ MAZA
GABRIEL GONZÁLEZ.
CONTRERAS LABARCA
F. NIETO DEL RÍO
E ALCALDE C
GERMÁN VERGARA.
JULIO ESCUDERO.

FOR COLOMBIA:

ALBERTO LLERAS
AL GONZÁLEZ FERNÁNDEZ
EDUARDO ZULETA ANGEL
SILVIO VILLEGAS
JESÚS M. YEPES.

FOR COSTA RICA:

JULIO ACOSTA.
J RAFAEL OREAMUNO

FOR CUBA:

GMO BELT
ERNESTO ÑIHIGO

FOR CZECHOSLOVAKIA:

JAN MASARYK.

FOR DENMARK:

HENRIK KAUFFMANN
HARTVIG FRISCH
E. HUSFELDT

FOR THE DOMINICAN REPUBLIC:

M PEÑA BATLLE
EMILIO G GODOY.
GILBERTO SÁNCHEZ LUSTRINO
T. FRANCO F
MINERVA BERNARDINO

FOR ECUADOR:

C. PONCE ENRÍQUEZ.
GALO PLAZA
C. TOBAR ZALDUMBIDE

FOR EGYPT:

A. BADAWI.
IB. HADI

FOR EL SALVADOR:

HÉCTOR DAVID CASTRO
CARLOS LEIVA, M. D.

FOR ETHIOPIA:

AKLILU H
AMBAYE W
EPHREM T. MEDHEN

FOR GREECE:

J. A. SOFIANOPOULOS

FOR GUATEMALA:

GUILLERMO TORIELLO
M. NORIEGA M
E SILVA PEÑA

FOR HAITI:

GERARD LESCOT
A. LIAUTAUD

FOR HONDURAS:

JULIÁN R CÁCERES
MARCOS CARIAS REYES
VIRGILIO R. GALVEZ

FOR INDIA:

A RAMASWAMI MUDALIAR.
V. T. KRISHNAMACHARI

FOR IRAN:

MOSTAFA ADLE

FOR IRAQ:

MOHD. FADHEL JAMALI

FOR LEBANON:

W. NAIM
A. YAFI
SALEM.
CHARLES MALIK

FOR LIBERIA:

C. L. SIMPSON
GABRIEL L. DENNIS
J. LEMUEL GIBSON
RICHARD HENRIES
M. N. GRANT

FOR THE GRAND DUCHY OF LUXEMBOURG:

HUGUES LE GALLAIS

FOR MEXICO:

E. PADILLA
F. CASTILLO NÁJERA
MANUEL TELLO.

FOR THE KINGDOM OF THE NETHERLANDS:

A. LOUDON

FOR NEW ZEALAND:

PETER FRASER.
C A BERENDSEN

FOR NICARAGUA:

MARIANO ARGÜELLO
LUIS MANUEL DE BAYLE

FOR THE KINGDOM OF NORWAY:

WILHELM MUNTHE MORGENSTIERNE

FOR PANAMA:

ROBERTO JIMÉNEZ

FOR PARAGUAY:

CELSO R. VELÁZQUEZ
J. B. AYALA

FOR PERU:

MANUEL C. GALLAGHER
V. A. BELAUNDE
LUIS FERNÁN CISNEROS.

FOR THE PHILIPPINE COMMONWEALTH:

CARLOS P. ROMULO
FRANCISCO A. DELGADO.

FOR POLAND:

W. RZYMOWSKI

FOR SAUDI ARABIA:

FAISAL

FOR SYRIA:

F. AL-KHOURI

N. ANTAKI

N. KOUDSI

FOR TURKEY:

HASAN SAKA

HUSEYIN RAGIP BAYDUR

FERIDUN CEMAL ERKIN

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

DM. MANUILSKY

IVAN SENIN

ALEXANDER PALLADIN

MIKOLA PETROVSKY

FOR THE UNION OF SOUTH AFRICA:

J. C. SMUTS F. M.

FOR URUGUAY:

JOSÉ SERRATO

JACOBO VARELA.

HÉCTOR LUISI

CY GIAMBRUNO

JUAN F. GUICHÓN

HÉCTOR PAYSSÉ REYES

FOR VENEZUELA:

C PARRA PÉREZ

GUSTAVO HERRERA

A MACHADO HNDZ

R ERNESTO LÓPEZ

FOR YUGOSLAVIA:

STANCJE SIMIĆ

Treaty between the United States of America and Mexico respecting utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande. Signed at Washington February 3, 1944. And protocol signed at Washington November 14, 1944. Ratification advised by the Senate of the United States of America April 18, 1945, subject to certain understandings; ratified by the President of the United States of America November 1, 1945, subject to said understandings; ratified by Mexico October 16, 1945; ratifications exchanged at Washington November 8, 1945; proclaimed by the President of the United States of America November 27, 1945, subject to said understandings; effective November 8, 1945.

February 3, 1944, and
November 14, 1944
[T. S. 994]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a treaty between the United States of America and the United Mexican States relating to the utilization of the waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, was signed by their respective Plenipotentiaries in Washington on February 3, 1944, and a protocol supplementary to the said treaty was signed by their respective Plenipotentiaries in Washington on November 14, 1944, the originals of which treaty and protocol, in the English and Spanish languages, are word for word as follows:

The Government of the United States of America and the Government of the United Mexican States: animated by the sincere spirit of cordiality and friendly cooperation which happily governs the relations between them; taking into account the fact that Articles VI and VII of the Treaty of Peace, Friendship and Limits between the United States of America and the United Mexican States signed at Guadalupe Hidalgo on February 2, 1848, and Article IV of the boundary treaty between the two countries signed at the City of Mexico December 30, 1853 regulate the use of the waters of the Rio Grande (Rio Bravo) and the Colorado River for purposes of navigation only; considering

Los Gobiernos de los Estados Unidos de América y de los Estados Unidos Mexicanos: animados por el franco espíritu de cordialidad y de amistosa cooperación que felizmente norma sus relaciones; tomando en cuenta que los Artículos VI y VII del Tratado de Paz, Amistad y Límites entre los Estados Unidos de América y los Estados Unidos Mexicanos, firmado en Guadalupe Hidalgo, el 2 de febrero de 1848, y el Artículo IV del tratado de límites entre los dos países, firmado en la ciudad de México el 30 de diciembre de 1853, reglamentan únicamente para fines de navegación el uso de las aguas de los ríos Bravo (Grande) y Colorado; considerando que a los intereses de ambos países conviene

9 Stat. 922; 18 Stat. (pt. 2, Public Treaties) 492.

10 Stat. 1031; 18 Stat. (pt. 2, Public Treaties) 503.

that the utilization of these waters for other purposes is desirable in the interest of both countries, and desiring, moreover, to fix and delimit the rights of the two countries with respect to the waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, United States of America, to the Gulf of Mexico, in order to obtain the most complete and satisfactory utilization thereof, have resolved to conclude a treaty and for this purpose have named as their plenipotentiaries:

Plenipotentiaries.

The President of the United States of America:

Cordell Hull, Secretary of State of the United States of America, George S. Messersmith, Ambassador Extraordinary and Plenipotentiary of the United States of America in Mexico, and Lawrence M. Lawson, United States Commissioner, International Boundary Commission, United States and Mexico; and

The President of the United Mexican States:

Francisco Castillo Nájera, Ambassador Extraordinary and Plenipotentiary of the United Mexican States in Washington, and Rafael Fernández MacGregor, Mexican Commissioner, International Boundary Commission, United States and Mexico; who, having communicated to each other their respective Full Powers and having found them in good and due form, have agreed upon the following:

el aprovechamiento de esas aguas en otros usos y consumos y deseando, por otra parte, fijar y delimitar claramente los derechos de las dos Repúblicas sobre los ríos Colorado y Tijuana y sobre el río Bravo (Grande), de Fort Quitman, Texas, Estados Unidos de América, al Golfo de México, a fin de obtener su utilización más completa y satisfactoria, han resuelto celebrar un tratado y, al efecto, han nombrado como sus plenipotenciarios:

El Presidente de los Estados Unidos de América:

Al Señor Cordell Hull, Secretario de Estado de los Estados Unidos de América, al Señor George S. Messersmith, Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América en México, y al Señor Ingeniero Lawrence M. Lawson, Comisionado de los Estados Unidos en la Comisión Internacional de Límites entre los Estados Unidos y México; y

El Presidente de los Estados Unidos Mexicanos:

Al Señor Dr. Francisco Castillo Nájera, Embajador Extraordinario y Plenipotenciario de los Estados Unidos Mexicanos en Washington, y al Señor Ingeniero Rafael Fernández MacGregor, Comisionado Mexicano en la Comisión Internacional de Límites entre los Estados Unidos y México; quienes, después de haberse comunicado sus respectivos Plenos Poderes y haberlos encontrado en buena y debida forma, convienen en lo siguiente:

I - PRELIMINARY PROVISIONS I - DISPOSICIONES PRELIMINARES

ARTICLE 1

For the purposes of this Treaty it shall be understood that:

(a) "The United States" means the United States of America.

(b) "Mexico" means the United Mexican States.

(c) "The Commission" means the International Boundary and Water Commission, United States and Mexico, as described in Article 2 of this Treaty.

(d) "To divert" means the deliberate act of taking water from any channel in order to convey it elsewhere for storage, or to utilize it for domestic, agricultural, stock-raising or industrial purposes whether this be done by means of dams across the channel, partition weirs, lateral intakes, pumps or any other methods.

(e) "Point of diversion" means the place where the act of diverting the water is effected.

(f) "Conservation capacity of storage reservoirs" means that part of their total capacity devoted to holding and conserving the water for disposal thereof as and when required, that is, capacity additional to that provided for silt retention and flood control.

(g) "Flood discharges and spills" means the voluntary or involuntary discharge of water for flood control as distinguished from releases for other purposes.

(h) "Return flow" means that portion of diverted water that eventually finds its way back to the source from which it was diverted.

(i) "Release" means the deliberate discharge of stored water

ARTICULO 1

Para los efectos de este Tratado se entenderá:

a) Por "los Estados Unidos", los Estados Unidos de América.

b) Por "México", los Estados Unidos Mexicanos.

c) Por "La Comisión", la Comisión Internacional de Límites y Aguas entre los Estados Unidos y México, según se define en el Artículo 2 de este Tratado.

d) Por "derivar", el acto deliberado de tomar agua de cualquier cauce con objeto de hacerla llegar a otro lugar y almacenarla, o aprovecharla con fines domésticos, agrícolas, ganaderos o industriales; ya sea que dicho acto se lleve a cabo utilizando presas construídas a través del cauce, partidores de corriente, bocatomas laterales, bombas o cualesquier otros medios.

e) Por "punto de derivación", el lugar en que se realiza el acto de derivar el agua.

f) Por "capacidad útil de las presas de almacenamiento", aquella parte de la capacidad total que se dedica a retener y conservar el agua para disponer de ella cuando sea necesario, o sea, la capacidad adicional a las destinadas al azolve y al control de avenidas.

g) Por "desfogue" y por "derriame", la salida voluntaria o involuntaria de agua para controlar las avenidas o con cualquier otro propósito que no sea de los especificados para la extracción.

h) Por "retornos", la parte de un volumen de agua derivada de una fuente de abastecimiento, que finalmente regresa a su fuente original.

i) Por "extracción", la salida del agua almacenada, deliberada-

Definitions of terms.

for conveyance elsewhere or for direct utilization.

(j) "Consumptive use" means the use of water by evaporation, plant transpiration or other manner whereby the water is consumed and does not return to its source of supply. In general it is measured by the amount of water diverted less the part thereof which returns to the stream.

(k) "Lowest major international dam or reservoir" means the major international dam or reservoir situated farthest downstream.

(l) "Highest major international dam or reservoir" means the major international dam or reservoir situated farthest upstream.

mente realizada para su conducción a otro lugar o para su aprovechamiento directo.

j) Por "consumo", el agua evaporada, transpirada por las plantas, retenida o por cualquier medio perdida y que no puede retornar a su cauce de escurrimiento. En general se mide por el monto del agua derivada menos el volumen que retorna al cauce.

k) Por "presa inferior principal internacional de almacenamiento", la presa internacional principal situada más aguas abajo.

l) Por "presa superior principal internacional de almacenamiento", la presa internacional principal situada más aguas arriba.

ARTICLE 2

ARTICULO 2

International Boundary and Water Commission, United States and Mexico.

26 Stat. 1512.

24 Stat. 1011.

Extension of term of Convention of Mar. 1, 1889.

Termination of Convention of Nov. 21, 1900.
31 Stat. 1936.

The International Boundary Commission established pursuant to the provisions of the Convention between the United States and Mexico signed in Washington March 1, 1889 to facilitate the carrying out of the principles contained in the Treaty of November 12, 1884 and to avoid difficulties occasioned by reason of the changes which take place in the beds of the Rio Grande (Rio Bravo) and the Colorado River shall hereafter be known as the International Boundary and Water Commission, United States and Mexico, which shall continue to function for the entire period during which the present Treaty shall continue in force. Accordingly, the term of the Convention of March 1, 1889 shall be considered to be indefinitely extended, and the Convention of November 21, 1900 between the United States and Mexico regarding that Convention shall be considered completely terminated.

La Comisión Internacional de Límites establecida por la Convención suscrita en Washington, por los Estados Unidos y México, el primero de marzo de 1889, para facilitar la ejecución de los principios contenidos en el Tratado de 12 de noviembre de 1884, y para evitar las dificultades ocasionadas con motivo de los cambios que tienen lugar en el cauce de los ríos Bravo (Grande) y Colorado, cambiará su nombre por el de Comisión Internacional de Límites y Aguas, entre los Estados Unidos y México, la que continuará en funciones por todo el tiempo que el presente Tratado esté en vigor. En tal virtud se considera prorrogado indefinidamente el término de la Convención de primero de marzo de 1889 y se deroga, por completo, la de 21 de noviembre de 1900, entre los Estados Unidos y México, relativa a aquella Convención.

The application of the present Treaty, the regulation and exercise of the rights and obligations which the two Governments assume thereunder, and the settlement of all disputes to which its observance and execution may give rise are hereby entrusted to the International Boundary and Water Commission, which shall function in conformity with the powers and limitations set forth in this Treaty.

The Commission shall in all respects have the status of an international body, and shall consist of a United States Section and a Mexican Section. The head of each Section shall be an Engineer Commissioner. Wherever there are provisions in this Treaty for joint action or joint agreement by the two Governments, or for the furnishing of reports, studies or plans to the two Governments, or similar provisions, it shall be understood that the particular matter in question shall be handled by or through the Department of State of the United States and the Ministry of Foreign Relations of Mexico.

The Commission or either of its two Sections may employ such assistants and engineering and legal advisers as it may deem necessary. Each Government shall accord diplomatic status to the Commissioner, designated by the other Government. The Commissioner, two principal engineers, a legal adviser, and a secretary, designated by each Government as members of its Section of the Commission, shall be entitled in the territory of the other country to the privileges and immunities appertaining to diplomatic officers. The Commission and its personnel may freely carry out

La aplicación del presente Tratado, la reglamentación y el ejercicio de los derechos y el cumplimiento de las obligaciones que los dos Gobiernos adquieren en virtud del mismo, y la resolución de todos los conflictos que originen su observancia y ejecución, quedan confiados a la Comisión Internacional de Límites y Aguas que funcionará de conformidad con las facultades y restricciones que se fijan en este Tratado.

La Comisión tendrá plenamente el carácter de un organismo internacional y estará constituida por una Sección de los Estados Unidos y por una Sección Mexicana. Cada Sección será encabezada por un Comisionado Ingeniero. Cuando en este Tratado se establece acción conjunta o el acuerdo de los dos Gobiernos o la presentación a los mismos de informes, estudios o proyectos, u otras estipulaciones similares, se entenderá que dichos asuntos serán de la competencia de la Secretaría de Estado de los Estados Unidos y de la Secretaría de Relaciones Exteriores de México o que se tratarán por su conducto.

La Comisión y cada una de las Secciones que la constituyen podrán emplear a los auxiliares y consejeros técnicos, de ingeniería y legales, que estimen necesarios. Cada Gobierno reconocerá carácter diplomático al Comisionado del otro, y el Comisionado, dos ingenieros principales, un consejero legal y un secretario, designados por el otro Gobierno como miembros de su Sección de la Comisión, tendrán derecho a todos los privilegios e inmunidades pertenecientes a funcionarios diplomáticos. La Comisión y su personal podrán llevar a cabo, con toda libertad, sus observaciones,

Commission.
Status, composition,
etc.

Employment of personnel.

Diplomatic status of Commissioners.

their observations, studies and field work in the territory of either country.

The jurisdiction of the Commission shall extend to the limitrophe parts of the Rio Grande (Rio Bravo) and the Colorado River, to the land boundary between the two countries, and to works located upon their common boundary, each Section of the Commission retaining jurisdiction over that part of the works located within the limits of its own country. Neither Section shall assume jurisdiction or control over works located within the limits of the country of the other without the express consent of the Government of the latter. The works constructed, acquired or used in fulfillment of the provisions of this Treaty and located wholly within the territorial limits of either country, although these works may be international in character, shall remain, except as herein otherwise specifically provided, under the exclusive jurisdiction and control of the Section of the Commission in whose country the works may be situated.

The duties and powers vested in the Commission by this Treaty shall be in addition to those vested in the International Boundary Commission by the Convention of March 1, 1889 and other pertinent treaties and agreements in force between the two countries except as the provisions of any of them may be modified by the present Treaty.

Each Government shall bear the expenses incurred in the maintenance of its Section of the Commission. The joint expenses, which may be incurred as agreed upon by the Commission, shall be

estudios y trabajos de campo en el territorio de cualquiera de los dos países.

La jurisdicción de la Comisión se ejercerá sobre los tramos limítrofes del río Bravo (Grande) y del río Colorado, sobre la línea divisoria terrestre entre los dos países y sobre las obras construídas en aquéllos y en ésta. Cada una de las Secciones tendrá jurisdicción sobre la parte de las obras situadas dentro de los límites de su nación y ninguna de ellas ejercerá jurisdicción o control sobre obras construídas o situadas dentro de los límites del país de la otra Sección sin el expreso consentimiento del Gobierno de esta última. Las obras construídas, adquiridas o usadas en cumplimiento de las disposiciones de este Tratado y que se encuentren ubicadas totalmente dentro de los límites territoriales de cualquiera de los dos países, aunque de carácter internacional, quedarán, con las excepciones expresamente señaladas en este Tratado, bajo la exclusiva jurisdicción y control de la Sección de la Comisión en cuyo país se encuentren dichas obras.

Las facultades y obligaciones que impone a la Comisión este Tratado serán adicionales a las conferidas a la Comisión Internacional de Límites por la Convención del primero de marzo de 1889 y los demás tratados y convenios pertinentes en vigor entre los dos países, con excepción de aquellas estipulaciones de cualquiera de ellos que este Tratado modifica.

Los gastos que demande el sostenimiento de cada Sección de la Comisión serán sufragados por cuenta del Gobierno del cual dependa. Los gastos comunes que acuerde la Comisión serán cubier-

Jurisdiction of Commission.

Duties and powers deemed additional.

26 Stat. 1512.

Expenses.

borne equally by the two Governments. tos por mitad por ambos Gobiernos.

ARTICLE 3

ARTICULO 3

In matters in which the Commission may be called upon to make provision for the joint use of international waters, the following order of preferences shall serve as a guide:

En los asuntos referentes al uso común de las aguas internacionales, acerca de los cuales deba resolver la Comisión, servirá de guía el siguiente orden de preferencias:

Order of preferences for use of international waters.

1. Domestic and municipal uses.
2. Agriculture and stock-raising.
3. Electric power.
4. Other industrial uses.
5. Navigation.
6. Fishing and hunting.
7. Any other beneficial uses which may be determined by the Commission.

- 1°.— Usos domésticos y municipales.
- 2°.— Agricultura y ganadería.
- 3°.— Energía eléctrica.
- 4°.— Otros usos industriales.
- 5°.— Navegación.
- 6°.— Pesca y caza.
- 7°.— Cualesquiera otros usos benéficos determinados por la Comisión.

All of the foregoing uses shall be subject to any sanitary measures or works which may be mutually agreed upon by the two Governments, which hereby agree to give preferential attention to the solution of all border sanitation problems.

Todos los usos anteriores estarán sujetos a las medidas y obras sanitarias que convengan de común acuerdo los dos Gobiernos, los cuales se obligan a resolver preferentemente los problemas fronterizos de saneamiento.

II—RIO GRANDE (RIO BRAVO)

II—RIO BRAVO (GRANDE)

ARTICLE 4

ARTICULO 4

The waters of the Rio Grande (Rio Bravo) between Fort Quitman, Texas and the Gulf of Mexico are hereby allotted to the two countries in the following manner:

Las aguas del río Bravo (Grande) entre Fort Quitman, Texas, y el Golfo de México se asignan a los dos países de la siguiente manera:

Rio Grande. Allotment of waters.

A. To Mexico:

A. — A México:

To Mexico.

(a) All of the waters reaching the main channel of the Rio Grande (Rio Bravo) from the San Juan and Alamo Rivers, including the return flow from the lands irrigated from the latter two rivers.

a) La totalidad de las aguas que lleguen a la corriente principal del río Bravo (Grande), de los ríos San Juan y Alamo; comprendiendo los retornos procedentes de los terrenos que rieguen estos dos últimos ríos.

(b) One-half of the flow in the main channel of the Rio Grande (Rio Bravo) below the lowest major international storage dam, so far as said flow is

b) La mitad del escurrimiento del cauce principal del río Bravo (Grande) abajo de la presa inferior principal internacional de almacenamiento, si-

not specifically allotted under this Treaty to either of the two countries.

(c) Two-thirds of the flow reaching the main channel of the Rio Grande (Rio Bravo) from the Conchos, San Diego, San Rodrigo, Escondido and Salado Rivers and the Las Vacas Arroyo, subject to the provisions of subparagraph (c) of paragraph B of this Article.

(d) One-half of all other flows not otherwise allotted by this Article occurring in the main channel of the Rio Grande (Rio Bravo), including the contributions from all the unmeasured tributaries, which are those not named in this Article, between Fort Quitman and the lowest major international storage dam.

B. To the United States:

(a) All of the waters reaching the main channel of the Rio Grande (Rio Bravo) from the Pecos and Devils Rivers, Goodenough Spring, and Alamito, Terlingua, San Felipe and Pinto Creeks.

(b) One-half of the flow in the main channel of the Rio Grande (Rio Bravo) below the lowest major international storage dam, so far as said flow is not specifically allotted under this Treaty to either of the two countries.

(c) One-third of the flow reaching the main channel of the Rio Grande (Rio Bravo) from the Conchos, San Diego, San Rodrigo, Escondido and Salado Rivers and the Las Vacas Arroyo, provided that this third shall not be less, as

empre que dicho escurrimiento no esté asignado expresamente en este Tratado a alguno de los dos países.

c) Las dos terceras partes del caudal que llegue a la corriente principal del río. Bravo (Grande) de los ríos Conchos, San Diego, San Rodrigo, Escondido y Salado y Arroyo de Las Vacas, en concordancia con lo establecido en el inciso c) del párrafo B de este Artículo.

d) La mitad de cualquier otro escurrimiento en el cauce principal del río Bravo (Grande), no asignado específicamente en este Artículo, y la mitad de las aportaciones de todos los afluentes no aforados—que son aquellos no denominados en este Artículo—entre Fort Quitman y la presa inferior principal internacional.

B. — A los Estados Unidos:

a) La totalidad de las aguas que lleguen a la corriente principal del río Bravo (Grande) procedentes de los ríos Pecos, Devils, manantial Goodenough y arroyos Alamito, Terlingua, San Felipe y Pinto.

b) La mitad del escurrimiento del cauce principal del río Bravo (Grande) abajo de la presa inferior principal internacional de almacenamiento, siempre que dicho escurrimiento no esté asignado expresamente en este Tratado a alguno de los dos países.

c) Una tercera parte del agua que llegue a la corriente principal del río Bravo (Grande) procedente de los ríos Conchos, San Diego, San Rodrigo, Escondido, Salado y Arroyo de Las Vacas; tercera parte que no será menor en conjunto, en

an average amount in cycles of five consecutive years, than 350,000 acre-feet (431,721,000 cubic meters) annually. The United States shall not acquire any right by the use of the waters of the tributaries named in this subparagraph, in excess of the said 350,000 acre-feet (431,721,000 cubic meters) annually, except the right to use one-third of the flow reaching the Rio Grande (Rio Bravo) from said tributaries, although such one-third may be in excess of that amount.

(d) One-half of all other flows not otherwise allotted by this Article occurring in the main channel of the Rio Grande (Rio Bravo), including the contributions from all the unmeasured tributaries, which are those not named in this Article, between Fort Quitman and the lowest major international storage dam.

In the event of extraordinary drought or serious accident to the hydraulic systems on the measured Mexican tributaries, making it difficult for Mexico to make available the run-off of 350,000 acre-feet (431,721,000 cubic meters) annually, allotted in subparagraph (c) of paragraph B of this Article to the United States as the minimum contribution from the aforesaid Mexican tributaries, any deficiencies existing at the end of the aforesaid five-year cycle shall be made up in the following five-year cycle with water from the said measured tributaries.

Whenever the conservation capacities assigned to the United States in at least two of the major international reservoirs, including the highest major reservoir, are filled with waters belonging to the

promedio y en ciclos de cinco años consecutivos, de 431 721 000 metros cúbicos (350 000 acres pies) anuales. Los Estados Unidos no adquirirán ningún derecho por el uso de las aguas de los afluentes mencionados en este inciso en exceso de los citados 431 721 - 000 metros cúbicos (350 000 acres pies), salvo el derecho a usar de la tercera parte del escurrimiento que llegue al río Bravo (Grande) de dichos afluentes, aunque ella exceda del volumen aludido.

d) La mitad de cualquier otro escurrimiento en el cauce principal del río Bravo (Grande), no asignado específicamente en este Artículo, y la mitad de las aportaciones de todos los afluentes no aforados—que son aquéllos no denominados en este Artículo—entre Fort Quitman y la presa inferior principal internacional.

En casos de extraordinaria sequía o de serio accidente en los sistemas hidráulicos de los afluentes mexicanos aforados que hagan difícil para México dejar escurrir los 431 721 000 metros cúbicos (350 000 acres pies) anuales que se asignan a los Estados Unidos como aportación mínima de los citados afluentes mexicanos, en el inciso c) del párrafo B de este Artículo, los faltantes que existieren al final del ciclo aludido de cinco años, se repondrán en el ciclo siguiente con agua procedente de los mismos tributarios.

Siempre que la capacidad útil asignada a los Estados Unidos de por lo menos dos de las presas internacionales principales, incluyendo la localizada más aguas arriba, se llene con aguas pertene-

United States, a cycle of five years shall be considered as terminated and all debits fully paid, whereupon a new five-year cycle shall commence.

cientes a los Estados Unidos, se considerará terminado un ciclo de cinco años y todos los débitos totalmente pagados, iniciándose, a partir de ese momento, un nuevo ciclo.

ARTICLE 5

ARTICULO 5

Joint construction of works.

The two Governments agree to construct jointly, through their respective Sections of the Commission, the following works in the main channel of the Rio Grande (Rio Bravo):

Los dos Gobiernos se comprometen a construir conjuntamente, por conducto de sus respectivas Secciones de la Comisión, las siguientes obras en el cauce principal del río Bravo (Grande):

I. The dams required for the conservation, storage and regulation of the greatest quantity of the annual flow of the river in a way to ensure the continuance of existing uses and the development of the greatest number of feasible projects, within the limits imposed by the water allotments specified.

I. — Las presas que se requieran para el almacenamiento y regularización de la mayor parte que sea posible del escurrimiento anual del río en forma de asegurar los aprovechamientos existentes y llevar a cabo el mayor número de proyectos factibles, dentro de los límites impuestos por las asignaciones estipuladas de agua.

II. The dams and other joint works required for the diversion of the flow of the Rio Grande (Rio Bravo).

II. — Las presas y las otras obras comunes que se requieran para la derivación de las aguas del río Bravo (Grande).

One of the storage dams shall be constructed in the section between Santa Helena Canyon and the mouth of the Pecos River; one in the section between Eagle Pass and Laredo, Texas (Piedras Negras and Nuevo Laredo in Mexico); and a third in the section between Laredo and Roma, Texas (Nuevo Laredo and San Pedro de Roma in Mexico). One or more of the stipulated dams may be omitted, and others than those enumerated may be built, in either case as may be determined by the Commission, subject to the approval of the two Governments.

Una de las presas de almacenamiento se construirá en el tramo entre el Cañón de Santa Elena y la desembocadura del río Pecos; otra, en el tramo comprendido entre Piedras Negras, Coahuila y Nuevo Laredo, Tamaulipas (Eagle Pass y Laredo en los Estados Unidos) y una tercera, en el tramo entre Nuevo Laredo, Tamaulipas y San Pedro de Roma, Tamaulipas (Laredo y Roma en los Estados Unidos). A juicio de la Comisión, sujeto a la aprobación de los dos Gobiernos, podrán omitirse una o más de las presas estipuladas y, en cambio, podrán construirse otras que no sean de las enumeradas.

Planning of construction.

In planning the construction of such dams the Commission shall determine:

Al planear la construcción de dichas presas, la Comisión determinará:

shall be prorated between the two Governments in proportion to the capacity allotted to each country for conservation purposes in the reservoir at such dam.

The cost of construction, operation and maintenance of each of the dams and other joint works required for the diversion of the flows of the river shall be prorated between the two Governments in proportion to the benefits which the respective countries receive therefrom, as determined by the Commission and approved by the two Governments.

ARTICLE 6

Flood control works.

The Commission shall study, investigate, and prepare plans for flood control works, where and when necessary, other than those referred to in Article 5 of this Treaty, on the Rio Grande (Rio Bravo) from Fort Quitman, Texas to the Gulf of Mexico. These works may include levees along the river, floodways and grade-control structures, and works for the canalization, rectification and artificial channeling of reaches of the river. The Commission shall report to the two Governments the works which should be built, the estimated cost thereof, the part of the works to be constructed by each Government, and the part of the works to be operated and maintained by each Section of the Commission. Each Government agrees to construct, through its Section of the Commission, such works as may be recommended by the Commission and approved by the two Governments. Each Government shall pay the costs of the works constructed by it and the costs of operation and mainte-

de su operación y mantenimiento se dividirán entre los dos países en proporción a las respectivas capacidades útiles que en la presa de que se trate se asignen a cada uno de ellos.

El costo de construcción de cada una de las presas y de las otras obras comunes necesarias para la derivación de las aguas del río y los costos de su operación y mantenimiento, serán prorrateados entre los dos países en proporción de los beneficios que reciban, respectivamente, de cada una de dichas obras, de acuerdo con lo que determine la Comisión y aprueben los dos Gobiernos.

ARTICULO 6

Siempre que sea necesario, la Comisión estudiará, investigará y preparará los proyectos para las obras—distintas de aquéllas a que se refiere el Artículo 5 de este Tratado—de control de las avenidas del río Bravo (Grande) desde Fort Quitman, Texas, hasta el Golfo de México. Estas obras podrán incluir bordos a lo largo del río, cauces de alivio, estructuras de control de pendiente y la canalización, rectificación o encauzamiento de algunos tramos del río. La Comisión informará a los dos Gobiernos acerca de las obras que deberán construirse, de la estimación de sus costos, de la parte de aquéllas que deberá quedar a cargo de cada uno de ellos y de la parte de las obras que deberá ser operada y mantenida por cada Sección de la Comisión. Cada Gobierno conviene en construir, por medio de su Sección de la Comisión, las obras que recomiende la Comisión y que aprueben los dos Gobiernos. Cada Gobierno pagará los costos de las obras que construya y los costos de operación

nance of the part of the works assigned to it for such purpose. y mantenimiento de la parte de las obras que se le asigne con tal objeto.

ARTICLE 7

The Commission shall study, investigate and prepare plans for plants for generating hydro-electric energy which it may be feasible to construct at the international storage dams on the Rio Grande (Rio Bravo). The Commission shall report to the two Governments in a Minute the works which should be built, the estimated cost thereof, and the part of the works to be constructed by each Government. Each Government agrees to construct, through its Section of the Commission, such works as may be recommended by the Commission and approved by the two Governments. Both Governments, through their respective Sections of the Commission, shall operate and maintain jointly such hydro-electric plants. Each Government shall pay half the cost of the construction, operation and maintenance of such plants, and the energy generated shall be assigned to each country in like proportion.

ARTICULO 7

La Comisión estudiará, investigará y preparará los proyectos para las plantas de generación de energía hidroeléctrica que fuere factible construir en las presas internacionales de almacenamiento en el río Bravo (Grande). La Comisión informará a los dos Gobiernos, mediante un acta, acerca de las obras que deberán construirse, de la estimación de sus costos y de la parte de aquéllas que deberá quedar a cargo de cada uno de ellos. Cada Gobierno conviene en construir, por medio de su Sección de la Comisión, las obras que le recomiende la Comisión y que aprueben los dos Gobiernos. Las plantas hidroeléctricas serán operadas y mantenidas conjuntamente por ambos Gobiernos por conducto de sus respectivas Secciones de la Comisión. Cada Gobierno pagará la mitad del costo de construcción, operación y mantenimiento de estas plantas y en la misma proporción será asignada a cada uno de los dos países la energía hidroeléctrica generada.

Hydro-electric
plants.

ARTICLE 8

The two Governments recognize that both countries have a common interest in the conservation and storage of waters in the international reservoirs and in the maximum use of these structures for the purpose of obtaining the most beneficial, regular and constant use of the waters belonging to them. Accordingly, within the year following the placing in operation of the first of the major international storage dams which is constructed, the Commission

ARTICULO 8

Los dos Gobiernos reconocen que ambos países tienen un interés común en la conservación y en el almacenamiento de las aguas en las presas internacionales y en el mejor uso de dichas presas, con objeto de obtener el más benéfico, regular y constante aprovechamiento de las aguas que les corresponden. Con tal fin, la Comisión, dentro del año siguiente de haber sido puesta en operación la primera de las presas principales internacionales que se construya,

International reser-
voirs.
Regulations, etc.

shall submit to each Government for its approval, regulations for the storage, conveyance and delivery of the waters of the Rio Grande (Rio Bravo) from Fort Quitman, Texas to the Gulf of Mexico. Such regulations may be modified, amended or supplemented when necessary by the Commission, subject to the approval of the two Governments. The following general rules shall severally govern until modified or amended by agreement of the Commission, with the approval of the two Governments:

General rules.

Storage.

(a) Storage in all major international reservoirs above the lowest shall be maintained at the maximum possible water level, consistent with flood control, irrigation use and power requirements.

Inflows.

(b) Inflows to each reservoir shall be credited to each country in accordance with the ownership of such inflows.

Ownership of water.

(c) In any reservoir the ownership of water belonging to the country whose conservation capacity therein is filled, and in excess of that needed to keep it filled, shall pass to the other country to the extent that such country may have unfilled conservation capacity, except that one country may at its option temporarily use the conservation capacity of the other country not currently being used in any of the upper reservoirs; provided that in the event of flood discharge or spill occurring while one country is using the conservation capacity of the other, all of such flood discharge or spill shall be charged to the country using the other's capacity, and all inflow shall be credited to the other

soneterá a la aprobación de los dos Gobiernos un reglamento para el almacenamiento, conducción y entrega de las aguas del río Bravo (Grande) desde Fort Quitman, Texas, hasta el Golfo de México. Dicha reglamentación podrá ser modificada, adicionada o complementada, cuando sea necesario, por la Comisión, con la aprobación de los dos Gobiernos. Cada una de las siguientes reglas generales regirá hasta que sean modificadas por acuerdo de la Comisión con la aprobación de los dos Gobiernos:

a) El almacenamiento de aguas en todas las presas superiores principales internacionales se mantendrá al más alto nivel que sea compatible con el control de avenidas, las extracciones normales para irrigación y los requerimientos de generación de energía eléctrica.

b) Las entradas de agua a cada presa se acreditarán al país a quien pertenezca dicha agua.

c) En cualquier vaso de almacenamiento la propiedad del agua perteneciente al país que tenga agua en exceso de la necesaria para mantener llena la capacidad útil que le corresponda, pasará al otro país, hasta que se llene la capacidad útil asignada a éste. Sin embargo, en todos los vasos de almacenamiento superiores, un país, al llenarse la capacidad útil que le pertenezca, podrá usar transitoriamente la capacidad útil del segundo país y que éste no use, siempre que, si en ese momento ocurrieren derrames y desfuegos, la totalidad de éstos se cargue al primero y todas las entradas a la presa se consideren propiedad del segundo, hasta que cesen los derrames o desfuegos o hasta que

country until the flood discharge or spill ceases or until the capacity of the other country becomes filled with its own water.

(d) Reservoir losses shall be charged in proportion to the ownership of water in storage. Releases from any reservoir shall be charged to the country requesting them, except that releases for the generation of electrical energy, or other common purpose, shall be charged in proportion to the ownership of water in storage.

(e) Flood discharges and spills from the upper reservoirs shall be divided in the same proportion as the ownership of the inflows occurring at the time of such flood discharges and spills, except as provided in subparagraph (c) of this Article. Flood discharges and spills from the lowest reservoir shall be divided equally, except that one country, with the consent of the Commission, may use such part of the share of the other country as is not used by the latter country.

(f) Either of the two countries may avail itself, whenever it so desires, of any water belonging to it and stored in the international reservoirs, provided that the water so taken is for direct beneficial use or for storage in other reservoirs. For this purpose the Commissioner of the respective country shall give appropriate notice to the Commission, which shall prescribe the proper measures for the opportune furnishing of the water.

la capacidad útil del segundo se llene con aguas que le pertenezcan.

d) Las pérdidas que ocurran en los vasos de almacenamiento se cargarán a los dos países en proporción de los respectivos volúmenes almacenados que les pertenezcan. Las extracciones de cualquiera de los vasos se cargarán al país que las solicite, excepto las efectuadas para la generación de energía eléctrica u otro propósito común que se cargarán a cada uno de los dos países en proporción de los respectivos volúmenes almacenados que les pertenezcan.

e) Los derrames y desfogues de los vasos superiores de almacenamiento se dividirán entre los dos países en la misma proporción que guarden los volúmenes pertenecientes a cada uno de ellos de las aguas que entren a los almacenamientos durante el tiempo en que ocurran los citados derrames y desfogues, con excepción del caso previsto en el inciso c) de este Artículo. Los derrames y desfogues de la presa inferior de almacenamiento se dividirán en partes iguales entre los dos países, pero uno de ellos, con el permiso de la Comisión, podrá usar las aguas correspondientes al otro país que éste no usare.

f) Cualquiera de los dos países podrá disponer, en el momento en que lo desee, del agua almacenada que le pertenezca en las presas internacionales, siempre que su extracción se efectúe para algún uso benéfico directo, o para ser almacenada en otra presa. Al efecto, el Comisionado respectivo dará el aviso correspondiente a la Comisión, la que dictará las medidas necesarias para el suministro oportuno del agua.

Reservoir losses.

Flood discharges and spills.

Availability of water in international reservoirs.

Notice.

ARTICLE 9

ARTICULO 9

Channel of Rio Grande. Use.

(a) The channel of the Rio Grande (Rio Bravo) may be used by either of the two countries to convey water belonging to it.

(b) Either of the two countries may, at any point on the main channel of the river from Fort Quitman, Texas to the Gulf of Mexico, divert and use the water belonging to it and may for this purpose construct any necessary works. However, no such diversion or use, not existing on the date this Treaty enters into force, shall be permitted in either country, nor shall works be constructed for such purpose, until the Section of the Commission in whose country the diversion or use is proposed has made a finding that the water necessary for such diversion or use is available from the share of that country, unless the Commission has agreed to a greater diversion or use as provided by paragraph (d) of this Article. The proposed use and the plans for the diversion works to be constructed in connection therewith shall be previously made known to the Commission for its information.

(c) Consumptive uses from the main stream and from the unmeasured tributaries below Fort Quitman shall be charged against the share of the country making them.

(d) The Commission shall have the power to authorize either country to divert and use water not belonging entirely to such country, when the water belonging to the other country can be diverted and used without injury to the latter and can be replaced at some other point on the river.

a) El cauce del río Bravo (Grande) podrá ser empleado por los dos países para conducir el agua que les pertenezca.

b) Cualquiera de los dos países podrá derivar y usar, en cualquier lugar del cauce principal del río Bravo (Grande) desde Fort Quitman, Texas, hasta el Golfo de México, el agua que le pertenezca y podrá construir, para ello, las obras necesarias. Sin embargo, no podrá hacerse ninguna derivación o uso en cualquiera de los dos países, fuera de los existentes en la fecha en que entre en vigor este Tratado, ni construirse ningunas obras con aquel fin, hasta que la Sección de la Comisión del país en que se intente hacer la derivación o uso verifique que hay el agua necesaria para ese efecto, dentro de la asignación de ese mismo país, a menos que la Comisión haya convenido, de acuerdo con lo estipulado en el inciso d) de este Artículo, en una derivación o uso en mayor cantidad. El uso proyectado, y los planos para las correspondientes obras de derivación que deban construirse, al efecto, se darán a conocer previamente a la Comisión para su información.

c) Los consumos hechos, abajo de Fort Quitman, en la corriente principal y en los afluentes no aforados, se cargarán a cuenta de la asignación del país que los efectúe.

d) La Comisión podrá autorizar que se deriven y usen aguas que no correspondan completamente al país que pretenda hacerlo, cuando el agua que pertenezca al otro país pueda ser derivada y usada sin causarle perjuicio y le sea repuesta en algún otro lugar del río.

(e) The Commission shall have the power to authorize temporary diversion and use by one country of water belonging to the other, when the latter does not need it or is unable to use it, provided that such authorization or the use of such water shall not establish any right to continue to divert it.

(f) In case of the occurrence of an extraordinary drought in one country with an abundant supply of water in the other country, water stored in the international storage reservoirs and belonging to the country enjoying such abundant water supply may be withdrawn, with the consent of the Commission, for the use of the country undergoing the drought.

(g) Each country shall have the right to divert from the main channel of the river any amount of water, including the water belonging to the other country, for the purpose of generating hydro-electric power, provided that such diversion causes no injury to the other country and does not interfere with the international generation of power and that the quantities not returning directly to the river are charged against the share of the country making the diversion. The feasibility of such diversions not existing on the date this Treaty enters into force shall be determined by the Commission, which shall also determine the amount of water consumed, such water to be charged against the country making the diversion.

(h) In case either of the two countries shall construct works for diverting into the main channel of the Rio Grande (Rio Bravo) or its tributaries waters that do not at the time this Treaty enters into

e) La Comisión podrá autorizar la derivación y uso transitorios a favor de un país de aguas que pertenezcan al otro, cuando éste no las necesite o no las pueda utilizar y sin que dicha autorización o el uso de las citadas aguas establezca, con relación a las mismas, ningún derecho para continuar derivándolas.

f) En los casos en que concurra una extraordinaria sequía en un país con un abundante abastecimiento de agua en el otro país, el agua de éste almacenada en los vasos de almacenamiento internacionales podrá ser extraída, con el consentimiento de la Comisión, para uso del país que experimente la sequía.

g) Cada uno de los países tendrá el derecho de derivar del cauce principal del río cualquiera cantidad de agua, incluyendo el agua perteneciente al otro país, con el objeto de generar energía hidroeléctrica, siempre que tal derivación no cause perjuicio al otro país, no interfiera con la generación internacional de energía eléctrica y que los volúmenes que no retornen directamente al río sean cargados a la participación del país que hizo la derivación. La factibilidad de dichas derivaciones, que no existan al entrar en vigor este Tratado, será determinada por la Comisión, la que también fijará la cantidad de agua consumida que se cargará en cuenta de la participación del país que efectúe la derivación.

h) En el caso de que cualquiera de los dos países construya obras para derivar, hacia el cauce principal del río Bravo (Grande) o de sus tributarios, aguas que no contribuyan, en la fecha en que este

force contribute to the flow of the Rio Grande (Rio Bravo) such water shall belong to the country making such diversion.

(i) Main stream channel losses shall be charged in proportion to the ownership of water being conveyed in the channel at the times and places of the losses.

(j) The Commission shall keep a record of the waters belonging to each country and of those that may be available at a given moment, taking into account the measurement of the allotments, the regulation of the waters in storage, the consumptive uses, the withdrawals, the diversions, and the losses. For this purpose the Commission shall construct, operate and maintain on the main channel of the Rio Grande (Rio Bravo), and each Section shall construct, operate and maintain on the measured tributaries in its own country, all the gaging stations and mechanical apparatus necessary for the purpose of making computations and of obtaining the necessary data for such record. The information with respect to the diversions and consumptive uses on the unmeasured tributaries shall be furnished to the Commission by the appropriate Section. The cost of construction of any new gaging stations located on the main channel of the Rio Grande (Rio Bravo) shall be borne equally by the two Governments. The operation and maintenance of all gaging stations or the cost of such operation and maintenance shall be apportioned between the two Sections in accordance with determinations to be made by the Commission.

Tratado entre en vigor, al escurrimiento del citado río, dicha agua pertenecerá al país que haya hecho esa derivación.

i) Las pérdidas de agua ocurridas en la corriente principal serán cargadas a cada país en proporción a los volúmenes conducidos o escurridos que le pertenezcan, en ese lugar del cauce y en el momento en que ocurran las pérdidas.

j) La Comisión llevará un registro de las aguas que pertenezcan a cada país y de aquéllas de que pueda disponer en un momento dado, teniendo en cuenta el aforo de las aportaciones, la regularización de los almacenamientos, los consumos, las extracciones, las derivaciones y las pérdidas. Al efecto, la Comisión construirá, operará y mantendrá en la corriente principal del río Bravo (Grande) y cada Sección en los correspondientes afluentes aforados, todas las estaciones hidrométricas y aparatos mecánicos que sean necesarios para hacer los cálculos y obtener los datos requeridos para el aludido registro. La información respecto a las derivaciones y consumos hechos en los afluentes no aforados será proporcionada por la Sección que corresponda. El costo de construcción de las estaciones hidrométricas nuevas que se localicen en el cauce principal del río Bravo (Grande) se dividirá igualmente entre los dos Gobiernos. La operación y mantenimiento, o el costo de los mismos, de todas las estaciones hidrométricas serán distribuidos entre las dos Secciones, de acuerdo con lo que determine la Comisión.

III - COLORADO RIVER

ARTICLE 10

Of the waters of the Colorado River, from any and all sources, there are allotted to Mexico:

(a) A guaranteed annual quantity of 1,500,000 acre-feet (1,850,234,000 cubic meters) to be delivered in accordance with the provisions of Article 15 of this Treaty.

(b) Any other quantities arriving at the Mexican points of diversion, with the understanding that in any year in which, as determined by the United States Section, there exists a surplus of waters of the Colorado River in excess of the amount necessary to supply uses in the United States and the guaranteed quantity of 1,500,000 acre-feet (1,850,234,000 cubic meters) annually to Mexico, the United States undertakes to deliver to Mexico, in the manner set out in Article 15 of this Treaty, additional waters of the Colorado River system to provide a total quantity not to exceed 1,700,000 acre-feet (2,096,931,000 cubic meters) a year. Mexico shall acquire no right beyond that provided by this subparagraph by the use of the waters of the Colorado River system, for any purpose whatsoever, in excess of 1,500,000 acre-feet (1,850,234,000 cubic meters) annually.

In the event of extraordinary drought or serious accident to the irrigation system in the United States, thereby making it difficult for the United States to deliver the guaranteed quantity of 1,500,000 acre-feet (1,850,234,000 cubic meters) a year, the water allotted to Mexico under subparagraph (a) of this Article will be reduced in

III - RIO COLORADO

ARTICULO 10

De las aguas del río Colorado, cualquiera que sea su fuente, se asignan a México:

a) Un volumen garantizado de 1 850 234 000 metros cúbicos (1 500 000 acres pies) cada año, que se entregará de acuerdo con lo dispuesto en el Artículo 15 de este Tratado.

b) Cualesquier otros volúmenes que lleguen a los puntos mexicanos de derivación; en la inteligencia de que, cuando a juicio de la Sección de los Estados Unidos, en cualquier año exista en el río Colorado agua en exceso de la necesaria para abastecer los consumos en los Estados Unidos y el volumen garantizado anualmente a México de 1 850 234 000 metros cúbicos (1 500 000 acres pies), los Estados Unidos se obligan a entregar a México, según lo establecido en el Artículo 15 de este Tratado, cantidades adicionales de agua del sistema del río Colorado hasta por un volumen total que no exceda de 2 096 931 000 metros cúbicos (1 700 000 acres pies) anuales. México no adquirirá ningún derecho, fuera del que le confiere este inciso, por el uso de las aguas del sistema del río Colorado para cualquier fin, en exceso de 1 850 234 000 metros cúbicos (1 500 000 acres pies) anuales.

En los casos de extraordinaria sequía o de serio accidente al sistema de irrigación de los Estados Unidos, que haga difícil a éstos entregar la cantidad garantizada de 1 850 234 000 metros cúbicos (1 500 000 acres pies), por año, el agua asignada a México, según el inciso a) de este Artículo, se reducirá en la misma proporción

Colorado River.
Allotment of waters.

Post, p. 1243.

Post, p. 1243.

the same proportion as consump- en que se reduzcan los consumos
 tive uses in the United States are en los Estados Unidos.
 reduced.

ARTICLE 11

ARTICULO 11

Delivery of waters
 by U. S.

(a) The United States shall deliver all waters allotted to Mexico wherever these waters may arrive in the bed of the limitrophe section of the Colorado River, with the exceptions hereinafter provided. Such waters shall be made up of the waters of the said river, whatever their origin, subject to the provisions of the following paragraphs of this Article.

a) Los Estados Unidos entregarán las aguas asignadas a México en cualquier lugar a que lleguen en el lecho del tramo limítrofe del río Colorado, con las excepciones que se citan más adelante. El volumen asignado se formará con las aguas del citado río, cualquiera que sea su fuente, con sujeción a las estipulaciones contenidas en los párrafos siguientes de este Artículo.

(b) Of the waters of the Colorado River allotted to Mexico by subparagraph (a) of Article 10 of this Treaty, the United States shall deliver, wherever such waters may arrive in the limitrophe section of the river, 1,000,000 acre-feet (1,233,489,000 cubic meters) annually from the time the Davis dam and reservoir are placed in operation until January 1, 1980 and thereafter 1,125,000 acre-feet (1,387,675,000 cubic meters) annually, except that, should the main diversion structure referred to in subparagraph (a) of Article 12 of this Treaty be located entirely in Mexico and should Mexico so request, the United States shall deliver a quantity of water not exceeding 25,000 acre-feet (30,837,000 cubic meters) annually, unless a larger quantity may be mutually agreed upon, at a point, to be likewise mutually agreed upon, on the international land boundary near San Luis, Sonora, in which event the quantities of 1,000,000 acre-feet (1,233,489,000 cubic meters) and 1,125,000 acre-feet (1,387,675,000 cubic meters) provided hereinabove as deliverable in the limi-

b) Del volumen de aguas del río Colorado asignado a México en el inciso a) del Artículo 10 de este Tratado, los Estados Unidos entregarán en cualquier lugar a que lleguen del tramo limítrofe del río, 1 233 489 000 metros cúbicos (1 000 000 de acres pies) de agua anualmente, desde la fecha en que se ponga en operación la presa Davis hasta el primero de enero de 1980 y, después de esta fecha, 1 387 675 000 metros cúbicos (1 125 000 acres pies) de agua cada año. Sin embargo, si la estructura principal de derivación a que se refiere el inciso a) del Artículo 12 de este Tratado quedare localizada totalmente en México, los Estados Unidos entregarán, a solicitud de México, en un lugar mutuamente determinado de la línea terrestre limítrofe cerca de San Luis, Sonora, un volumen de agua que no exceda de 30 837 000 metros cúbicos (25 000 acres pies) anualmente, a menos que se convenga en un volumen mayor. En este último caso, a los mencionados volúmenes de 1 233 489 000 metros cúbicos (1 000 000 de acres pies) y de 1 387 675 000 metros

trophe section of the river shall be reduced by the quantities to be delivered in the year concerned near San Luis, Sonora.

(c) During the period from the time the Davis dam and reservoir are placed in operation until January 1, 1980, the United States shall also deliver to Mexico annually, of the water allotted to it, 500,000 acre-feet (616,745,000 cubic meters), and thereafter the United States shall deliver annually 375,000 acre-feet (462,558,000 cubic meters), at the international boundary line, by means of the All-American Canal and a canal connecting the lower end of the Pilot Knob Wasteway with the Alamo Canal or with any other Mexican canal which may be substituted for the Alamo Canal. In either event the deliveries shall be made at an operating water surface elevation not higher than that of the Alamo Canal at the point where it crossed the international boundary line in the year 1943.

(d) All the deliveries of water specified above shall be made subject to the provisions of Article 15 of this Treaty.

ARTICLE 12

The two Governments agree to construct the following works:

(a) Mexico shall construct at its expense, within a period of five years from the date of the entry into force of this Treaty, a main diversion structure below the point where the northernmost part of the international land boundary line intersects the Colorado River. If such diversion structure is lo-

cúbicos (1 125 000 acres pies) que deberán entregarse, como se especifica arriba, en el tramo limítrofe del río, se les deducirán los volúmenes que se entreguen, cada año, cerca de San Luis, Sonora.

c) En el período comprendido entre la fecha en que la Presa Davis se ponga en operación y el primero de enero de 1980, los Estados Unidos entregarán anualmente a México, además, del volumen asignado a México, 616 745 000 metros cúbicos (500 000 acres pies) y, a partir de la última fecha citada, 462 558 000 metros cúbicos (375 000 acres pies) anuales, en la línea limítrofe internacional, por conducto del Canal Todo Americano y de un canal que una al extremo inferior de la descarga de Pilot Knob con el Canal del Alamo o con cualquier otro canal mexicano que lo sustituya. En ambos casos las entregas se harán a una elevación de la superficie del agua no mayor que aquella con la que se operaba el Canal del Alamo, en el punto en que cruzaba la línea divisoria en el año de 1943.

d) Todas las entregas de agua especificadas anteriormente se sujetarán a las estipulaciones del Artículo 15 de este Tratado.

ARTICULO 12

Los dos Gobiernos se comprometen a construir las siguientes obras:

a) México construirá a sus expensas, en un plazo de cinco años contados a partir de la fecha en que entre en vigor este Tratado, una estructura principal de derivación ubicada aguas abajo del punto en que la parte más al norte de la línea divisoria internacional terrestre encuentra al río Colo-

Post, p. 1243.

Construction of
works by Mexico.

cated in the limitrophe section of the river, its location, design and construction shall be subject to the approval of the Commission. The Commission shall thereafter maintain and operate the structure at the expense of Mexico. Regardless of where such diversion structure is located, there shall simultaneously be constructed such levees, interior drainage facilities and other works, or improvements to existing works, as in the opinion of the Commission shall be necessary to protect lands within the United States against damage from such floods and seepage as might result from the construction, operation and maintenance of this diversion structure. These protective works shall be constructed, operated and maintained at the expense of Mexico by the respective Sections of the Commission, or under their supervision, each within the territory of its own country.

Davis storage dam
and reservoir.
Construction by
U. S.

(b) The United States, within a period of five years from the date of the entry into force of this Treaty, shall construct in its own territory and at its expense, and thereafter operate and maintain at its expense, the Davis storage dam and reservoir, a part of the capacity of which shall be used to make possible the regulation at the boundary of the waters to be delivered to Mexico in accordance with the provisions of Article 15 of this Treaty.

Post, p. 1243.

Construction, etc.,
of works by U. S.

(c) The United States shall construct or acquire in its own territory the works that may be necessary to convey a part of the waters of the Colorado River allotted to Mexico to the Mexican

rado. Si dicha estructura se localizare en el tramo límite del río, su ubicación, proyecto y construcción se sujetarán a la aprobación de la Comisión. Una vez construida la estructura, la Comisión la operará y mantendrá a expensas de México. Independientemente del lugar en que se localice la estructura aludida, simultáneamente se construirán los bordos, drenajes interiores y otras obras de protección y se harán las mejoras a las existentes, según la Comisión estime necesario, para proteger los terrenos ubicados dentro de los Estados Unidos de los daños que pudieran producirse a causa de avenidas y filtraciones como resultado de la construcción, operación y mantenimiento de la citada estructura de derivación. Estas obras de protección serán construidas, operadas y mantenidas, a expensas de México, por las correspondientes Secciones de la Comisión, o bajo su vigilancia, cada una dentro de su propio territorio.

b) Los Estados Unidos construirán, a sus expensas, en su propio territorio, en un plazo de cinco años contados a partir de la fecha en que entre en vigor este Tratado, la presa de almacenamiento Davis, una parte de cuya capacidad se usará para obtener la regularización de las aguas que deben ser entregadas a México de la manera establecida en el Artículo 15 de este Tratado. La operación y mantenimiento de la misma presa serán por cuenta de los Estados Unidos.

c) Los Estados Unidos construirán o adquirirán en su propio territorio las obras que fueren necesarias para hacer llegar una parte de las aguas del río Colorado, asignadas a México, a los

diversion points on the international land boundary line referred to in this Treaty. Among these works shall be included: the canal and other works necessary to convey water from the lower end of the Pilot Knob Wasteway to the international boundary, and, should Mexico request it, a canal to connect the main diversion structure referred to in subparagraph (a) of this Article, if this diversion structure should be built in the limitrophe section of the river, with the Mexican system of canals at a point to be agreed upon by the Commission on the international land boundary near San Luis, Sonora. Such works shall be constructed or acquired and operated and maintained by the United States Section at the expense of Mexico. Mexico shall also pay the costs of any sites or rights of way required for such works.

(d) The Commission shall construct, operate and maintain in the limitrophe section of the Colorado River, and each Section shall construct, operate and maintain in the territory of its own country on the Colorado River below Imperial Dam and on all other carrying facilities used for the delivery of water to Mexico, all necessary gaging stations and other measuring devices for the purpose of keeping a complete record of the waters delivered to Mexico and of the flows of the river. All data obtained as to such deliveries and flows shall be periodically compiled and exchanged between the two Sections.

ARTICLE 13

The Commission shall study, investigate and prepare plans for flood control on the Lower Color-

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puntos mexicanos de derivación en la línea divisoria internacional terrestre que se especifican en este Tratado. Entre estas obras se incluirán: el canal y las otras obras necesarias para conducir el agua desde el extremo inferior de la descarga de Pilot Knob hasta el límite internacional y, a solicitud de México, un canal que conecte la estructura principal de derivación a que se refiere el inciso a) de este Artículo, si ésta se construyere en el tramo limítrofe del río, con el sistema mexicano de canales en el punto de la línea divisoria internacional, cerca de San Luis, Sonora, en que convenga la Comisión. Las obras mencionadas serán construidas o adquiridas y operadas y mantenidas por la Sección de los Estados Unidos a expensas de México. México cubrirá también los costos de los sitios y derechos de vía requeridos para dichas obras.

d) La Comisión construirá, mantendrá y operará en el tramo limítrofe del río Colorado, y cada Sección construirá, mantendrá y operará en su territorio respectivo, en el río Colorado, aguas abajo de la presa Imperial, y en todas las otras obras usadas para entregar agua a México, las estaciones hidrométricas y dispositivos necesarios para llevar un registro completo del caudal que se entregue a México y del escurrimiento del río. Todos los datos obtenidos al respecto serán compilados e intercambiados periódicamente por las dos Secciones.

ARTICULO 13

La Comisión estudiará, investigará y preparará los proyectos para el control de las avenidas en

Construction, etc.,
by Commission.

By each Section.

Flood-control
works.

do River between Imperial Dam and the Gulf of California, in both the United States and Mexico, and shall, in a Minute, report to the two Governments the works which should be built, the estimated cost thereof, and the part of the works to be constructed by each Government. The two Governments agree to construct, through their respective Sections of the Commission, such works as may be recommended by the Commission and approved by the two Governments, each Government to pay the costs of the works constructed by it. The Commission shall likewise recommend the parts of the works to be operated and maintained jointly by the Commission and the parts to be operated and maintained by each Section. The two Governments agree to pay in equal shares the cost of joint operation and maintenance, and each Government agrees to pay the cost of operation and maintenance of the works assigned to it for such purpose.

el Bajo Río Colorado, tanto en los Estados Unidos como en México, desde la Presa Imperial hasta el Golfo de California, e informará a los dos Gobiernos, mediante un acta, acerca de las obras que deberán construirse, de la estimación de sus costos y de la parte de las obras que deberá construir cada Gobierno. Los dos Gobiernos convienen en construir, por medio de sus respectivas Secciones de la Comisión, las obras que aprueben, recomendadas por la Comisión, y en pagar los costos de las que respectivamente construyan. De la misma manera, la Comisión recomendará qué porciones de las obras deberán ser operadas y mantenidas conjuntamente por la Comisión y cuáles operadas y mantenidas por cada Sección. Los dos Gobiernos convienen en pagar por partes iguales el costo de la operación y mantenimiento conjuntos, y cada Gobierno conviene en pagar el costo de operación y mantenimiento de las obras asignadas a él con dicho objeto.

ARTICLE 14

ARTICULO 14

Use of All-American Canal.
Payment by Mexico.

Ante, p. 1238; post, p. 1243.

In consideration of the use of the All-American Canal for the delivery to Mexico, in the manner provided in Articles 11 and 15 of this Treaty, of a part of its allotment of the waters of the Colorado River, Mexico shall pay to the United States:

(a) A proportion of the costs actually incurred in the construction of Imperial Dam and the Imperial Dam-Pilot Knob section of the All-American Canal, this proportion and the method and terms of repayment to be determined by the two Governments, which, for this purpose, shall take into consideration the propor-

En consideración del uso del Canal Todo Americano para la entrega a México, en la forma establecida en los Artículos 11 y 15 de este Tratado, de una parte de su asignación a las aguas del río Colorado, México pagará a los Estados Unidos:

a) Una parte de los costos reales de la construcción de la Presa Imperial y del tramo Imperial-Pilot Knob del Canal Todo Americano; dicha parte y la forma y términos de su pago serán determinados por los dos Gobiernos, tomando en consideración la proporción en que ambos países usarán las citadas obras. Esta

tionate uses of these facilities by the two countries, these determinations to be made as soon as Davis dam and reservoir are placed in operation.

(b) Annually, a proportionate part of the total costs of maintenance and operation of such facilities, these costs to be prorated between the two countries in proportion to the amount of water delivered annually through such facilities for use in each of the two countries.

In the event that revenues from the sale of hydro-electric power which may be generated at Pilot Knob become available for the amortization of part or all of the costs of the facilities named in subparagraph (a) of this Article, the part that Mexico should pay of the costs of said facilities shall be reduced or repaid in the same proportion as the balance of the total costs are reduced or repaid. It is understood that any such revenue shall not become available until the cost of any works which may be constructed for the generation of hydro-electric power at said location has been fully amortized from the revenues derived therefrom.

ARTICLE 15

A. The water allotted in subparagraph (a) of Article 10 of this Treaty shall be delivered to Mexico at the points of delivery specified in Article 11, in accordance with the following two annual schedules of deliveries by months, which the Mexican Section shall formulate and present to the Com-

determinación deberá ser hecha tan pronto como sea puesta en operación la Presa Davis.

b) Anualmente, la parte que le corresponda de los costos totales de mantenimiento y operación de aquellas obras. Dichos costos serán prorrateados entre los dos países en proporción a la cantidad de agua entregada anualmente a cada uno de ellos, para su uso, por medio de esas obras.

En el caso de que pueda disponerse de los productos de la venta de la energía hidroeléctrica que se genere en Pilot Knob para la amortización de una parte o de la totalidad de los costos de las obras enumeradas en el inciso a) de este Artículo, la parte que México deberá pagar del costo de dichas obras será reducida o reembolsada en la misma proporción en que se reduzca o reembolse el saldo insoluto de los costos totales. Queda entendido que no podrá disponerse con ese fin de esos productos de la venta de energía eléctrica sino hasta que el costo de todas las obras construídas en ese lugar para generación de energía eléctrica, haya sido totalmente amortizado con los mencionados productos de la venta de la energía eléctrica.

ARTICULO 15

A. — El agua asignada en el inciso a) del Artículo 10 de este Tratado será entregada a México en los lugares especificados en el Artículo 11, de acuerdo con dos tablas anuales de entregas mensuales, que se indican a continuación, y que la Sección Mexicana formulará y presentará a la Comi-

Schedules of deliveries of water to Mexico.
Ante, pp. 1237, 1238.

mission before the beginning of *sión antes del principio de cada*
each calendar year: *año civil:*

SCHEDULE I

Schedule I shall cover the delivery, in the limitrophe section of the Colorado River, of 1,000,000 acre-feet (1,233,489,000 cubic meters) of water each year from the date Davis dam and reservoir are placed in operation until January 1, 1980 and the delivery of 1,125,000 acre-feet (1,387,675,000 cubic meters) of water each year thereafter. This schedule shall be formulated subject to the following limitations:

With reference to the 1,000,000 acre-foot (1,233,489,000 cubic meter) quantity:

(a) During the months of January, February, October, November and December the prescribed rate of delivery shall be not less than 600 cubic feet (17.0 cubic meters) nor more than 3,500 cubic feet (99.1 cubic meters) per second.

(b) During the remaining months of the year the prescribed rate of delivery shall be not less than 1,000 cubic feet (28.3 cubic meters) nor more than 3,500 cubic feet (99.1 cubic meters) per second.

With reference to the 1,125,000 acre-foot (1,387,675,000 cubic meter) quantity:

(a) During the months of January, February, October, November and December the prescribed rate of delivery shall be not less than 675 cubic feet (19.1 cubic meters) nor more than 4,000 cubic feet (113.3 cubic meters) per second.

(b) During the remaining months of the year the pre-

TABLA I

La tabla I detallará la entrega en el tramo limítrofe del río Colorado de 1 233 489 000 metros cúbicos (1 000 000 de acres pies) anuales de agua, a partir de la fecha en que la Presa Davis se ponga en operación, hasta el primero de enero de 1980, y la entrega de 1 387 675 000 metros cúbicos (1 125 000 acres pies) anuales de agua después de esa fecha. Esta tabla se formulará con sujeción a las siguientes limitaciones:

Para el volumen de 1 233 489-000 metros cúbicos (1 000 000 de acres pies):

a) Durante los meses de enero, febrero, octubre, noviembre y diciembre, el gasto de entrega no será menor de 17.0 metros cúbicos (600 pies cúbicos) ni mayor de 99.1 metros cúbicos (3 500 pies cúbicos) por segundo.

b) Durante los meses restantes del año, el gasto de entrega no será menor de 28.3 metros cúbicos (1 000 pies cúbicos) ni mayor de 99.1 metros cúbicos (3 500 pies cúbicos) por segundo.

Para el volumen de 1 387 675 000 metros cúbicos (1 125 000 acres pies):

a) Durante los meses de enero, febrero, octubre, noviembre y diciembre, el gasto de entrega no será menor de 19.1 metros cúbicos (675 pies cúbicos) ni mayor de 113.3 metros cúbicos (4 000 pies cúbicos) por segundo.

b) Durante los meses restantes del año, el gasto de entrega

scribed rate of delivery shall be not less than 1,125 cubic feet (31.9 cubic meters) nor more than 4,000 cubic feet (113.3 cubic meters) per second.

Should deliveries of water be made at a point on the land boundary near San Luis, Sonora, as provided for in Article 11, such deliveries shall be made under a sub-schedule to be formulated and furnished by the Mexican Section. The quantities and monthly rates of deliveries under such sub-schedule shall be in proportion to those specified for Schedule I, unless otherwise agreed upon by the Commission.

SCHEDULE II

Schedule II shall cover the delivery at the boundary line by means of the All-American Canal of 500,000 acre-feet (616,745,000 cubic meters) of water each year from the date Davis dam and reservoir are placed in operation until January 1, 1980 and the delivery of 375,000 acre-feet (462,558,000 cubic meters) of water each year thereafter. This schedule shall be formulated subject to the following limitations:

With reference to the 500,000 acre-foot (616,745,000 cubic meter) quantity:

(a) During the months of January, February, October, November and December the prescribed rate of delivery shall be not less than 300 cubic feet (8.5 cubic meters) nor more than 2,000 cubic feet (56.6 cubic meters) per second.

(b) During the remaining months of the year the pre-

no será menor de 31.9 metros cúbicos (1 125 pies cúbicos) ni mayor de 113.3 metros cúbicos (4 000 pies cúbicos) por segundo.

En el caso en que se hagan entregas de agua en un lugar de la línea divisoria terrestre cercano a San Luis, Sonora, de acuerdo con lo establecido en el Artículo 11, dichas entregas se sujetarán a una subtabla que formulará y proporcionará la Sección Mexicana. Los volúmenes y gastos mensuales de entrega especificados en dicha subtabla estarán en proporción a los especificados para la Tabla I, salvo que la Comisión acuerde otra cosa.

TABLA II

La tabla II detallará la entrega en la línea divisoria de las aguas procedentes del Canal Todo Americano, de un volumen de 616 745 000 metros cúbicos (500 000 acres pies) anuales de agua a partir de la fecha en que la Presa Davis sea puesta en operación, hasta el primero de enero de 1980, y de 462 558 000 metros cúbicos (375 000 acres pies) de agua anuales después de esa fecha. Esta tabla se formulará con sujeción a las siguientes limitaciones:

Par el volumen de 616 745 000 metros cúbicos (500 000 acres pies):

a) Durante los meses de enero, febrero, octubre, noviembre y diciembre, el gasto de entrega no será menor de 8.5 metros cúbicos (300 pies cúbicos), ni mayor de 56.6 metros cúbicos (2 000 pies cúbicos) por segundo.

b) Durante los meses restantes del año, el gasto de entrega no

scribed rate of delivery shall be not less than 500 cubic feet (14.2 cubic meters) nor more than 2,000 cubic feet (56.6 cubic meters) per second.

With reference to the 375,000 acre-foot (462,558,000 cubic meter) quantity:

(a) During the months of January, February, October, November and December the prescribed rate of delivery shall be not less than 225 cubic feet (6.4 cubic meters) nor more than 1,500 cubic feet (42.5 cubic meters) per second.

(b) During the remaining months of the year the prescribed rate of delivery shall be not less than 375 cubic feet (10.6 cubic meters) nor more than 1,500 cubic feet (42.5 cubic meters) per second.

Deliveries through All-American Canal.

B. The United States shall be under no obligation to deliver, through the All-American Canal, more than 500,000 acre-feet (616,745,000 cubic meters) annually from the date Davis dam and reservoir are placed in operation until January 1, 1980 or more than 375,000 acre-feet (462,558,000 cubic meters) annually thereafter. If, by mutual agreement, any part of the quantities of water specified in this paragraph are delivered to Mexico at points on the land boundary otherwise than through the All-American Canal, the above quantities of water and the rates of deliveries set out under Schedule II of this Article shall be correspondingly diminished.

United States option.

C. The United States shall have the option of delivering, at the point on the land boundary men-

será menor de 14.2 metros cúbicos (500 pies cúbicos), ni mayor de 56.6 metros cúbicos (2 000 pies cúbicos) por segundo.

Para el volumen de 462 558 000 metros cúbicos (375 000 acres pies):

a) Durante los meses de enero, febrero, octubre, noviembre y diciembre, el gasto de entrega no será menor de 6.4 metros cúbicos (225 pies cúbicos) ni mayor de 42.5 metros cúbicos (1 500 pies cúbicos) por segundo.

b) Durante los meses restantes del año, el gasto de entrega no será menor de 10.6 metros cúbicos (375 pies cúbicos), ni mayor de 42.5 metros cúbicos (1 500 pies cúbicos) por segundo.

B. - Los Estados Unidos no estarán obligados a entregar por el Canal Todo Americano más de 616 745 000 metros cúbicos (500 000 acres pies) anuales desde la fecha en que se ponga en operación la Presa Davis hasta el primero de enero de 1980, ni más de 462 558 000 metros cúbicos (375 000 acres pies) anuales después de esa última fecha. Si por acuerdo mutuo se entregare a México cualquiera parte de los volúmenes de agua especificados en este párrafo, en puntos de la línea terrestre internacional distintos del lugar en que se haga la entrega por el Canal Todo Americano, los gastos de entrega y los volúmenes de agua arriba mencionados y determinados en la Tabla II de este Artículo, serán disminuídos en las cantidades correspondientes.

C. - Durante los meses de enero, febrero, octubre, noviembre y diciembre de cada año, los Estados

tioned in subparagraph (c) of Article 11, any part or all of the water to be delivered at that point under Schedule II of this Article during the months of January, February, October, November and December of each year, from any source whatsoever, with the understanding that the total specified annual quantities to be delivered through the All-American Canal shall not be reduced because of the exercise of this option, unless such reduction be requested by the Mexican Section, provided that the exercise of this option shall not have the effect of increasing the total amount of scheduled water to be delivered to Mexico.

D. In any year in which there shall exist in the river water in excess of that necessary to satisfy the requirements in the United States and the guaranteed quantity of 1,500,000 acre-feet (1,850,234,000 cubic meters) allotted to Mexico, the United States hereby declares its intention to cooperate with Mexico in attempting to supply additional quantities of water through the All-American Canal as such additional quantities are desired by Mexico, if such use of the Canal and facilities will not be detrimental to the United States, provided that the delivery of any additional quantities through the All-American Canal shall not have the effect of increasing the total scheduled deliveries to Mexico. Mexico hereby declares its intention to cooperate with the United States by attempting to curtail deliveries of water through the All-American Canal in years of limited supply, if such curtailment can be accomplished without detriment to Mex-

Unidos tendrá la opción de entregar, en el lugar de la línea divisoria internacional determinado en el inciso c) del Artículo 11, de cualquier fuente que sea, una parte o la totalidad del volumen de agua que deberá ser entregado en ese lugar de acuerdo con la Tabla II de este Artículo. El ejercicio de la anterior opción, no producirá la reducción de los volúmenes totales anuales especificados para ser entregados por el Canal Todo Americano, a menos que dicha reducción sea solicitada por la Sección Mexicana, ni implicará el aumento del volumen total de agua tabulada que deberá entregarse a México.

D. — En cualquier año en que haya agua en el río en exceso de la necesaria para satisfacer las demandas en los Estados Unidos y el volumen garantizado de 1 850 234 000 metros cúbicos (1 500 000 acres pies) asignado a México, los Estados Unidos declaran su intención de cooperar con México procurando abastecer, por el Canal Todo Americano, los volúmenes adicionales de agua que México desee, si ese uso del Canal y de las obras respectivas no resultare perjudicial a los Estados Unidos; en la inteligencia de que la entrega de los volúmenes adicionales de agua por el Canal Todo Americano no significará el aumento del volumen total de entregas de agua tabulado para México. Por su parte, México declara su intención de cooperar con los Estados Unidos durante los años de abastecimiento limitado tratando de reducir las entregas de agua por el Canal Todo Americano si dicha reducción pudiere llevarse a efecto sin perjuicio para México y si fuere

Ante, p. 1239.

Adjustments of deliveries of water.

ico and is necessary to allow full use of all available water supplies, provided that such curtailment shall not have the effect of reducing the total scheduled deliveries of water to Mexico.

necesaria para hacer posible el aprovechamiento total del agua disponible; en la inteligencia de que dicha reducción no tendrá el efecto de disminuir el total de entregas de agua tabulado para México.

Surplus water.

E. In any year in which there shall exist in the river water in excess of that necessary to satisfy the requirements in the United States and the guaranteed quantity of 1,500,000 acre-feet (1,850,234,000 cubic meters) allotted to Mexico, the United States Section shall so inform the Mexican Section in order that the latter may schedule such surplus water to complete a quantity up to a maximum of 1,700,000 acre-feet (2,096,931,000 cubic meters). In this circumstance the total quantities to be delivered under Schedules I and II shall be increased in proportion to their respective total quantities and the two schedules thus increased shall be subject to the same limitations as those established for each under paragraph A of this Article.

E. — En cualquier año en que haya agua en el río en exceso de la cantidad necesaria para satisfacer las demandas en los Estados Unidos y el volumen garantizado de 1 850 234 000 metros cúbicos (1 500 000 acres pies) asignado a México, la Sección de los Estados Unidos lo informará así a la Sección Mexicana con objeto de que esta última pueda tabular las aguas excedentes hasta completar un volumen máximo de 2 096 931 000 metros cúbicos (1 700 000 acres pies). En este caso los volúmenes totales que se entregarán de acuerdo con las Tablas números I y II serán aumentados en proporción a sus respectivos volúmenes totales y las dos tablas así incrementadas quedarán sujetas a las mismas limitaciones establecidas, para cada una de ellas, en el párrafo A de este Artículo.

Increase or decrease of monthly quantity.

F. Subject to the limitations as to rates of deliveries and total quantities set out in Schedules I and II, Mexico shall have the right, upon thirty days notice in advance to the United States Section, to increase or decrease each monthly quantity prescribed by those schedules by not more than 20% of the monthly quantity.

F. — Con sujeción a las limitaciones fijadas en las Tablas I y II por lo que toca a los gastos de entrega y a los volúmenes totales, México tendrá el derecho de aumentar o disminuir, mediante avisos dados a la Sección de los Estados Unidos con 30 días de anticipación, cada uno de los volúmenes mensuales establecidos en esas tablas, en una cantidad que no exceda del 20% de su respectivo monto.

Conditional increase of total quantity under Schedule I.

G. The total quantity of water to be delivered under Schedule I of paragraph A of this Article may be increased in any year if the amount to be delivered under Schedule II is correspondingly reduced and if

G. — En cualquier año, el volumen total de agua que deberá entregarse de acuerdo con la Tabla I a que se refiere el párrafo A de este Artículo, podrá ser aumentado, si el volumen de agua

the limitations as to rates of delivery under each schedule are correspondingly increased and reduced.

que se entregue de acuerdo con la Tabla II se redujere en el mismo volumen y si las limitaciones en cuanto a gastos de entrega estipulados para cada tabla se aumentan y se reducen correspondientemente.

IV - TIJUANA RIVER

IV - RIO TIJUANA

ARTICLE 16

ARTICULO 16

In order to improve existing uses and to assure any feasible further development, the Commission shall study and investigate, and shall submit to the two Governments for their approval:

Con el objeto de mejorar los usos existentes y de asegurar cualquier desarrollo futuro factible, la Comisión estudiará, investigará y someterá a los dos Gobiernos para su aprobación:

Tijuana River. Study; recommendations, etc.

(1) Recommendations for the equitable distribution between the two countries of the waters of the Tijuana River system;

(1) Recomendaciones para la distribución equitativa entre los dos países de las aguas del sistema del río Tijuana;

(2) Plans for storage and flood control to promote and develop domestic, irrigation and other feasible uses of the waters of this system;

(2) Proyectos de almacenamiento y control de avenidas a fin de fomentar y desarrollar los usos domésticos, de irrigación y demás usos factibles de las aguas de este sistema;

(3) An estimate of the cost of the proposed works and the manner in which the construction of such works or the cost thereof should be divided between the two Governments;

(3) Estimaciones de los costos de las obras propuestas y de la forma en que la construcción de dichas obras o los costos de las mismas deberán ser divididos entre los dos Gobiernos;

(4) Recommendations regarding the parts of the works to be operated and maintained by the Commission and the parts to be operated and maintained by each Section.

(4) Recomendaciones respecto de las partes de las obras que deberán ser operadas y mantenidas por la Comisión y las partes de las mismas que deberán ser operadas y mantenidas por cada Sección.

The two Governments through their respective Sections of the Commission shall construct such of the proposed works as are approved by both Governments, shall divide the work to be done or the cost thereof, and shall distribute between the two countries the waters of the Tijuana River system in the proportions approved by the two Governments.

Los dos Gobiernos, cada uno por conducto de sus respectivas Secciones de la Comisión, construirán las obras que propongan y aprueben ambos Gobiernos, se dividirán la cantidad de obra o su costo y se distribuirán las aguas del sistema del río Tijuana en las proporciones que ellos decidan. Los dos Gobiernos convienen en pagar por partes iguales el costo

Construction of works. Division of work or cost.

Payment of costs of joint operation, etc.

The two Governments agree to pay in equal shares the costs of the works involved, and each Government agrees to pay the cost of operation and maintenance of the works assigned to it for such purpose.

V - GENERAL PROVISIONS

ARTICLE 17

Discharge of flood, etc., waters.

The use of the channels of the international rivers for the discharge of flood or other excess waters shall be free and not subject to limitation by either country, and neither country shall have any claim against the other in respect of any damage caused by such use. Each Government agrees to furnish the other Government, as far in advance as practicable, any information it may have in regard to such extraordinary discharges of water from reservoirs and flood flows on its own territory as may produce floods on the territory of the other.

Each Government declares its intention to operate its storage dams in such manner, consistent with the normal operations of its hydraulic systems, as to avoid, as far as feasible, material damage in the territory of the other.

ARTICLE 18

Public use of water surface of lakes.

Public use of the water surface of lakes formed by international dams shall, when not harmful to the services rendered by such dams, be free and common to both countries, subject to the police regulations of each country in its territory, to such general regulations as may appropriately be prescribed and enforced by the Commission with the approval of the two Governments for the pur-

V - DISPOSICIONES GENERALES

ARTICULO 17

El uso del cauce de los ríos internacionales para la descarga de aguas de avenida o de otras excedentes será libre y sin limitación para los dos países y ninguno de ellos podrá presentar reclamaciones al otro por daños causados por dicho uso. Cada uno de los Gobiernos conviene en proporcionar al otro, con la mayor anticipación posible, la información que tenga sobre las salidas de agua extraordinarias de las presas y las crecientes de los ríos que existan en su propio territorio y que pudieran producir inundaciones en el territorio del otro.

Cada Gobierno declara su intención de operar sus presas de almacenamiento en tal forma, compatible con la operación normal de sus sistemas hidráulicos, que evite, en cuanto sea factible, que se produzcan daños materiales en el territorio del otro.

ARTICULO 18

El uso civil de las superficies de las aguas de los lagos de las presas internacionales, cuando no sea en detrimento de los servicios a que están destinadas dichas presas, será libre y común para ambos países, sujeto a los reglamentos de policía de cada país en su territorio, a los reglamentos generales pertinentes que establezca y ponga en vigor la Comisión con la aprobación de los dos Gobiernos

pose of the application of the provisions of this Treaty, and to such regulations as may appropriately be prescribed and enforced for the same purpose by each Section of the Commission with respect to the areas and borders of such parts of those lakes as lie within its territory. Neither Government shall use for military purposes such water surface situated within the territory of the other country except by express agreement between the two Governments.

con el fin de aplicar las disposiciones de este Tratado, y a los reglamentos pertinentes que establezca y ponga en vigor cada Sección de la Comisión, con el mismo fin, respecto a las áreas y orillas de aquellas partes de los lagos comprendidas dentro de su territorio. Ninguno de los dos Gobiernos podrá usar para fines militares las superficies de las aguas situadas dentro del territorio del otro país sin un convenio expreso entre los dos Gobiernos.

Restriction on use for military purposes.

ARTICLE 19

ARTICULO 19

The two Governments shall conclude such special agreements as may be necessary to regulate the generation, development and disposition of electric power at international plants, including the necessary provisions for the export of electric current.

Los dos Gobiernos celebrarán los convenios especiales que sean necesarios para reglamentar la generación, el desarrollo y utilización de la energía eléctrica en las plantas internacionales y los requisitos para exportar la corriente eléctrica.

Special agreements.

ARTICLE 20

ARTICULO 20

The two Governments shall, through their respective Sections of the Commission, carry out the construction of works allotted to them. For this purpose the respective Sections of the Commission may make use of any competent public or private agencies in accordance with the laws of the respective countries. With respect to such works as either Section of the Commission may have to execute on the territory of the other, it shall, in the execution of such works, observe the laws of the place where such works are located or carried out, with the exceptions hereinafter stated.

Los dos Gobiernos, por conducto de sus respectivas Secciones de la Comisión, llevarán a cabo los trabajos de construcción que les sean asignados, empleando, para ese fin, los organismos públicos o privados competentes de acuerdo con sus propias leyes. Respecto a las obras que cualquiera de las Secciones de la Comisión deba ejecutar en el territorio de la otra, observará en la ejecución del trabajo las leyes del lugar donde se efectúe, con las excepciones que en seguida se consignan.

Construction of works.
Use of public or private agencies.

All materials, implements, equipment and repair parts intended for the construction, operation and maintenance of such works shall be exempt from im-

Todos los materiales, implementos, equipos y refacciones destinados a la construcción de las obras, su operación y mantenimiento, quedarán exceptuados

Exemptions from customs duties, immigration requirements, etc.

port and export customs duties. The whole of the personnel employed either directly or indirectly on the construction, operation or maintenance of the works may pass freely from one country to the other for the purpose of going to and from the place of location of the works, without any immigration restrictions, passports or labor requirements. Each Government shall furnish, through its own Section of the Commission, convenient means of identification to the personnel employed by it on the aforesaid works and verification certificates covering all materials, implements, equipment and repair parts intended for the works.

de tributos fiscales de importación y exportación. Todo el personal empleado directa o indirectamente en la construcción, operación y mantenimiento de las obras, podrá pasar libremente de un país al otro con objeto de ir al lugar de su trabajo, o regresar de él, sin restricciones de inmigración, pasaporte, o requisitos de trabajo. Cada Gobierno proporcionará, por medio de su respectiva Sección de la Comisión, una identificación conveniente al personal empleado por la misma en las mencionadas labores y un certificado de verificación para los materiales, implementos, equipos y refacciones destinados a las obras.

Claims.

Each Government shall assume responsibility for and shall adjust exclusively in accordance with its own laws all claims arising within its territory in connection with the construction, operation or maintenance of the whole or of any part of the works herein agreed upon, or of any works which may, in the execution of this Treaty, be agreed upon in the future.

En caso de que se presenten reclamaciones en conexión con la construcción, operación o mantenimiento de la totalidad o de cualquiera parte de las obras aquí convenidas o que, en cumplimiento de este Tratado, se convenga en lo futuro, el Gobierno del país en cuyo territorio se hayan originado tales reclamaciones asumirá la responsabilidad de todas ellas y las ajustará de acuerdo con sus propias leyes exclusivamente.

ARTICLE 21

The construction of the international dams and the formation of artificial lakes shall produce no change in the fluvial international boundary, which shall continue to be governed by existing treaties and conventions in force between the two countries.

The Commission shall, with the approval of the two Governments, establish in the artificial lakes, by buoys or by other suitable markers, a practicable and convenient line to provide for the exercise of the jurisdiction and control vested

ARTICULO 21

La construcción de las presas internacionales y la formación de sus lagos artificiales no producirá variación alguna de la línea divisoria internacional fluvial, la que continuará siendo la establecida en los tratados y convenciones vigentes entre los dos países.

La Comisión, con la aprobación de los dos Gobiernos, fijará en los lagos artificiales, por medio de boyas o por cualquier otro procedimiento que juzgue adecuado, una línea más sencilla y conveniente para los efectos prácticos del ejercicio de la jurisdicción y control de la jurisdicción

Fluvial international boundary.

by this Treaty in the Commission and its respective Sections. Such line shall also mark the boundary for the application of the customs and police regulations of each country.

dicción y del control que a dicha Comisión y a cada una de sus Secciones les confiere y les impone este Tratado. La línea aludida marcará, igualmente, el límite para la aplicación de los respectivos reglamentos fiscales y de policía de los dos países.

ARTICLE 22

ARTICULO 22

The provisions of the Convention between the United States and Mexico for the rectification of the Rio Grande (Rio Bravo) in the El Paso-Juárez Valley signed on February 1, 1933, shall govern, so far as delimitation of the boundary, distribution of jurisdiction and sovereignty, and relations with private owners are concerned, in any places where works for the artificial channeling, canalization or rectification of the Rio Grande (Rio Bravo) and the Colorado River are carried out.

Las estipulaciones de la Convención entre los Estados Unidos y México, del 1º. de febrero de 1933, para la Rectificación del Río Bravo del Norte (Grande) en el Valle de Juárez-El Paso, en lo que se refiere a delimitación de fronteras, atribución de jurisdicción y soberanía y relaciones con propietarios particulares, regirán en los lugares donde se hagan las obras de encauzamiento, canalización o rectificación del río Bravo (Grande) y del río Colorado.

48 Stat. 1621.

ARTICLE 23

ARTICULO 23

The two Governments recognize the public interest attached to the works required for the execution and performance of this Treaty and agree to acquire, in accordance with their respective domestic laws, any private property that may be required for the construction of the said works, including the main structures and their appurtenances and the construction materials therefor, and for the operation and maintenance thereof, at the cost of the country within which the property is situated, except as may be otherwise specifically provided in this Treaty.

Los dos Gobiernos reconocen la utilidad pública de las obras necesarias para la aplicación y cumplimiento de este Tratado y, por consiguiente, se comprometen a adquirir, de acuerdo con sus respectivas leyes internas, las propiedades privadas que se necesiten para la ejecución de las obras de referencia, comprendiendo, además de las obras principales, sus anexos y el aprovechamiento de materiales de construcción, y para la operación y mantenimiento de ellas, a expensas del país en donde se encuentren dichas propiedades, con las excepciones que expresamente establece este Tratado.

Acquisition of private property.

Each Section of the Commission shall determine the extent and location of any private property to be acquired within its own country and shall make the neces-

Cada una de las Secciones de la Comisión fijará en su correspondiente país la extensión y ubicación de las propiedades privadas que deban ser adquiridas y hará a su

sary requests upon its Government for the acquisition of such property. respectivo Gobierno la solicitud pertinente para que las adquiriera.

Location, etc., of designated works.

The Commission shall determine the cases in which it shall become necessary to locate works for the conveyance of water or electrical energy and for the servicing of any such works, for the benefit of either of the two countries, in the territory of the other country, in order that such works can be built pursuant to agreement between the two Governments. Such works shall be subject to the jurisdiction and supervision of the Section of the Commission within whose country they are located. La Comisión determinará los casos en que sea necesario ubicar obras para la conducción de agua o energía eléctrica y para los servicios anexos a las mismas obras, en beneficio de cualquiera de los dos países, en territorio del otro, para que dichas obras puedan construirse por acuerdo de los dos Gobiernos. Dichas obras quedarán bajo la jurisdicción y vigilancia de la Sección de la Comisión del país en que se encuentren.

Rights of property or jurisdiction.

Construction of the works built in pursuance of the provisions of this Treaty shall not confer upon either of the two countries any rights either of property or of jurisdiction over any part whatsoever of the territory of the other. These works shall be part of the territory and be the property of the country wherein they are situated. However, in the case of any incidents occurring on works constructed across the limitrophe part of a river and with supports on both banks, the jurisdiction of each country shall be limited by the center line of such works, which shall be marked by the Commission, without thereby changing the international boundary. La construcción de las obras, en cumplimiento de las disposiciones de este Tratado, no conferirá a ninguno de los dos países derechos ni de propiedad ni de jurisdicción sobre ninguna parte del territorio del otro. Las obras constituirán parte del territorio y pertenecerán al país dentro del cual se hallen. Sin embargo, para sucesos ocurridos sobre las obras construídas en los tramos limítrofes de los ríos y que se apoyen en ambas márgenes, la jurisdicción de cada país quedará limitada por el eje medio de dichas obras—el cual será marcado por la Comisión—sin que por eso varíe la línea divisoria internacional.

Each Government shall retain, through its own Section of the Commission and within the limits and to the extent necessary to effectuate the provisions of this Treaty, direct ownership, control and jurisdiction within its own territory and in accordance with its own laws, over all real property—including that within the channel of any river—rights of way and rights *in rem*, that it Cada Gobierno por medio de su respectiva Sección de la Comisión, conservará dentro de los límites y en la extensión necesaria para cumplir con las disposiciones de este Tratado, el dominio directo, control y jurisdicción dentro de su propio territorio y de acuerdo con sus leyes, sobre los inmuebles—incluyendo los que estén dentro del cauce del río—los derechos de vía y los derechos

may be necessary to enter upon reales que sea necesario ocupar and occupy for the construction, para la construcción, operación y operation or maintenance of all mantenimiento de todas las obras the works constructed, acquired or que se construyan, adquieran o used pursuant to this Treaty. usen de acuerdo con este Tratado. Furthermore, each Government Asimismo, cada Gobierno shall similarly acquire and retain rará y conservará en su poder, en in its own possession the titles, la misma forma, los títulos, control control and jurisdiction over such y jurisdicción sobre tales obras. works.

ARTICLE 24

The International Boundary and Water Commission shall have, in addition to the powers and duties otherwise specifically provided in this Treaty, the following powers and duties:

(a) To initiate and carry on investigations and develop plans for the works which are to be constructed or established in accordance with the provisions of this and other treaties or agreements in force between the two Governments dealing with boundaries and international waters; to determine, as to such works, their location, size, kind and characteristic specifications; to estimate the cost of such works; and to recommend the division of such costs between the two Governments, the arrangements for the furnishing of the necessary funds, and the dates for the beginning of the works, to the extent that the matters mentioned in this subparagraph are not otherwise covered by specific provisions of this or any other Treaty.

(b) To construct the works agreed upon or to supervise their construction and to operate and maintain such works or to supervise their operation and maintenance, in accordance with the respective domestic laws of each country. Each Section shall have, to the extent necessary to give

ARTICULO 24

La Comisión Internacional de Límites y Aguas tendrá las siguientes facultades y obligaciones, en adición a las establecidas específicamente en este Tratado:

a) Iniciar, llevar a cabo las investigaciones y desarrollar los proyectos de las obras que deberán ser construídas o establecidas de acuerdo con las estipulaciones de éste y de los demás tratados y convenios vigentes entre los dos Gobiernos, relativos a límites y aguas internacionales; determinar la localización, magnitud, calidad y especificaciones características de dichas obras; estimar su costo; y recomendar la forma en que éste deberá repartirse entre los dos Gobiernos y los arreglos para proveer los fondos necesarios, y las fechas en que deberán principiarse las obras, en todo lo que las cuestiones mencionadas en este inciso no estén reglamentadas en forma distinta por disposiciones específicas de éste o de algún otro tratado.

b) Construir o vigilar la construcción y después operar y mantener o vigilar la operación y mantenimiento de las obras convenidas, con sujeción a las respectivas leyes de cada país. Cada Sección tendrá jurisdicción sobre las obras construídas exclusivamente en el territorio de su país,

Additional powers and duties of Commission.

effect to the provisions of this Treaty, jurisdiction over the works constructed exclusively in the territory of its country whenever such works shall be connected with or shall directly affect the execution of the provisions of this Treaty.

(c) In general to exercise and discharge the specific powers and duties entrusted to the Commission by this and other treaties and agreements in force between the two countries, and to carry into execution and prevent the violation of the provisions of those treaties and agreements. The authorities of each country shall aid and support the exercise and discharge of these powers and duties, and each Commissioner shall invoke when necessary the jurisdiction of the courts or other appropriate agencies of his country to aid in the execution and enforcement of these powers and duties.

(d) To settle all differences that may arise between the two Governments with respect to the interpretation or application of this Treaty, subject to the approval of the two Governments. In any case in which the Commissioners do not reach an agreement, they shall so inform their respective governments reporting their respective opinions and the grounds therefor and the points upon which they differ, for discussion and adjustment of the difference through diplomatic channels and for application where proper of the general or special agreements which the two Governments have concluded for the settlement of controversies.

(e) To furnish the information requested of the Commissioners jointly by the two Governments on matters within their jurisdiction. In the event that the request

hasta el límite necesario para cumplir con las disposiciones de este Tratado y siempre que dichas obras tengan conexión con las estipulaciones aludidas o alguna influencia en la ejecución de las mismas.

c) En general, ejercer las facultades y cumplir con las obligaciones específicas impuestas a la Comisión por éste y otros Tratados y Convenios vigentes entre los dos países, ejecutar sus disposiciones y evitar la violación de las mismas. Las autoridades de cada país ayudarán y apoyarán a la Comisión en el ejercicio de estas facultades, pudiendo cada Comisionado requerir, siempre que sea necesario, el imperio de los tribunales o de otras dependencias gubernamentales competentes de su país, con objeto de obtener ayuda en la ejecución y cumplimiento de estas facultades y obligaciones.

d) Resolver, con la aprobación de los dos Gobiernos, todas las diferencias que se susciten entre ellos sobre la interpretación o la aplicación del presente Tratado. Si los Comisionados no llegaren a un acuerdo, darán aviso a su Gobierno, expresando sus opiniones respectivas, los fundamentos de su decisión y los puntos en que difieran, para la discusión y ajuste de la discrepancia por la vía diplomática, o con objeto de que se apliquen, en su caso, los convenios generales o especiales celebrados entre los mismos Gobiernos para resolución de controversias.

e) Proporcionar las informaciones que los dos Gobiernos soliciten conjuntamente de los Comisionados sobre asuntos de su jurisdicción. En caso de que la

is made by one Government alone, the Commissioner of the other Government must have the express authorization of his Government in order to comply with such request.

(f) The Commission shall construct, operate and maintain upon the limitrophe parts of the international streams, and each Section shall severally construct, operate and maintain upon the parts of the international streams and their tributaries within the boundaries of its own country, such stream gaging stations as may be needed to provide the hydrographic data necessary or convenient for the proper functioning of this Treaty. The data so obtained shall be compiled and periodically exchanged between the two Sections.

(g) The Commission shall submit annually a joint report to the two Governments on the matters in its charge. The Commission shall also submit to the two Governments joint reports on general or any particular matters at such other times as it may deem necessary or as may be requested by the two Governments.

ARTICLE 25

Except as otherwise specifically provided in this Treaty, Articles III and VII of the Convention of March 1, 1889 shall govern the proceedings of the Commission in carrying out the provisions of this Treaty. Supplementary thereto the Commission shall establish a body of rules and regulations to govern its procedure, consistent with the provisions of this Treaty and of Articles III and VII of the Convention of March 1, 1889 and subject to the approval of both Governments.

66347°—47—PT. II—37

solicitud sea hecha por un solo Gobierno, el Comisionado del otro, necesitará la autorización expresa de su Gobierno para atenderla.

f) La Comisión construirá, operará y mantendrá en los tramos limítrofes de las corrientes internacionales, y cada Sección construirá, operará y mantendrá separadamente en las porciones de las corrientes internacionales y de sus afluentes que queden dentro de los límites de su propio país, las estaciones de aforo que sean necesarias para obtener los datos hidrográficos necesarios o convenientes para el funcionamiento adecuado de este Tratado. Los datos así obtenidos serán recopilados e intercambiados periódicamente entre las dos Secciones.

g) La Comisión someterá anualmente a los dos Gobiernos un informe conjunto sobre los asuntos que estén a su cargo. Asimismo, la Comisión someterá a los dos Gobiernos los informes conjuntos, generales o sobre cualquier asunto especial, cuando lo considere necesario o lo soliciten los dos Gobiernos.

ARTICULO 25

Con las excepciones específicamente establecidas en este Tratado, los procedimientos de la Comisión, para la ejecución de las estipulaciones del mismo, se regirán por los Artículos III y VII de la Convención de primero de marzo de 1889. En adición y en concordancia con las disposiciones citadas y con las estipulaciones de este Tratado, la Comisión establecerá las normas y reglamentos que regirán, una vez aprobados por ambos Gobiernos, los procedimientos de la propia Comisión.

Proceedings of Commission.

26 Stat. 1514, 1515.

Rules and regulations.

26 Stat. 1514, 1515.

Decisions of Commission.

Decisions of the Commission shall be recorded in the form of Minutes done in duplicate in the English and Spanish languages, signed by each Commissioner and attested by the Secretaries, and copies thereof forwarded to each Government within three days after being signed. Except where the specific approval of the two Governments is required by any provision of this Treaty, if one of the Governments fails to communicate to the Commission its approval or disapproval of a decision of the Commission within thirty days reckoned from the date of the Minute in which it shall have been pronounced, the Minute in question and the decisions which it contains shall be considered to be approved by that Government. The Commissioners, within the limits of their respective jurisdictions, shall execute the decisions of the Commission that are approved by both Governments.

If either Government disapproves a decision of the Commission the two Governments shall take cognizance of the matter, and if an agreement regarding such matter is reached between the two Governments, the agreement shall be communicated to the Commissioners, who shall take such further proceedings as may be necessary to carry out such agreement.

VI - TRANSITORY PROVISIONS

ARTICLE 26

During a period of eight years from the date of the entry into force of this Treaty, or until the beginning of operation of the lowest major international reservoir on the Rio Grande (Rio Bravo), should it be placed in operation

Relief in time of drought.

Los acuerdos de la Comisión se harán constar en forma de actas, levantadas por duplicado, en inglés y en español, firmadas por ambos Comisionados y bajo la fe de los Secretarios, una copia de cada una de las cuales será enviada a cada Gobierno dentro de los tres días siguientes a su firma. Excepto en los casos en que, de acuerdo con las disposiciones de este Tratado, se requiera específicamente la aprobación de los dos Gobiernos, si un Gobierno deja de comunicar a la Comisión su acuerdo aprobatorio o reprobatorio, dentro del término de 30 días contados a partir de la fecha que tenga el acta, se darán por aprobadas ésta y las resoluciones en ella contenidas. Los Comisionados ejecutarán las resoluciones de la Comisión, aprobadas por ambos Gobiernos, dentro de los límites de sus respectivas jurisdicciones.

En los casos en que cualquiera de los dos Gobiernos desapruébe un acuerdo de la Comisión, ambos Gobiernos tomarán conocimiento del asunto y, si llegaren a un acuerdo, éste se comunicará a los Comisionados con objeto de que ellos sigan los procedimientos necesarios para llevar a cabo lo convenido.

VI - DISPOSICIONES TRANSITORIAS

ARTICULO 26

Durante un lapso de ocho años contados a partir de la fecha en que principie la vigencia de este Tratado, o hasta que sea puesta en operación la presa inferior principal internacional de almacenamiento en el río Bravo (Grande), si

prior to the expiration of said period, Mexico will cooperate with the United States to relieve, in times of drought, any lack of water needed to irrigate the lands now under irrigation in the Lower Rio Grande Valley in the United States, and for this purpose Mexico will release water from El Azúcar reservoir on the San Juan River and allow that water to run through its system of canals back into the San Juan River in order that the United States may divert such water from the Rio Grande (Rio Bravo). Such releases shall be made on condition that they do not affect the Mexican irrigation system, provided that Mexico shall, in any event, except in cases of extraordinary drought or serious accident to its hydraulic works, release and make available to the United States for its use the quantities requested, under the following conditions: that during the said eight years there shall be made available a total of 160,000 acre-feet (197,358,000 cubic meters) and up to 40,000 acre-feet (49,340,000 cubic meters) in any one year; that the water shall be made available as requested at rates not exceeding 750 cubic feet (21.2 cubic meters) per second; that when the rates of flow requested and made available have been more than 500 cubic feet (14.2 cubic meters) per second the period of release shall not extend beyond fifteen consecutive days; and that at least thirty days must elapse between any two periods of release during which rates of flow in excess of 500 cubic feet (14.2 cubic meters) per second have been requested and made available. In addition to the guaranteed flow, Mexico shall release from El Azúcar reservoir and conduct

se pone en operación antes de aquel plazo, México cooperará con los Estados Unidos para aliviar, en períodos de escasez, la falta del agua necesaria para regar las tierras que actualmente se riegan en el valle del Bajo Río Bravo (Grande), en los Estados Unidos, y, al efecto, México extraerá agua de la presa de El Azúcar en el Río San Juan y la dejará correr por medio de su sistema de canales al río San Juan, con objeto de que los Estados Unidos puedan derivarla del río Bravo (Grande). Dichas extracciones se harán siempre que no afecten la operación del sistema de riego mexicano; sin embargo, México se obliga, salvo casos de escasez extraordinaria o de serio accidente a sus obras hidráulicas, a dejar salir y a abastecer los volúmenes pedidos por los Estados Unidos, para su uso, bajo las siguientes condiciones: que en los ocho años citados se abastecerá un total de 197 358 000 metros cúbicos (160 000 acres pies) y, en un año determinado, un volumen hasta de 49 340 000 metros cúbicos (40 000 acres pies); que el agua se abastecerá a medida que sea solicitada y en gastos que no excedan de 21.2 metros cúbicos (750 pies cúbicos) por segundo; que cuando los gastos solicitados y abastecidos excedan de 14.2 metros cúbicos (500 pies cúbicos) por segundo, el período de extracción no se prolongará por más de 15 días consecutivos; y que deberán transcurrir cuando menos treinta días entre dos extracciones en el caso de que se hayan abastecido solicitudes para gastos mayores de 14.2 metros cúbicos (500 pies cúbicos) por segundo. Además de los volúmenes garantizados, México dejará salir de la presa de El Azúcar

through its canal system and the San Juan River, for use in the United States during periods of drought and after satisfying the needs of Mexican users, any excess water that does not in the opinion of the Mexican Section have to be stored and that may be needed for the irrigation of lands which were under irrigation during the year 1943 in the Lower Rio Grande Valley in the United States.

y conducirá por su sistema de canales y el río San Juan, para su uso en los Estados Unidos, durante los periodos de sequía y después de haber satisfecho todos los requerimientos de los usuarios mexicanos, aquellas aguas excedentes que, a juicio de la Sección Mexicana no necesiten almacenarse, para ayudar al riego de las tierras que, en el año de 1943, se regaban, en el citado valle del Bajo Río Bravo (Grande) en los Estados Unidos.

ARTICLE 27

ARTICULO 27

Restriction on application of designated provisions.

The provisions of Article 10, 11, and 15 of this Treaty shall not be applied during a period of five years from the date of the entry into force of this Treaty, or until the Davis dam and the major Mexican diversion structure on the Colorado River are placed in operation, should these works be placed in operation prior to the expiration of said period. In the meantime Mexico may construct and operate at its expense a temporary diversion structure in the bed of the Colorado River in territory of the United States for the purpose of diverting water into the Alamo Canal, provided that the plans for such structure and the construction and operation thereof shall be subject to the approval of the United States Section. During this period of time the United States will make available in the river at such diversion structure river flow not currently required in the United States, and the United States will cooperate with Mexico to the end that the latter may satisfy its irrigation requirements within the limits of those requirements for lands irri-

Colorado River.
Construction of temporary diversion structure.

Durante un lapso de cinco años, contados a partir de la fecha en que principie la vigencia de este Tratado, o hasta que puestas en operación la Presa Davis y la estructura mexicana principal de derivación en el río Colorado, si se ponen en operación estas obras antes de aquel plazo, no se aplicarán los Artículos 10, 11 y 15 de este Tratado y, mientras tanto, México podrá construir y operar a sus expensas, en territorio de los Estados Unidos, una estructura de derivación provisional en el lecho del río Colorado, destinada a derivar agua hacia el canal del Alamo; en la inteligencia de que los planos para dicha estructura, su construcción y operación quedarán sujetos a la aprobación de la Sección de los Estados Unidos. Durante el mismo período los Estados Unidos pondrán a disposición de México en el lugar del río en que se construya dicha estructura, los caudales que a la sazón no se requieran en los Estados Unidos y ofrecen cooperar con México a fin de que éste pueda satisfacer sus necesidades de riego, dentro de los límites que tuvieron esas necesi-

gated in Mexico from the Colorado River during the year 1943.

dades en las tierras regadas en México con aguas del río Colorado en el año de 1943.

VII - FINAL PROVISIONS

VII - DISPOSICIONES FINALES

ARTICLE 28

ARTICULO 28

This Treaty shall be ratified and the ratifications thereof shall be exchanged in Washington. It shall enter into force on the day of the exchange of ratifications and shall continue in force until terminated by another Treaty concluded for that purpose between the two Governments.

Este Tratado será ratificado y las ratificaciones canjeadas en la ciudad de Washington. Entrará en vigor el día del canje de ratificaciones y regirá indefinidamente hasta que sea terminado por otro Tratado concluido al efecto entre los dos Gobiernos.

Ratification of Treaty; entry into force; duration.

In witness whereof the respective Plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

En testimonio de lo cual los respectivos Plenipotenciarios han firmado este Tratado y agregado sus sellos.

Done in duplicate in the English and Spanish languages, in Washington on this third day of February, 1944.

Hecho en duplicado, en los idiomas inglés y español, en la Ciudad de Washington, el día tres de febrero de 1944.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

CORDELL HULL	[SEAL]
GEORGE S. MESSERSMITH	[SEAL]
LAWRENCE M. LAWSON.	[SEAL]

FOR THE GOVERNMENT OF THE UNITED MEXICAN STATES:

F. CASTILLO NÁJERA	[SEAL]
RAFAEL FERNÁNDEZ MACGREGOR	[SEAL]

PROTOCOL

PROTOCOLO

The Government of the United States of America and the Government of the United Mexican States agree and understand that:

El Gobierno de los Estados Unidos de América y el Gobierno de los Estados Unidos Mexicanos convienen y tienen entendido que:

Wherever, by virtue of the provisions of the Treaty between the United States of America and the United Mexican States, signed in Washington on February 3, 1944, relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande from Fort Quitman, Texas, to the Gulf of Mexico, specific

Siempre que en virtud de lo dispuesto en el Tratado entre los Estados Unidos de América y los Estados Unidos Mexicanos, firmado en Washington el 3 de febrero de 1944, relativo al aprovechamiento de las aguas de los ríos Colorado y Tijuana; y del río Bravo (Grande) desde Fort Quitman, Texas, hasta el Golfo de

Sections of Commission.
Exercise of jurisdiction, etc.

Ante, p. 1219.

functions are imposed on, or exclusive jurisdiction is vested in, either of the Sections of the International Boundary and Water Commission, which involve the construction or use of works for storage or conveyance of water, flood control, stream gaging, or for any other purpose, which are situated wholly within the territory of the country of that Section, and which are to be used only partly for the performance of treaty provisions, such jurisdiction shall be exercised, and such functions, including the construction, operation and maintenance of the said works, shall be performed and carried out by the Federal agencies of that country which now or hereafter may be authorized by domestic law to construct, or to operate and maintain, such works. Such functions or jurisdictions shall be exercised in conformity with the provisions of the Treaty and in cooperation with the respective Section of the Commission, to the end that all international obligations and functions may be coordinated and fulfilled.

The works to be constructed or used on or along the boundary, and those to be constructed or used exclusively for the discharge of treaty stipulations, shall be under the jurisdiction of the Commission or of the respective Section, in accordance with the provisions of the Treaty. In carrying out the construction of such works the Sections of the Commission may utilize the services of public or private organizations in accordance with the laws of their respective countries.

México, se impongan funciones específicas o se confiera jurisdicción exclusiva a cualquiera de las Secciones de la Comisión Internacional de Límites y Aguas, que entrañen la construcción o uso de obras de almacenamiento o de conducción de agua, de control de avenidas, de aforos o para cualquier otro objeto, que estén situadas totalmente dentro del territorio del país al que corresponda esa Sección y que se usen solamente en parte para cumplir con las disposiciones del Tratado, dicha jurisdicción la ejercerán y las referidas funciones, incluso la construcción, operación y conservación de las obras de que se trata, las desempeñarán y realizarán las dependencias federales de ese mismo país, que estén facultadas, en virtud de sus leyes internas actualmente en vigor o que en lo futuro se dicten, para construir, operar y conservar dichas obras. Las citadas funciones y jurisdicciones se ejercerán observando las disposiciones del Tratado y en cooperación con la respectiva Sección de la Comisión, con el objeto de que todas las obligaciones y funciones internacionales puedan coordinarse y cumplirse.

Las obras que se construyan o usen en la línea divisoria o a lo largo de ella, así como las que se construyan o usen exclusivamente para cumplir con las estipulaciones del Tratado, quedarán bajo la jurisdicción de la Comisión o de la Sección correspondiente de acuerdo con lo dispuesto por el mismo. Para llevar a cabo la construcción de dichas obras, las Secciones de la Comisión podrán utilizar los servicios de organismos públicos o privados, de acuerdo con las leyes de sus respectivos países.

This Protocol, which shall be regarded as an integral part of the aforementioned Treaty signed in Washington on February 3, 1944, shall be ratified and the ratifications thereof shall be exchanged in Washington. This Protocol shall be effective beginning with the day of the entry into force of the Treaty and shall continue effective so long as the Treaty remains in force.

In witness whereof the respective Plenipotentiaries have signed this Protocol and have hereunto affixed their seals.

Done in duplicate, in the English and Spanish languages, in Washington, this fourteenth day of November, 1944.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

E R STETTINIUS Jr [SEAL]
*Acting Secretary of State
of the United States of America*

FOR THE GOVERNMENT OF THE UNITED MEXICAN STATES:

F. CASTILLO NÁJERA [SEAL]
*Ambassador Extraordinary and Plenipotentiary
of the United Mexican States in Washington*

AND WHEREAS the Senate of the United States of America by their Resolution of April 18, 1945, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said treaty and protocol, subject to certain understandings, the text of which Resolution is word for word as follows:

“Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, Seventy-eighth Congress, second session, a treaty between the United States of America and the United Mexican States, signed at Washington on February 3, 1944, relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande from Fort Quitman, Texas, to the Gulf of Mexico, and Executive H, Seventy-eighth Congress, second session, a protocol, signed at Washington on November 14, 1944, supplementary to the treaty, subject to the following understandings, and that these understandings will be mentioned in the ratification of this treaty as conveying the true meaning of the treaty, and will in effect form a part of the treaty:

“(a) That no commitment for works to be built by the United States in whole or in part at its expense, or for expenditures by the

Ratification of Protocol; effective date; duration.

Ante, p. 1219.

Este Protocolo, que se considerará parte integral del susodicho Tratado firmado en Washington el 3 de febrero de 1944, será ratificado y las ratificaciones canjeadas en Washington. Este Protocolo entrará en vigor a partir del día en que empiece a regir el Tratado y continuará en vigor por todo el tiempo que esté vigente éste.

En testimonio de lo cual los respectivos Plenipotenciarios han firmado este Protocolo y le han agregado sus sellos.

Hecho en duplicado, en los idiomas inglés y español, en Washington, el día catorce de noviembre de 1944.

En testimonio de lo cual los respectivos Plenipotenciarios han firmado este Protocolo y le han agregado sus sellos.

Hecho en duplicado, en los idiomas inglés y español, en Washington, el día catorce de noviembre de 1944.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

E R STETTINIUS Jr [SEAL]
*Acting Secretary of State
of the United States of America*

FOR THE GOVERNMENT OF THE UNITED MEXICAN STATES:

F. CASTILLO NÁJERA [SEAL]
*Ambassador Extraordinary and Plenipotentiary
of the United Mexican States in Washington*

AND WHEREAS the Senate of the United States of America by their Resolution of April 18, 1945, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said treaty and protocol, subject to certain understandings, the text of which Resolution is word for word as follows:

“Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, Seventy-eighth Congress, second session, a treaty between the United States of America and the United Mexican States, signed at Washington on February 3, 1944, relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande from Fort Quitman, Texas, to the Gulf of Mexico, and Executive H, Seventy-eighth Congress, second session, a protocol, signed at Washington on November 14, 1944, supplementary to the treaty, subject to the following understandings, and that these understandings will be mentioned in the ratification of this treaty as conveying the true meaning of the treaty, and will in effect form a part of the treaty:

“(a) That no commitment for works to be built by the United States in whole or in part at its expense, or for expenditures by the

United States, other than those specifically provided for in the treaty, shall be made by the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, the United States Section of said Commission, or any other officer or employee of the United States, without prior approval of the Congress of the United States. It is understood that the works to be built by the United States, in whole or in part at its expense, and the expenditures by the United States, which are specifically provided for in the treaty, are as follows:

"1. The joint construction of the three storage and flood-control dams on the Rio Grande below Fort Quitman, Texas, mentioned in article 5 of the treaty.

"2. The dams and other joint works required for the diversion of the flow of the Rio Grande mentioned in subparagraph II of article 5 of the treaty, it being understood that the commitment of the United States to make expenditures under this subparagraph is limited to its share of the cost of one dam and works appurtenant thereto.

"3. Stream-gaging stations which may be required under the provisions of section (j) of article 9 of the treaty and of subparagraph (d) of article 12 of the treaty.

"4. The Davis Dam and Reservoir mentioned in subparagraph (b) of article 12 of the treaty.

"5. The joint flood-control investigations, preparation of plans, and reports on the Rio Grande below Fort Quitman required by the provisions of article 6 of the treaty.

"6. The joint flood-control investigations, preparations of plans, and reports on the lower Colorado River between the Imperial Dam and the Gulf of California required by article 13 of the treaty.

"7. The joint investigations, preparation of plans, and reports on the establishment of hydroelectric plants at the international dams on the Rio Grande below Fort Quitman provided for by article 7 of the treaty.

"8. The studies, investigations, preparation of plans, recommendations, reports, and other matters dealing with the Tijuana River system provided for by the first paragraph (including the numbered subparagraphs) of article 16 of the treaty.

"(b) Insofar as they affect persons and property in the territorial limits of the United States, the powers and functions of the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, the United States Section of said Commission, and any other officer or employee of the United States, shall be subject to the statutory and constitutional controls and processes. Nothing contained in the treaty or protocol shall be construed as impairing the power of the Congress of the United States to define the terms of office of members of the United States Section of the International Boundary and Water Commission or to provide for their appoint-

ment by the President by and with the advice and consent of the Senate or otherwise.

“(c) That nothing contained in the treaty or protocol shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, or the United States Section of said Commission, directly or indirectly to alter or control the distribution of water to users within the territorial limits of any of the individual States.

“(d) That ‘international dam or reservoir’ means a dam or reservoir built across the common boundary between the two countries.

“(e) That the words ‘international plants’, appearing in article 19, mean only hydroelectric generating plants in connection with dams built across the common boundary between the two countries.

“(f) That the words ‘electric current’, appearing in article 19, mean hydroelectric power generated at an international plant.

“(g) That by the use of the words ‘The jurisdiction of the Commission shall extend to the limitrophe parts of the Rio Grande (Rio Bravo) and the Colorado River, to the land boundary between the two countries, and to works located upon their common boundary * * *’ in the first sentence of the fifth paragraph of article 2, is meant: ‘The jurisdiction of the Commission shall extend and be limited to the limitrophe parts of the Rio Grande (Rio Bravo) and the Colorado River, to the land boundary between the two countries, and to works located upon their common boundary * * *.’

“(h) The word ‘agreements’ whenever used in subparagraphs (a), (c), and (d) of article 24 of the treaty shall refer only to agreements entered into pursuant to and subject to the provisions and limitations of treaties in force between the United States of America and the United Mexican States.

Ante, p. 1255.

“(i) The word ‘disputes’ in the second paragraph of article 2 shall have reference only to disputes between the Governments of the United States of America and the United Mexican States.

“(j) First, that the one million seven hundred thousand acre-feet specified in subparagraph (b) of article 10 includes and is not in addition to the one million five hundred thousand acre-feet, the delivery of which to Mexico is guaranteed in subparagraph (a) of article 10; second, that the one million five hundred thousand acre-feet specified in three places in said subparagraph (b) is identical with the one million five hundred thousand acre-feet specified in said subparagraph (a); third, that any use by Mexico under said subparagraph (b) of quantities of water arriving at the Mexican points of diversion in excess of said one million five hundred thousand acre-feet shall not give rise to any future claim of right by Mexico in excess of said guaranteed quantity of one million five hundred thousand acre-feet of water.

Ante, p. 1237.

“(k) The United States recognizes a duty to require that the protective structures to be constructed under article 12, paragraph

Ante, p. 1239.

(a), of this treaty, are so constructed, operated, and maintained as to adequately prevent damage to property and lands within the United States from the construction and operation of the diversion structure referred to in said paragraph.”

AND WHEREAS the said treaty and protocol were duly ratified by the President of the United States of America on November 1, 1945, in pursuance of the aforesaid advice and consent of the Senate and subject to the aforesaid understandings on the part of the United States of America;

AND WHEREAS the said treaty and protocol were duly ratified by the President of the United Mexican States on October 16, 1945, in pursuance and according to the terms of a Decree of September 27, 1945 of the Senate of the United Mexican States approving the said treaty and protocol and approving the said understandings on the part of the United States of America in all that refers to the rights and obligations between the parties;

AND WHEREAS it is provided in Article 28 of the said treaty that the treaty shall enter into force on the day of the exchange of ratifications;

AND WHEREAS it is provided in the said protocol that the protocol shall be regarded as an integral part of the said treaty and shall be effective beginning with the day of the entry into force of the said treaty;

AND WHEREAS the respective instruments of ratification of the said treaty and protocol were duly exchanged, and a protocol of exchange of instruments of ratification was signed in the English and Spanish languages, by the respective Plenipotentiaries of the United States of America and the United Mexican States on November 8, 1945, the English text of which protocol of exchange of instruments of ratification reads in part as follows:

“The ratification by the Government of the United States of America of the treaty and protocol aforesaid recites in their entirety the understandings contained in the resolution of April 18, 1945 of the Senate of the United States of America advising and consenting to ratification, the text of which resolution was communicated by the Government of the United States of America to the Government of the United Mexican States. The ratification by the Government of the United Mexican States of the treaty and protocol aforesaid is effected, in the terms of its instrument of ratification, in conformity to the Decree of September 27, 1945 of the Senate of the United Mexican States approving the treaty and protocol aforesaid and approving also the aforesaid understandings on the part of the United States of America in all that refers to the rights and obligations between both parties, and in which the Mexican Senate refrains from considering, because it is not competent to pass judgment upon them, the provisions which relate exclusively to the internal application of the treaty within the United States of America and by its own authorities, and which are included in the understandings set forth under the letter (a)

in its first part to the period preceding the words 'It is understood' and under the letters (b) and (c)."

NOW, THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, do hereby proclaim and make public the said treaty and the said protocol supplementary thereto, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith, on and from the eighth day of November, one thousand nine hundred forty-five, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-seventh day of November in the year of our Lord one thousand nine hundred [SEAL] forty-five and of the Independence of the United States of America the one hundred seventieth.

HARRY S TRUMAN

By the President:

JAMES F BYRNES

Secretary of State

INTERNATIONAL AGREEMENTS
OTHER THAN TREATIES

INTERNATIONAL AGREEMENTS OTHER THAN TREATIES

Agreement between the United States of America and Guatemala respecting cooperative education. Effected by exchange of notes signed at Guatemala August 10 and September 16, 1944.

August 10 and
September 16, 1944
[E. A. S. 450]

The American Ambassador to the Guatemalan Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

Guatemala, August 10, 1944.

No. 274

EXCELLENCY:

I have the honor to refer to Your Excellency's courteous Note of July 15, 1944 (No. 9175) in which Your Excellency was so good as to indicate the desire of the Government of Guatemala to enter into a cooperative educational program to be undertaken jointly between the Government of Guatemala and an Agency of the Government of the United States in the Republic of Guatemala.

The Government of the United States of America is prepared to assist the Government of Guatemala with such a program by contributing the sum of One Hundred Thousand Dollars (\$100,000) with the understanding that the Republic of Guatemala will contribute Fifty Thousand Quetzales (Q50,000) for the same program. The assistance of the Government of the United States of America will be rendered through its agency, the Inter-American Educational Foundation, Incorporated, a corporation of the Office of the Coordinator of Inter-American Affairs, to which it is hoped Your Excellency's Government would extend all the rights and privileges in Guatemala to which the Foundation would be entitled as an agency of the United States Government or which would facilitate its part in the cooperative educational program.

It is my understanding that the Government of Guatemala would be disposed to include among those rights and privileges the entry, free of customs duties and other taxes and charges, of the official supplies and equipment for the Inter-American Educational Foundation, Incorporated, as well as the personal effects and supplies of the employees of the Foundation who are citizens of the United States receiving compensation from any Government; and that the Foundation would be accorded every feasible facility of free communication and transportation within the limits of Guatemala and that it and its employees would be free of internal taxation.

It is also my understanding that the full details of the program will be worked out in an agreement between the appropriate officer of the Government of Guatemala and representative of the Inter-American Educational Foundations, Incorporated.

I should appreciate receiving from Your Excellency confirmation that my understanding is satisfactory to the Government of Guatemala.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

BOAZ LONG

His Excellency

Licenciado don CARLOS SALAZAR,
Minister for Foreign Affairs,
Guatemala.

*The Guatemalan Minister for Foreign Affairs to the American
Ambassador*

SECRETARIA DE RELACIONES EXTERIORES
REPUBLICA DE GUATEMALA
SECCION DIPLOMATICA
No. 11959

360-E (73-0)

GUATEMALA, 16 de septiembre de 1944.

SEÑOR EMBAJADOR:

He tenido el honor de recibir la muy atenta nota de Vuestra Excelencia, número 274, de fecha 10 de agosto recién pasado, en la cual se sirve manifestarme que el Gobierno de los Estados Unidos está dispuesto a contribuir con la suma de cien mil dólares para la realización del programa educacional cooperativo, en el entendido de que el Gobierno de Guatemala aportará, para el mismo fin, la cantidad de cincuenta mil quetzales; y que la asistencia del Gobierno de los Estados Unidos será prestada por medio de su agencia, la Fundación Educacional Interamericana Inc., que es una Corporación de la Oficina del Coordinador de Asuntos Interamericanos, a la cual se espera que este Gobierno otorgará todos los derechos y privilegios que le corresponden como dependencia del Gobierno de los Estados Unidos, y las facilidades necesarias para llenar su parte en el programa educacional cooperativo.

Vuestra Excelencia se sirve expresar que entiende que el Gobierno de Guatemala estará dispuesto a incluir, entre esos derechos y privilegios, la entrada, libre de derechos de aduana y otros impuestos y cargas, de los abastecimientos oficiales y del equipo de la Fundación Educacional Interamericana Inc., así como de los efectos personales y abastecimientos de los empleados de la Fundación, que sean ciudadanos de los Estados Unidos y reciban sueldo del Gobierno estadounidense; y que se acordará a la Fundación toda facilidad de libre comunicación y transporte, dentro de los límites de Guatemala; y, además, la Fundación y sus empleados estarán exentos de los impuestos internos.

Me es grato manifestar a Vuestra Excelencia que la Secretaría de Educación Pública me ha informado que, con fecha 12 del mismo mes de agosto, quedó suscrito el convenio en que se especifican los detalles

y las modalidades del programa educacional cooperativo; y, con respecto a los derechos y privilegios que este Gobierno ha de otorgar a la Fundación y a sus empleados, pláceme expresar a Vuestra Excelencia que dicha Secretaría de Educación Pública me ha comunicado, en nota que acabo de recibir, que la inteligencia de Vuestra Excelencia sobre el particular, es enteramente satisfactoria al Gobierno de Guatemala; para cuyo efecto, la mencionada Secretaría de Educación espera recibir las declaraciones que la Fundación Educacional Interamericana haga al Gobierno, sobre la importación de los artículos y equipo oficiales destinados a la Fundación, y los artículos y efectos personales de sus empleados, para gestionar ante la Secretaría de Hacienda y Crédito Público, en cada caso, la libre entrada al país de tales artículos.

Aprovecho la oportunidad para renovar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración,

CARLOS SALAZAR

Excelentísimo Señor BOAZ LONG,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos.
Ciudad.

Translation by the Department of State of the Foregoing Note

DEPARTMENT OF FOREIGN AFFAIRS
REPUBLIC OF GUATEMALA
DIPLOMATIC SECTION
No. 11959

360-E (73-0)

GUATEMALA, *September 16, 1944*

MR. AMBASSADOR:

I have had the honor to receive Your Excellency's very courteous note number 274, dated August 10 last, by which you are good enough to inform me that the Government of the United States is prepared to contribute the sum of one hundred thousand dollars for the carrying out of the cooperative educational program, with the understanding that the Government of Guatemala will contribute, for the same purpose, the sum of fifty thousand quetzales; and that the assistance of the Government of the United States will be rendered through its agency, the Inter-American Educational Foundation, Incorporated, which is a corporation of the Office of the Coordinator of Inter-American Affairs, to which it is hoped that this Government will extend all the rights and privileges to which it is entitled as an agency of the United States Government and the necessary facilities for playing its part in the cooperative educational program.

Ante, p. 1271.

Your Excellency is good enough to state that you understand that the Government of Guatemala will be disposed to include among those rights and privileges the entry, free of customs duties and other taxes and charges, of the official supplies and equipment of the Inter-American Educational Foundation, Incorporated, as well as the personal effects and supplies of the employees of the Foundation who are citizens of the United States receiving compensation from the United

States Government; and that the Foundation will be accorded every facility of free communication and transportation within the limits of Guatemala and, in addition, that the Foundation and its employees will be exempt from internal taxation.

I am pleased to state to Your Excellency that the Department of Public Education has informed me that, on the 12th of August, there was signed the agreement specifying the details and modalities of the cooperative educational program; and, with respect to the rights and privileges which this Government is to extend to the Foundation and its employees, I am glad to inform Your Excellency that the said Department of Public Education has communicated to me, in a note which I have just received, that Your Excellency's interpretation of the matter is entirely satisfactory to the Government of Guatemala; for which effect, the above-mentioned Department of Public Education hopes to receive the declarations which the Inter-American Educational Foundation may make to the Government concerning the importation of official articles and equipment intended for the Foundation and the personal articles and effects of its employees, in order to take steps with the Department of Hacienda and Public Credit, in each case, for the free entry into the country of such articles.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest and most distinguished consideration,

CARLOS SALAZAR

His Excellency BOAZ LONG,
*Ambassador Extraordinary and Plenipotentiary
of the United States.
City.*

Agreement between the United States of America and Costa Rica approving memorandum agreement signed May 20, 1944, respecting temporary migration of Costa Rican agricultural workers. Effected by exchange of notes signed at San José May 22, 29, 1944.

May 22, 29, 1944
[E. A. S. 451]

The American Ambassador to the Costa Rican Secretary of State for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

*San José, Costa Rica
May 22, 1944*

No. 257

EXCELLENCY:

I have the honor to refer to my note No. 250 of May 15, 1944^[1] and to Your Excellency's courteous reply No. 950^{*} B of the same date,^[1] relative to the mission of Mr. Hiram S. Phillips, principal employment service analyst of the War Manpower Commission, who was desirous of concluding a contract with the Government of Costa Rica for the furnishing of a supply of laborers from this country for temporary employment in the timber and lumber and food processing industries in the United States, as well as the actual signing of the contract by His Excellency, Teodoro Picado, President of the Republic, and Señor Hernán Bejarano Rivera, Under Secretary of State for Labor and Social Welfare, on behalf of the Government of Costa Rica and Mr. Hiram S. Phillips on behalf of the War Manpower Commission of the United States yesterday morning.

In this connection I beg to formalize, through the exchange of notes with Your Excellency's Ministry as required in Paragraph Three, the general provisions of this contract.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

FAY ALLEN DES PORTES.

His Excellency

Señor don JULIO ACOSTA

*Secretary of State for Foreign Affairs
San José, Costa Rica*

Post, p. 1282.

¹ [Not printed.]

The Costa Rican Secretary of State for Foreign Affairs to the American Ambassador

REPUBLICA DE COSTA RICA

SECRETARIA DE RELACIONES EXTERIORES

No. 1124*B

SAN JOSÉ, 29 mayo 1944.

SEÑOR EMBAJADOR:

En atención a lo que dispone el párrafo tercero del convenio celebrado el 20 de mayo en curso en la ciudad de San José, entre el Gobierno de Costa Rica y el de los Estados Unidos de América, para el suministro temporal de trabajadores costarricenses a este último país, y en el cual figuran como representantes el Señor Subsecretario de Trabajo y Previsión Social, Licdo. Hernán Bejarano Rivera, por parte de Costa Rica, y el Señor Hiram S. Phillips, por parte del Director de la Comisión de Recursos Humanos de Guerra de los Estados Unidos de América, tengo la honra de remitir a Vuestra Excelencia la presente nota de intercambio como ratificación de ese convenio por parte del Gobierno de Costa Rica.

El documento de que se habla en el párrafo anterior dice así:

“Entre nosotros, Hernán Bejarano Rivera, Subsecretario de Estado en los Despachos de Trabajo y Previsión Social por parte del Gobierno de la República de Costa Rica y debidamente autorizado al efecto por el señor Presidente de la República, e Hiram S. Phillips, representante del Director de la Comisión de Recursos Humanos de Guerra (War Manpower Commission) de los Estados Unidos de América,

POR CUANTO, en la promoción del esfuerzo común de la guerra por las Naciones Unidas, el Gobierno de los Estados Unidos de América y el Gobierno de Costa Rica están de acuerdo en facilitar la migración temporal de trabajadores de Costa Rica a los Estados Unidos de América para ser empleados dentro de los límites continentales de los Estados Unidos en industrias y servicios esenciales a la preservación, venta o distribución de productos agrícolas, incluyendo las industrias madereras:

POR LO TANTO, convienen en sugerir las siguientes estipulaciones generales, pudiendo este acuerdo ser formalizado mediante intercambio de notas entre la Secretaría de Relaciones Exteriores de la República de Costa Rica y la Embajada de los Estados Unidos de América en Costa Rica:

I. Estipulaciones Generales

A.—El Gobierno de Costa Rica se esforzará de la mejor manera en facilitar el reclutamiento de trabajadores de nacionalidad costarricense; en establecer centros de registro para la organización de tales trabajadores, cuando fuere necesario, y en la migración temporal de dichos trabajadores a los Estados Unidos de América de acuerdo con los arreglos hechos por medio del Director de la Comisión de Recursos Humanos de Guerra (“War Manpower Commission), o de su representante autorizado.

B.—Los trabajadores que ingresen en los Estados Unidos de

América bajo este convenio no serán llamados a presentarse para, o someterse a, la inscripción bajo la Ley de Entrenamiento y Servicio Selectivo de 1940.

C.—Los trabajadores que ingresen en los Estados Unidos bajo este convenio, no sufrirán ninguna clase de discriminación, según las Ordenes Ejecutivas nos. 8802 y 9346 dadas en la Casa Blanca el 25 de junio de 1941 y 27 de mayo de 1943, respectivamente

D.—Los trabajadores que ingresen en los Estados Unidos bajo este convenio no serán empleados para desplazar otros trabajadores o para reducir las pagas u otras normas establecidas con anterioridad.

E.—Cualquiera de los dos Gobiernos tendrá el derecho de rescindir este convenio dando noventa días de notificación al otro Gobierno por anticipado, salvo que no obstante la terminación del convenio según la forma estipulada, en el mismo, todos los trabajadores empleados con sujeción a este convenio antes de su terminación continuarán gozando de todos los beneficios convenidos en él, hasta el momento en que sean regresados a Costa Rica.

F.—Habrá plena cooperación entre los Gobiernos de los Estados Unidos de América y de Costa Rica y entre sus agencias respectivas. El Gobierno de los Estados Unidos someterá reportes periódicos al Gobierno de Costa Rica con respecto a las condiciones de trabajo y de vida de los trabajadores llevados a los Estados Unidos bajo este convenio.

G.—La realización de este convenio dependerá de la continuación de la demanda de empleados para las industrias y servicios arriba especificados, en los Estados Unidos; la disponibilidad de transporte a los Estados Unidos y la continuada disponibilidad de trabajadores en Costa Rica para su migración temporal a los Estados Unidos.

H.—Los Gobiernos de los Estados Unidos de América y de Costa Rica, signatarios del presente convenio, no pondrán en ejecución el presente convenio hasta tanto no se resuelva de mutuo acuerdo lo relativo al seguro de vida durante el transporte de los trabajadores costarricenses, ida y regreso.

II. *Tramitación*

A.—CONTRATOS

1.—Los contratos para ejecutar los propósitos y principios de este convenio de acuerdo con los requisitos legales de los respectivos Gobiernos, incluyendo las cláusulas del Código del Trabajo de Costa Rica, serán firmados por el patrón, el trabajador, y el Gobierno de los Estados Unidos de América, que actuará por medio del Director de la Comisión de Recursos Humanos de Guerra o su representante autorizado. El Gobierno de los Estados Unidos, actuando por medio del Director de la Comisión de Recursos Humanos de Guerra o su representante autorizado,

garantiza el cumplimiento de los términos y condiciones de este convenio por parte del patrón.

2.—La palabra *patrón* según se usa en este convenio deberá entenderse que significa el propietario o administrador de una empresa en los Estados Unidos, la cual es esencial a la preservación, venta o distribución de productos agrícolas, inclusive las industrias madereras, en las cuales serán empleado el trabajador.

3.—El término *trabajador* según se usa en este convenio deberá entenderse que significa un ciudadano costarricense que ingresa en los Estados Unidos sujeto a este convenio para ser empleado en industrias o servicios esenciales a la preservación, venta o distribución de productos agrícolas, incluyendo las industrias madereras.

4.—Los contratos efectuados entre los patronos y trabajadores deberán estar redactados en los idiomas español e inglés.

B.—ADMISION DE TRABAJADORES EN LOS ESTADOS UNIDOS

1.—El Servicio Público de Salud de los Estados Unidos deberá supervisar los necesarios exámenes de salud de los trabajadores para determinar si ellos reúnen las normas físicas requeridas para su admisión en los Estados Unidos y si están en condición física para desempeñar el tipo de trabajo para el cual se les emplea. Los exámenes de sanidad serán efectuados en el lugar de selección o en cualquier otro lugar de Costa Rica mutuamente convenido y sin costo para el trabajador. Las autoridades de salubridad de Costa Rica deberán ayudar con las facilidades de que dispongan para tales exámenes.

2.—La admisión estará acorde con los reglamentos del Gobierno de los Estados Unidos que actuará por medio del Servicio de Inmigración y Naturalización del Departamento de Justicia y la División de Visaciones del Departamento de Estado

III. *Condiciones bajo las cuales serán contratados los trabajadores*

A.—TRANSPORTACION

1.—La transportación del trabajador, (incluyendo subsistencia apropiada durante el viaje y asistencia médica en tránsito), y sus efectos personales (limitados a 75 lbs.), será provista sin costo para el trabajador. El Gobierno de los Estados Unidos se esforzará por todos los medios para proteger la seguridad en el tránsito de los trabajadores a los Unidos de ida y regreso.

B.—JORNALES Y TRABAJO

1.—Los jornales ordinarios o extraordinarios pagados a trabajadores costarricenses bajo este convenio serán los mismos y en ningún caso inferiores a los pagados por el patrón por trabajo similar a trabajadores nacionales en el mismo lugar de empleo. Los jornales ya sean por hora, por pieza u otra base, no serán inferiores a cuarenta centimos de dólar por hora.

2.—Todo trabajador será empleado exclusivamente en industrias o servicios esenciales a la preservación, venta o distribución de

productos agrícolas, incluyendo las industrias madereras, pero si a la terminación del empleo no hubiere medios de transporte disponibles para el regreso del trabajador a Costa Rica y fuere imposible continuar el empleo del trabajador en las industrias mencionadas en este convenio, el trabajador podrá ser empleado temporalmente, durante el tiempo que tuviere que esperar para su trasportación de regreso, en otras industrias o servicios que el Director de la Comisión de Recursos Humanos de Guerra (War Manpower Commission) o su representante autorizado llegare a determinar.

3.—Los jornales se deberán pagar totalmente, sin deducciones, exceptuando (a) aquellas que la ley requiera para los trabajadores nacionales que trabajan en las mismas ocupaciones y en el mismo sitio de trabajo y para el mismo patrón o (b) aquellas que se dispongan en el contrato escrito que requiere la cláusula II A-1 de este convenio, entendiéndose que la retención por la ley del impuesto sobre la renta en anticipación a las obligaciones del trabajador bajo esa ley y no como exención definitiva de la misma, será limitada a un 10% de las entradas brutas del trabajador.

4.—Bajo este convenio no se podrán emplear trabajadores menores de dieciocho años.

5.—No se obligará a los trabajadores a comprar artículos o servicios para su consumo o uso personal en cualquier parte no escogida por ellos; entendiéndose que no se obligará a los trabajadores a comprar artículos o servicios, incluyendo herramientas, no exigidas a los trabajadores nacionales del mismo patrón en el mismo lugar de empleo, y entendiéndose además que, cuando sea necesario, el patrón pondrá a la disposición del trabajador, a un precio razonable, vestuario suficiente y apropiado para las condiciones climatéricas de los Estados Unidos, y los costos de dicho vestuario serán deducidos de los subsiguientes salarios de los trabajadores.

6.—Las condiciones de vida, así como los servicios sanitarios y médicos para los trabajadores costarricenses serán de la misma calidad y no mnos favorables que los de que gozan los trabajadores nacionales contratados por el patrón en la misma ocupación y lugar de empleo. La vivienda será sanitaria y cómoda para los trabajadores. Los alimentos, cuando éstos sean suministrados al trabajador por el patrón, deberán ser preparados sanitariamente y deberán ser de la misma calidad que los alimentos suministrados a los trabajadores nacionales. El costo de la alimentación y alojamiento, cuando sean suministrados por el patrón, no deberá exceder la suma de \$1.40 por día y por trabajador.

7.—Los trabajadores admitidos bajo este convenio deberán disfrutar, en cuanto se refiere a enfermedades o accidentes ocupacionales, de las mismas garantías disfrutadas por los trabajadores nacionales en las mismas ocupaciones y en el mismo lugar según la Legislación Federal o Estatal de los Estados Unidos.

8.—Los trabajadores admitidos bajo este convenio tendrán la oportunidad de ser empleados durante el mismo número de horas que los trabajadores nacionales que trabajan para el patrón en las mismas ocupaciones y en el mismo lugar de trabajo; pero se entenderá que a los trabajadores costarricenses no se les obligará a trabajar el 25 de diciembre, el Jueves y Viernes Santos y la festividad de Corpus Christi; se entenderá, además, que a los trabajadores costarricenses se les concederá un día de descanso cada siete días, excepto durante períodos de emergencia cuando a todos los trabajadores se les exija trabajar sin ningún día de descanso.

9.—Los trabajadores admitidos bajo este convenio estarán sujetos a los mismos derechos y privilegios con respecto a promociones y aumentos generales de jornales, y a los mismos derechos y privilegios que surjan de convenios colectivos como los acordados a los trabajadores nacionales que trabajan para el patrón en las mismas ocupaciones y en el mismo lugar de trabajo.

10.—(1) Sujeto a las estipulaciones del párrafo (2) de esta cláusula, los trabajadores serán reclutados para trabajar por un período de ciento ochenta días, el cual podrá ser extendido con la aprobación del Director de la Comisión de Guerra o su representante autorizado, según lo dispuesto aquí. El compromiso inicial entre el trabajador y su primer patrón será por un término no menor de noventa días y al trabajador se le dará la oportunidad durante tal período de empleo, de trabajar no menos de cuatrocientos ochenta horas, pero las horas trabajadas los domingos en exceso de diez horas durante cualquier período de veinticuatro horas no serán incluidas en esta garantía de cuatrocientas ochenta horas. Al terminar este compromiso inicial, el período de empleo podrá ser renovado por convenio mutuo entre el trabajador y el patrón, sujeto a la aprobación del Director de la Oficina de Recursos Humanos de Guerra o su representante autorizado: en el entendimiento de que tal renovación o extensión será hecha sobre términos no menos favorables al trabajador que los que exige este convenio con respecto al período inicial de empleo. (2) Cuando el compromiso inicial del trabajador no sea renovado o extendido y cuando a la terminación de tal compromiso inicial, no hubiere trabajo disponible con un nuevo patrón sobre términos no menos favorables al trabajador que los exigidos por este convenio para el compromiso inicial, entonces el trabajador deberá ser devuelto a Costa Rica por el Gobierno de los Estados Unidos.

11.—Todo contrato de empleo del que sea parte el trabajador admitido bajo este convenio, deberá contener una estipulación para la deducción de sus jornales de la suma de cincuenta céntimos de dólar diarios por cada día que el trabajador reciba en jornales una suma no menor de tres dólares. Las sumas así deducidas deberán ser remitidas al Banco Nacional de Costa Rica para ser acreditadas al trabajador a su regreso a Costa Rica. Las sumas así deducidas deberán ser remitidas en las fechas y en la forma que se llegue a convenir entre el Gobierno

de Costa Rica y el Director de la Comisión de Recursos Humanos de Guerra.

12.—Los trabajadores tendrán derecho a discutir cualesquiera problemas de condiciones de vida o trabajo con sus patrones de acuerdo con los trámites que serán establecidos por el patrón. Esto no impedirá que el trabajador recurra a cualquier procedimiento de apelación que pueda ser establecido por la Comisión de Recursos Humanos de Guerra.

13.—Al expirar el contrato o alguna de sus renovaciones, las autoridades de los Estados Unidos considerarán la estada del trabajador en territorio de los Estados Unidos como ilegal desde un punto de vista de inmigración, con la excepción de casos de imposibilidad física del trabajador para su regreso a Costa Rica y en tal caso solamente mientras exista tal imposibilidad.

14.—El Gobierno de los Estados Unidos, actuando por medio del Director de la Comisión de Recursos Humanos de Guerra (War Manpower Commission) o su representante autorizado, aplicará sus mejores esfuerzos para el regreso de los trabajadores a Costa Rica prontamente al expirar los contratos o cualquiera renovación de los mismos. En el caso que las exigencias de la guerra causaren atrasos en el regreso de los trabajadores, el Gobierno de los Estados Unidos, actuando por medio del Director de la Comisión de Recursos Humanos de Guerra (War Manpower Commission) o su representante autorizado, hará uso de sus mejores esfuerzos para continuar empleando al trabajador, según lo contemplado en la Sección III, B, 2, durante el término que pueda ser necesario hasta la disponibilidad de medios de transporte, pero en ningún caso se extenderá por más de seis meses después de la terminación de la guerra actual.

En fe lo cual firmamos el presente convenio en dos tantos, uno en inglés para el Gobierno de los Estados Unidos de América y otro en español para el Gobierno de Costa Rica, en la ciudad de San José de Costa Rica a los veinte días del mes de mayo de mil novecientos cuarenta y cuatro.

Por el Gobierno de Costa Rica (f) Hernán Bejarano, Subsecretario de Estado en el Despacho de Trabajo y Previsión Social

Por la Comisión de Recursos Humanos de Guerra,
(f) Hiram S. Phillips, Delegado de la War Manpower Commission

(f) TEODORO PICADO
Presidente de la República

Aprovecho la oportunidad para renovar a Vuestra Excelencia el testimonio de mi más elevada y distinguida consideración

Excelentísimo

JULIO ACOSTA

Señor FAY ALLEN DES PORTES,

Embajador Extraordinario y Plenipotenciario de los Estados Unidos de América,

San Jose.

Translation

REPUBLIC OF COSTA RICA
MINISTRY OF FOREIGN AFFAIRS

No. 1124*B

SAN JOSÉ, May 29, 1944.

MR. AMBASSADOR:

In view of the provision in the third paragraph of the agreement concluded May 20 last in the city of San José between the Government of Costa Rica and that of the United States of America for the temporary furnishing of Costa Rican laborers to this latter country, and in which there appear as representatives the Assistant Secretary of Labor and Social Welfare, Lic. Hernán Bejarano Rivera, on the part of Costa Rica, and Mr. Hiram S. Phillips, on the part of the Chairman of the War Manpower Commission of the United States of America, I have the honor to transmit to Your Excellency the present exchange note as ratification of that agreement on the part of the Government of Costa Rica.

The document spoken of in the foregoing paragraph reads thus:

[For English version of the agreement of May 20, 1944 see *infra*.]

I avail myself of the opportunity to renew to Your Excellency the assurance of my highest and most distinguished consideration.

JULIO ACOSTA

His Excellency,

FAY ALLEN DES PORTES,

*Ambassador Extraordinary and Plenipotentiary
of the United States of America,*

San Jose.

Contract

Between us, Hernán Bejarano Rivera, Under Secretary of State for Labor and Social Welfare for the Government of the Republic of Costa Rica, duly authorized for the purpose by the President of the Republic and Hiram S. Phillips, Representative of the Chairman of the War Manpower Commission of the United States,

WHEREAS, in the furtherance of the common war effort of the United Nations, the Government of the United States of America and the Government of Costa Rica are desirous of facilitating the temporary migration of workers from Costa Rica to the United States of America for employment within the continental limits of the United States with industries and services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries;

NOW, THEREFORE, the following general provisions are suggested and this understanding may be formalized by an exchange of notes between the Ministry of Foreign Affairs of the Republic of Costa Rica and the Embassy of the United States of America in Costa Rica:

I. *General Provisions*

- A. The Government of Costa Rica will use its best efforts to facilitate the recruitment of workers of Costa Rican nationality, the establishment of reception centers for the assembling of said workers where needed, and the temporary migration of said workers to the United States of America in accordance with arrangements made through the Chairman of the War Manpower Commission or his authorized representative. Recruitment of workers.
- B. Workers who enter the United States under this agreement shall not be required to present themselves for or submit to registration under the Selective Training and Service Act of 1940. Registration,
54 Stat. 885,
50 U. S. C. app.
§§ 301-318; Supp. IV,
§§ 302-315.
Amtc, p. 166.
- C. Workers who enter the United States under this agreement shall not suffer discriminatory acts of any kind in accordance with Executive Orders No. 8802 and No. 9346 issued at the White House on June 25, 1941 and May 27, 1943 respectively. Discriminatory acts.

3 CFR Cum. Supp.,
957, 1280.
- D. Workers who enter the United States under this agreement shall not be employed to displace other workers or for the purpose of reducing rates of pay or other standards previously established. Displacement of workers; pay standards.
- E. Either Government shall have the right to renounce this agreement upon ninety days' notification to the other Government in advance thereof; provided that notwithstanding the termination of the agreement in the manner thus provided, all workers employed under this agreement prior to its being so terminated shall continue to enjoy all the benefits conferred by this agreement until such time as they are returned to Costa Rica. Right to renounce agreement.
- F. There will be full cooperation between the Governments of the United States and Costa Rica and between their respective agencies. The Government of the United States shall submit periodic reports to the Government of Costa Rica with respect to the working and living conditions of the workers brought to the United States under this agreement. Reports on working conditions, etc.
- G. The effectuation of this agreement shall be dependent on the continued need for workers in the above specified industries and services in the United States, the availability of transportation to the United States, and the continued availability of workers in Costa Rica for temporary migration to the United States. Effectuation of agreement; conditions.
- H. The Governments of the United States of America and of Costa Rica, signatories to the present agreement, shall not enter upon performance of this agreement until a mutual understanding has been reached between them with respect to the life insurance of the Costa Rican workers in transit to and from the United States. Life insurance.

II. *Procedure*

A. CONTRACTS

Parties.

1. Contracts to effectuate the purpose and principles of this agreement in accordance with the legal requirements of the respective Governments, including the provisions of the Costa Rica Labor Code, shall be entered into between the employer, the worker, and the Government of the United States of America, acting through the Chairman of the War Manpower Commission or his authorized representative. The Government of the United States, acting through the Chairman of the War Manpower Commission or his authorized representative, guarantees the performance on the part of the employer of the terms and conditions of this agreement.

"Employer."

2. The word "employer" as used herein shall be understood to mean the owner or operator of an enterprise, in the United States of America essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries, in which the worker will be employed.

"Worker."

3. The word "worker" as used herein shall be understood to mean a national of Costa Rica entering the United States of America under this agreement for employment in industries or services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries.

Languages of contracts.

4. Contracts entered into between the employers and the workers shall be written in the Spanish and English languages.

B. ADMISSION OF WORKERS INTO THE UNITED STATES

Health examinations.

1. The United States Public Health Service shall supervise the necessary health examinations of the workers to determine whether such workers meet the physical standards requisite for admission to the United States and whether such workers are in physical condition to perform the type of labor for which they are being employed. The health examinations shall be administered at the place of selection or any other place in Costa Rica mutually agreed upon and at no cost to the worker. The Costa Rica health authorities shall assist with such facilities and services for such examinations as may be available.

Admission regulations.

2. Admission shall accord with regulations of the United States Government acting through the Immigration and Naturalization Service of the

Department of Justice and the Visa Division of the Department of State.

III. *Conditions Under Which Workers Shall be Contracted*

A. TRANSPORTATION

1. Transportation of the worker (including adequate subsistence during travel and emergency medical care enroute) and of his personal effects (limited to 75 pounds) shall be provided at no expense to the worker. The Government of the United States shall make every effort to assure safe passage for the workers travelling to and from the United States.

B. WAGES AND EMPLOYMENT

1. Wages, normal or overtime, paid to Costa Rican workers under this agreement shall be the same as, and in no case less than, those paid by the employer for similar work to domestic workers in the same occupation at the same place of employment. Wages, whether paid on an hourly, piece work, or other basis, shall be not less than forty cents per hour.
2. Each worker shall be employed exclusively in industries and services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries, but if at the termination of the employment transportation for the return of the worker to Costa Rica should not be available and it would then be impossible to continue the workers' employment in industries contemplated by this agreement, the worker may be temporarily employed during such period as he may have to wait for return transportation in such other industries or services as the Chairman of the War Manpower Commission or his authorized representative determine. Temporary employment.
3. Wages shall be paid in full with no deductions except (a) those required by law of domestic workers engaged in the same occupations at the same place of employment by the same employer, or (b) those for which provision may be made in the written contract required by Clause II A-1 of this agreement; provided that the withholding under the income tax law in anticipation of the worker's liability thereunder and not as an extinguishment thereof shall be limited to 10% of the worker's gross earnings. Deductions from wages.
4. No workers under 18 years of age shall be employed under this agreement. Minimum age.
5. Workers shall not be required to purchase goods or services for their personal consumption or use at any source not of their choice; provided that the workers Purchase of goods, etc.

shall not be required to purchase articles or services, including tools, not required of domestic workers of the same employer at the same place of employment; provided, further, that, when necessary, the employer shall make available to the worker, at a reasonable cost, sufficient warm clothing to meet climatic conditions in the United States, and the costs of such clothing may be deducted from the subsequent earnings of the workers.

Living conditions,
etc.

6. Living conditions and sanitary and medical services for Costa Rica workers shall be of the same kinds as, and shall not be less favorable to them than, those enjoyed by domestic workers engaged by the employer in the same occupations at the same place of employment. Housing shall be sanitary and provide reasonable comfort for the workers. Food, when furnished to the worker by the employer, shall be prepared in a sanitary manner and shall be of the same standard as the food furnished domestic labor. The cost of food and housing, when furnished by the employer, shall not exceed \$1.40 per day per worker.

Occupational dis-
eases and accidents.

7. Workers admitted under this agreement shall enjoy as regards occupational diseases and accidents the same guarantee enjoyed by domestic workers engaged in the same occupations at the same place of employment under Federal or State Legislation in the United States.

Working hours.

8. Workers admitted under this agreement shall be afforded opportunity to be employed the same number of working hours as domestic workers engaged by the employer in the same occupations at the same place of employment; provided that Costa Rica workers shall not be required to work on December 25, Thursday and Friday of Holy Week, and Corpus Christi Day; provided further, that the Costa Rica workers shall be granted one day of rest in each seven, except during periods of emergency when all workers are required to work without a day of rest.

Promotions and
wage increases.

9. Workers admitted under this agreement shall be subject to the same rights and privileges with respect to promotions and general wage increases, and the same rights and privileges arising under applicable collective bargaining agreements as those accorded domestic workers engaged by the employer in the same occupations at the same place of employment.

Period of employ-
ment.

10. (1) Subject to the provisions of paragraph (2) of this clause, workers shall be recruited for employment for a period of 180 days which may be extended with the approval of the Chairman of the War Manpower

Commission or his authorized representative as provided herein. The initial engagement between the worker and his first employer shall be for a period of not less than 90 days and during such period of employment, the worker shall be afforded an opportunity to work not less than 480 hours, but hours worked on Sundays or in excess of 10 hours in any 24 hour period shall not be included in this 480 hour guarantee. On the termination of this initial engagement, the period of employment may be renewed or extended by mutual agreement of the worker and the employer subject to the approval of the Chairman of the War Manpower Commission or his authorized representative; provided that such renewal or extension shall be made on terms no less favorable to the worker than those required by this agreement.

(2) Where the initial engagement of the worker is not renewed or extended and at the termination of such initial engagement, there is not available work with a new employer on terms no less favorable to the worker than those required by this agreement, then the worker shall be returned to Costa Rica by the Government of the United States.

11. Every employment contract to which a worker admitted under this agreement is a party shall contain provision for the deduction from his wages of fifty cents a day for each day for which he received in wages a sum of not less than three dollars. The sums so deducted shall be remitted to the National Bank of Costa Rica for the credit of the worker upon his return to Costa Rica. The sums so deducted shall be remitted at such times and in such manner as may be agreed upon between the Government of Costa Rica and the Chairman of the War Manpower Commission. Wage deduction.
12. Workers shall have the right to discuss any problems of living or working conditions with their employers in accordance with procedures to be established by the employer. This shall not prevent the worker from using any appeals procedure which may be established by the War Manpower Commission. Discussion of problems.
13. At the expiration of the contract or any renewals thereof, the authorities of the United States shall consider the continued stay of the worker in the territory of the United States to be illegal from an immigration point of view, with the exception of cases of physical impossibility of the worker to return to Costa Rica and in that event only as long as such impossibility exists. Continued stay of worker.

Termination of employment period.

Wage deduction.

Discussion of problems.

Continued stay of worker.

Return of workers.

14. The Government of the United States, acting through the Chairman of the War Manpower Commission or his authorized representative, shall use its best efforts to return the workers to Costa Rica promptly upon expiration of the contracts or any renewal thereof. In the event that exigencies of the war create delays in the return of the workers, the Government of the United States acting through the Chairman of the War Manpower Commission or his authorized representative shall use its best efforts to continue the employment of the worker as provided in Section III, B, 2 of this agreement for such period as may be necessary until transportation facilities are available, but in no case longer than 6 months after the termination of the present hostilities.

IN WITNESS WHEREOF, we sign the present agreement in two originals, one in English for the Government of the United States of America and the other in Spanish for the Government of Costa Rica, in the city of San José, Costa Rica, this 20th day of May, 1944.

FOR THE GOVERNMENT OF
COSTA RICA

HERNÁN BEJARANO R

*Under Secretary of State for Labor
and Social Welfare*

Approved

FOR THE WAR MANPOWER
COMMISSION

HIRAM S. PHILLIPS

Representative of the Chairman

TEODORO PICADO
President of the Republic

Agreement between the United States of America and Panama respecting general relations. Effected by exchange of notes signed at Washington May 18, 1942.

May 18, 1942
[E. A. S. 452]

The Secretary of State to the Panamanian Ambassador

DEPARTMENT OF STATE
WASHINGTON
May 18, 1942

EXCELLENCY :

I have the honor to refer to the memorandum which the Ambassador of Panama left with the President of the United States on February 18, 1941^[1] and to the Department's memoranda of July 8, July 18, and December 2, 1941^[1] in reply thereto, regarding twelve points in the relations between Panama and the United States with respect to which positive action by this Government was requested.

Subsequent negotiations have happily led to agreement between our two Governments on all these points, I understand, in the form set forth below :

1. *The Waterworks at Colón and Panamá.*

When the authority of the Congress of the United States shall have been obtained therefor, the Government of the United States will transfer to the Government of the Republic of Panama free of cost all of its rights, title and interest in the system of sewers and waterworks in the cities of Panamá and Colón.

At that time the United States will renounce the right which it obtained in the first paragraph of Article VII of the Convention between the United States and the Republic of Panama signed at Washington, November 18, 1903, as modified by Article VI of the Treaty between the United States and Panama signed at Washington March 2, 1936, to acquire lands, buildings, water rights or other properties necessary for purposes of sanitation such as the collection or disposal of sewage and the distribution of water in the cities of Panamá and Colón. The United States, likewise, will renounce the authority contained in Article VII of the above-mentioned convention of 1903 to impose and collect water rates and sewerage rates in those cities which shall be sufficient to provide for the payment of interest and amortization of the principal of the cost of said works. It is understood that there will be no refund to Panama of amortization and interest payments or charges of any kind based on the Convention of 1903 and on the contracts of September 30, 1910.

33 Stat. 2236.

53 Stat. 1817.

If the Panamanian Government so desires, the cities of Panamá and Colón may continue to receive supplies of water from the Canal Zone

¹ [Not printed.]

at the outlets now provided at the Canal Zone boundary at a reasonable rate to be agreed upon by both Governments.

Likewise, if the Panamanian Government so desires, the cities of Panamá and Colón may continue to use, to the extent prevailing at present and with the facilities now available, the sewage disposal services of the Canal Zone. The water rate to be agreed upon will include the cost of these services.

If at any time the Government of the Republic of Panama should desire to renounce the use in part of the water supply and sewerage facilities of the Canal Zone referred to above, the two Governments would agree upon the charges payable by the Republic of Panama for the use of such facilities as it may desire to retain.

It is understood that employees of the Panama Canal and the Panama Railroad Company residing in the Republic of Panama shall not be charged higher water rates than those charged other residents of Panamá and Colón, respectively, for similar services.

It should be pointed out that the turning over to the Government of the Republic of Panama of the physical properties of the water works and sewerage systems and the administration thereof, including the collection of the water rates does not in any way modify the existing arrangement for the responsibility of the public health services of the cities of Panamá and Colón as specified in the second paragraph of Article VII of the Convention between the United States of America and Panama, signed at Washington, November 18, 1903. Thus, the Republic of Panama will continue to pay only those costs of sanitary measures for which it has been responsible in the past.

This Government in continuing to maintain the health services in the cities of Panamá and Colón is confident that the Government of the Republic of Panama will fully cooperate with the appropriate Canal Zone officials in carrying out the agreement regarding increased participation of Panamanian personnel in sanitation activities in those cities as set forth in the exchange of notes accompanying the General Treaty of March 2, 1936, which in turn refer to the earlier proposal of October 1931.

2. *Railroad Lots in Panamá and Colón.*

The President will seek the authority of the Congress of the United States to transfer to the Republic of Panama free of cost all of its rights, title and interest to the lands belonging to or of which the Panama Railroad Company now has usufruct in the cities of Panamá and Colón which are not currently or prospectively needed for the maintenance, operation, sanitation and protection of the Panama Canal, or of its auxiliary works, or for the operation of the Panama railroad. The Panama Railroad Company will convey to the Republic of Panama those lands which it possesses within that portion of Manzanillo Island lying within the area bounded by a line described as follows: (See copy of map M 5036-3 transmitted with the Department's memorandum of July 8, 1941.)

33 Stat. 2236.

53 Stat. 1807.

Beginning at the point where the Canal Zone-City of Colón boundary line intersects the western shore line of the arm of Manzanillo Bay known as "Boca Chica" or "Folks River"; thence following the Canal Zone-City of Colón boundary line northerly to Eleventh Street and westerly on Eleventh Street to the Center of Front Avenue; thence northerly along the center of Front Avenue and its prolongation to the center of Second Street; thence easterly along the center of Second Street to the center of Bolivar Avenue; thence northerly along the center of Bolivar Avenue for a distance of 222 feet, more or less; thence easterly, approximately parallel to Second Street and generally following an existing sidewalk to the center of Paseo del Centenario (Central Avenue); thence southerly along the center of Paseo del Centenario (Central Avenue) for a distance of 71 feet, more or less, to a point opposite the prolongation of a cyclone fence which constitutes the southern boundary of the Cristobal School playground; thence easterly, northerly, and northeasterly, to, and along the above-mentioned fence and its prolongation to the center of Coconut Alley; thence southerly along the center of Coconut Alley to the center of Second Street; thence easterly along the center of Second Street to the center of Melendez Avenue ("G" Street); thence southerly along the center of Melendez Avenue ("G" Street) to the center of Seventh Street; thence easterly along the center of Seventh Street to the center of Avenida de Roosevelt; thence southerly along the center of Avenida de Roosevelt to the center of Ninth Street; thence easterly along the center of Ninth Street and its prolongation to the Canal Zone-City of Colón boundary at the mean low water line on the westerly shore of Manzanillo Bay; thence following along the above-mentioned boundary in a southerly and westerly direction to a point where said boundary intersects the prolongation of the face of the curb on the westerly side of Melendez Avenue ("G" Street); thence northerly along said prolongation and the face of the curb on the westerly side of Melendez Avenue ("G" Street) to its intersection with face of curb on the southerly side of Sixteenth Street prolonged; thence westerly and southerly along face of curb on southerly side of Sixteenth Street prolonged to its intersection with the center line of Domingo Diaz Avenue prolonged; thence southerly along the prolonged center line of Domingo Diaz Avenue to its intersection with the Canal Zone-City of Colón boundary at the mean low water line on the northerly shore of Folks River; thence westerly and southerly along said boundary to the point of beginning, excepting, however, lot No. 22, block No. 26 as shown on Panama Canal drawing S-6104-78, sheet 65, and lot No. 1189 as shown on Panama Canal drawing S-6104-78, sheet 16, which lie within the above-described area.

The Panama Railroad Company will retain in the city of Panamá as an area necessary for its operations those lands now occupied by

passenger and freight terminals with appurtenant tracks and yards. The remaining areas now in possession of the Panama Railroad Company in the city of Panamá will be conveyed to the Republic of Panama. (See copy of map transmitted with the Department's memorandum of July 8, 1941.)

3. *The commissaries and post exchanges.*

The Government of the United States and the Government of the Republic of Panama, in accordance with the exchange of notes accompanying the Treaty between them signed at Washington on March 2, 1936, "will continue to cooperate in all proper ways . . . to prevent smuggling into territory under the jurisdiction of the Republic of goods imported into the Canal Zone" and for that purpose it is agreed that the Governor of the Panama Canal will appoint a representative to meet with a representative appointed by the Government of the Republic in order that regular and continuing opportunity may be afforded for mutual conference and helpful exchange of views bearing on this question.

53 Stat. 1807.

4. *The construction of a tunnel or bridge to allow transit under or over the Canal at Balboa.*

The Government of the United States is well aware of the importance to the Government and the people of Panama of constant and rapid communication across the Panama Canal at Balboa and is willing to agree to the construction of a tunnel under or a bridge over the Canal at that point, when the present emergency has ended. Pending the carrying out of this project, the Government of the United States will give urgent attention, consistent with the exigencies of the present emergency, to improving the present ferry service.

5. *Jurisdiction over roads and highways in Panamanian Territory.*

The United States shall complete the construction at its own expense of the highways described below, under the conditions and with the materials specified:

Highway A-3. (Shall extend from Piña on the Atlantic side of the Isthmus to the Canal Zone boundary at the Rio Providencia. It shall be at least ten feet in width and constructed of macadam.)

Extension of the Trans-Isthmian Highway following the line of the P-8 road. (Specifications shall be the same as for the Trans-Isthmian Highway. The extension shall start at Madrinal, by-passing Madden Dam by a bridge over the Chagres River below the Dam to connect with the P-8 road at Roque and shall extend the P-8 road from Pueblo Nuevo into Panama City. It is understood that the pavement of the bridge over the Chagres River will be located above the elevation established as the Canal Zone boundary.)

Upon the completion of these highways, the Government of the United States will assume the responsibility for any necessary post construction operations, that is, the performance of work necessary to perfect the original construction until such time as the roads become stabilized.

The Government of Panama guarantees that all roads under its jurisdiction used periodically or frequently by the armed forces of

the United States will be well and properly maintained at all times. The Government of Panama will ask for the cooperation of the Government of the United States in the performance of repair and maintenance work on the said roads whenever it deems necessary such cooperation in order to fulfill the aforesaid guarantee such as, for example, in the case of emergencies or situations which require prompt action.

The Government of the United States will bear one-third of the total annual maintenance cost of all Panamanian roads used periodically or frequently by the armed forces of the United States, such cost to cover the expense of any wear or damage to roads caused by movements related to defense activities. The amount payable by the United States will be based upon accounts presented annually by the Republic of Panama giving in detail the total annual expenditures made by it on each highway used periodically or frequently by the armed forces of the United States and upon accounts similarly presented by the Government of the United States giving in similar detail the expenditures made by that Government in response to requests from the Government of Panama as set forth above. In the event that the Government of the United States has rendered cooperation in the maintenance of the said roads, the expenses incurred by that Government in so doing will be credited toward the share of the United States in the total maintenance of the roads under the jurisdiction of Panama.

In consideration of the above obligations and responsibilities of the United States, the Government of the Republic of Panama grants the right of transit for the routine movement of the members of the armed forces of the United States, the civilian members of such forces and their families, as well as animals, animal-drawn and motor vehicles employed by the armed forces or by contractors employed by them for construction work or others whose activities are in any way related to the defense program, on roads constructed by the United States in territory under the jurisdiction of the Republic of Panama and on the other national highways which place the Canal Zone in communication with the defense areas and of the latter with each other. It should be understood that the United States will take at all times the precautions necessary to avoid, if possible, interruptions of transit in the Republic of Panama.

All roads constructed by the United States in the territory under the jurisdiction of the Republic of Panama shall be under the jurisdiction of Panama. As to those secondary roads constructed by the United States for the purpose of giving access to any defense site, Panama grants to the military authorities of the United States the right to restrict or prohibit public travel on such roads within a reasonable distance from such sites if such restriction or prohibition is necessary to the military protection of such sites. It is understood that such restriction or prohibition is without prejudice to the free access of the inhabitants established within the restricted areas to their respective properties. It is also understood that such restriction

or prohibition is not to be exercised on any part of any main highway.

6. *Labor for the Canal Zone.*

The Government of the United States is aware of the immigration policies of the Republic of Panama as stated in Article XXIII of the Constitution of that Republic, promulgated on January 2, 1941 and, although jurisdiction over immigration into the Canal Zone rests solely with the Government of the United States, that Government will cooperate to the extent feasible under present circumstances in meeting the expressed policy of Panama in this matter. Specifically, the Government of the United States will endeavor so far as practical to fill the needs for labor in the Canal Zone with classes of persons whose immigration is permitted by the Republic of Panama and will forbid the entry into the territory of the Republic, except as may be necessary on brief routine official business, of those persons whom Canal Zone authorities have found or may find it necessary to introduce into the Canal Zone but whose immigration into the Republic is prohibited by the Republic of Panama. Such persons will be repatriated when their services are no longer required.

7. *Desire of the Panamanian Government that our military and Zone police be armed only with billies while in the territory of Panama.*

The Government of the United States agrees that only the commissioned officers of the military police and the commissioned officers of the shore patrols of the United States when on duty in the cities of Panamá and Colón may carry side arms. It agrees that members of the Canal Zone municipal police may not carry side arms of any sort while in the Republic of Panama, and similarly, the Government of the Republic of Panama will agree that members of the police of the Republic of Panama shall not carry side arms while in the Canal Zone, except when the latter pass through the Zone in transit to other territory of the Republic.

8. *Provision of electrical current from the Alhajuela Dam for use in the Republic.*

The Government of the United States agrees that electrical energy, whenever an excess beyond the needs of the United States is available in commercial quantities at the generating station of the Panama Canal at Madden Dam, will be furnished upon request of the Panamanian Government, to the cities of Panamá and Colón at a price and at points to be agreed upon between the two Governments.

9. *The assumption by the United States of the entire cost of the Rio Hato Highway.*

The Government of the United States will, after the necessary funds have been obtained by appropriation from the Congress, liquidate the credit of \$2,500,000 made available to the Republic of Panama by the Export-Import Bank for the construction of Panama's share of the Chorrera-Rio Hato road.

10. *The moving of the railroad station at Panamá.*

The Government of the United States agrees to comply with the wishes of the Republic of Panama regarding the removal from their present site of the terminal facilities of the Panama Railroad in

Panamá including the station, yards and other appurtenances. This agreement, however, is subject to the making available without cost to the Government of the United States by the Republic of Panama of a new site deemed suitable for the purpose by the two Governments.

11. *Desire of the Panamanian Government for an indemnity in case traffic is interrupted on account of our troop movements.*

The Government of the United States is not prepared at this time to enter into any formal agreement regarding indemnities for the interruption of traffic on the highways of the Republic of Panama. If, however, serious interruptions of traffic should occur, the Government of the United States will be pleased to examine in a friendly spirit any claims advanced by the Government of the Republic of Panama.

12. *The desire of the Panamanian Government for three gasoline or oil tanks at Balboa.*

The Government of the United States will make available to the Republic of Panama a right-of-way beginning in the port of Balboa and ending at the Canal Zone-City of Panama boundary at a point to be agreed upon by the two Governments for the construction of a petroleum pipeline. It will also agree that the facilities of the Panama Canal for discharging bulk petroleum products from ships berthed at Balboa and for the direction of such products into the pipeline above-mentioned would be made available in regular turn to the Republic of Panama at a reasonable cost. It should be understood that the Republic of Panama would bear the cost of the construction of the pipeline as well as pay for any damage which might accrue to the property of the United States as the result of the construction or maintenance thereof. The cost of pumping such petroleum products from Balboa to the Canal Zone-City of Panama boundary would be borne by the Republic of Panama which would install and maintain the necessary pumping facilities for the purpose.

I should appreciate it if Your Excellency would confirm my understanding of the agreement reached as set forth above.

Accept, Excellency, the renewed assurances of my highest consideration.

CORDELL HULL

His Excellency

Señor DON ERNESTO JAÉN GUARDIA,
Ambassador of Panama.

The Panamanian Ambassador to the Secretary of State

EMBAJADA DE PANAMÁ
WASHINGTON, D.C.

No. D-291

MAYO 18 de 1942

SEÑOR SECRETARIO:

Con suma y honrosa complacencia acuso a Vuestra Excelencia recibo de su Nota fechada hoy, 18 de Mayo de 1942, en relación con el Memorandum que el entonces Embajador de Panamá ante el ilustre Gobierno

de Vuestra Excelencia depositó en manos del Excelentísimo Señor Presidente de los Estados Unidos el 18 de Febrero de 1941 y con la memoranda del Departamento de Estado del 8 de Julio, 18 de Julio y 2 de Diciembre de 1941, que se refieren a los doce puntos cubriendo ciertas aspiraciones panameñas respecto a las cuales acción positiva fué solicitada al Gobierno de los Estados Unidos.

Me honra en sumo grado llevar al conocimiento de Vuestra Excelencia que después de subsecuentes negociaciones se ha llegado felizmente a un mutuo acuerdo entre nuestros dos Gobiernos, respecto a los doce puntos, tal como han quedado establecidos en la Nota de Vuestra Excelencia que viene a constituirse en importantísimo documento para nosotros y para las generaciones futuras, pues puntualiza la aceptación por parte del Gobierno de los Estados Unidos de las equitativas y justas aspiraciones del Gobierno de mi patria y al mismo tiempo demuestra palpablemente que el Gobierno de Panamá está dispuesto en todo momento a prestar una completa y amplia cooperación con el Gobierno de los Estados Unidos en la defensa de la ruta interoceánica que ha dividido en dos el Istmo panameño.

Este documento constituye un elocuente y noble ejemplo al mundo de que nuestros dos Gobiernos marchan por el sendero de la vida democrática en estrecha e íntima hermandad satisfaciendo así los deseos de una verdadera unión Panamericana expresada por la colosal figura de Simón Bolívar hace más de cien años y reiterada, en esta época, tan elocuente y brillantemente por la eminente personalidad de Franklin Delano Roosevelt por medio de su doctrina del Buen Vecino.

Acepte, Vuestra Excelencia, una vez más, los sinceros testimonios de mi más alta consideración y estima,

E. JAÉN GUARDIA
Embajador

Su Excelencia CORDELL HULL
Secretario de Estado de los Estados Unidos
Washington, D. C.

Translation

EMBASSY OF PANAMA
WASHINGTON

No. D-291

MAY 18, 1942.

MR. SECRETARY:

With the greatest and most honored pleasure I acknowledge receipt of Your Excellency's note dated today, May 18, 1942, with reference to the memorandum which the then Ambassador of Panama near Your Excellency's enlightened Government left with His Excellency the President of the United States on February 18, 1941 and to the memorandums of the Department of State dated July 8, July 18 and December 2, 1941, which concern the twelve points covering certain Panamanian aspirations regarding which positive action was requested of the Government of the United States.

It gives me the greatest honor to inform Your Excellency that after subsequent negotiations a mutual agreement has happily been reached between our two Governments respecting the twelve points as they were set forth in Your Excellency's note which becomes a most important document for us and for future generations since it embodies the acceptance by the Government of the United States of the equitable and just aspirations of the Government of my country and, at the same time, makes it obvious that the Government of Panama is prepared at any time to give complete and full cooperation to the Government of the United States in the defense of the inter-ocean route which has divided the Panamanian isthmus in two.

This document constitutes an eloquent and noble example to the world that our Governments walk by the path of the democratic life in close and intimate brotherhood, thus satisfying the desires of a real Pan American union expressed by the colossal figure of Simón Bolívar more than one hundred years ago and so eloquently and brilliantly renewed in this era by the eminent personality of Franklin Delano Roosevelt through his Good Neighbor policy.

Accept, Excellency, once more, the sincere testimonies of my highest consideration and esteem.

E. JAÉN GUARDIA
Ambassador

His Excellency CORDELL HULL,
Secretary of State of the United States,
Washington, D. C.

June 29 and
July 12, 1944
[E. A. S. 453]

Agreement between the United States of America and Haiti respecting a health and sanitation program. Effected by exchange of notes signed at Port-au-Prince June 29 and July 12, 1944.

The American Ambassador to the Haitian Secretary of State for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Port-au-Prince, Haiti
June 29, 1944.

No. 32

EXCELLENCY:

I have the honor to refer to President Lescot's memorandum dated April 6, 1942,^[1] left by him with the Acting Secretary of State in Washington, and to Mr. Welles' reply of April 7, relative to the initiation of a cooperative program of health and sanitation in Haiti. Your Excellency will recall that the United States Government, in contributing \$350,000 toward this program and subsequently making available an additional \$150,000, to be used for the anti-yaws aspect of it, was acting in accordance with Resolution XXX regarding health and sanitary conditions, adopted by the Third Meeting of the Ministers of Foreign Affairs of the American Republics at Rio in 1942.

I now have the honor to state that my Government is prepared, if Your Excellency's Government so desires, to make available, through the Institute of Inter-American Affairs, an additional sum of \$300,000 for the purpose of cooperating with the Government of Haiti in extending the aforementioned program of health and sanitation on the understanding that the Government of Haiti for its part will contribute the sum of \$150,000. This extension would terminate on October 1, 1947 in so far as the funds contributed by the United States are concerned.

The type of work and specific projects to be undertaken and the cost thereof and the methods and procedures to be employed in conducting the extended program are to be mutually agreed to by the appropriate official of the Government of Haiti and an appropriate official of The Institute of Inter-American Affairs.

The Government of the United States will continue to furnish such experts as are considered necessary in order to collaborate with Your Excellency's Government in extending the health and sanitation program.

All projects and property acquired in connection with the program shall be the property of the Government of Haiti.

¹ [Not printed.]

No project will be undertaken that will require supplies or materials the procurement of which would handicap any phase of the war effort.

I shall be glad if Your Excellency will be so good as to confirm to me your approval of this general proposal with the understanding that the details of the program will be a subject of further discussion and agreement as provided for herein.

Accept, Excellency, the renewed assurance of my high consideration.

ORME WILSON

His Excellency

M. GÉRARD LESCOT,
Secretary of State for Foreign Affairs,
Port-au-Prince.

*The Haitian Secretary of State for Foreign Affairs to the American
Ambassador*

SECRETARIAIRE D'ETAT
DES
RELATIONS EXTÉRIEURES

E. U. No. 3500

Port-au-Prince, le 12 Juillet 1944

MONSIEUR L'AMBASSEUR,

J'ai l'honneur d'accuser réception de la note no. 32 du 29 juin écoulé, par laquelle Votre Excellence m'informe qu'en vue de continuer sa coopération avec le Gouvernement Haitien en ce qui a trait au programme de salubrité publique entrepris en Haiti depuis 1942, le Gouvernement des Etats-Unis d'Amérique est prêt à mettre à la disposition de la République d'Haiti une somme supplémentaire de \$ 300.000.— par l'intermédiaire de l'Institut des Affaires Inter-américaines.

Le Gouvernement Haitien est heureux d'accepter l'offre généreuse de celui des Etats-Unis et s'engage à verser, de son côté, une contribution de \$ 150.000.— en vue de l'extension dudit programme d'hygiène publique. Il ne manquera pas de veiller d'autre part à l'exécution de toutes les conditions prévues.

En priant Votre Excellence de bien vouloir exprimer à Son Gouvernement les sentiments de gratitude du Gouvernement Haitien pour ce nouveau témoignage de sa bienveillante amitié, je Vous renouvelle, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

GERARD LESCOT

Son Excellence

Monsieur ORME WILSON,
Ambassadeur Extraordinaire
& Plénipotentiaire des Etats-Unis d'Amérique
Port-au-Prince.

Translation

DEPARTMENT OF STATE
FOR
FOREIGN AFFAIRS

E. U. No. 3500

Port-au-Prince, July 12, 1944

MR. AMBASSADOR:

I have the honor to acknowledge receipt of note no. 32, of June 29 last, in which Your Excellency informs me that with a view to continuing its cooperation with the Haitian Government in the public health program undertaken in Haiti since 1942, the Government of the United States of America is prepared to make available to the Republic of Haiti an additional sum of \$300,000 through the Institute of Inter-American Affairs.

The Haitian Government is happy to accept the generous offer of that of the United States and undertakes to make, on its part, a contribution of \$150,000 for the extension of the said public health program. It will not fail, moreover, to see to the execution of all the conditions prescribed.

Requesting Your Excellency to be good enough to express to your Government the sentiments of gratitude of the Haitian Government for this new testimony of its benevolent friendship, I renew to you, Mr. Ambassador, the assurances of my very high consideration.

GERARD LESCOT

His Excellency

ORME WILSON,

*Ambassador Extraordinary and Plenipotentiary
of the United States of America,
Port-au-Prince.*

Agreement between the United States of America and New Zealand respecting jurisdiction over prizes. Effected by exchange of notes signed at Wellington November 3, 1942, and January 28, 1943.

November 3, 1942, and
January 28, 1943
[E. A. S. 464]

The American Chargé d'Affaires ad interim to the New Zealand Prime Minister

LEGATION OF THE
UNITED STATES OF AMERICA
Wellington, New Zealand.
November 3, 1942.

SIR:

I have the honor to refer to my note dated February 21, 1942 [¹] and to your note dated April 13, 1942 [¹] in reply with regard to changes under consideration by my Government concerning vessels taken as prizes by United States Naval forces in foreign waters far from a United States port.

The changes in prize court procedure proposed by my Government are contained in Public Law 704—77th Congress, an Act to facilitate the disposition of prizes captured by the United States during the present war, and for other purposes, which was approved on August 18, 1942. [²] A copy of the Act is enclosed.

56 Stat. 746.

Section 3 of the Act provides that the authority contained in the Act shall not be exercised over prizes brought into the territorial waters of a cobelligerent, and that prizes shall not be taken or appropriated within such territorial waters for the use of the United States unless the government having jurisdiction over such territorial waters consents thereto.

Section 5 of the Act provides for the exercise abroad by special prize commissioners of the duties prescribed for such commissioners and such additional duties as the district courts of the United States may deem necessary or proper for carrying out the purposes of the Act. The duties of prize commissioners are set out in Title 34, U.S.C., Section 1138, which reads as follows:

“§ 1138. Duties of prize commissioners. The prize commissioners, or one of them, shall receive from the prize master the documents and papers, and inventory thereof, and shall take the affidavit of the prize master required by section 1134 of this title, and shall forthwith take the testimony of the witnesses sent in, separate from each other, on interrogatories prescribed by the Court, in the manner usual in prize courts; and the witnesses

¹ [Not printed.]

² [See also proclamation of April 1, 1943 (57 Stat. 736).]

shall not be permitted to see the interrogatories, documents, or papers, or to consult with counsel, or with any persons interested without special authority from the court; and witnesses who have the rights of neutrals shall be discharged as soon as practicable. The prize commissioners shall also take depositions *de bene esse* of the prize crew and others, at the request of the district attorney, on interrogatories prescribed by the court. They shall also, as soon as any prize property comes within the district for adjudication, examine the same, and make an inventory thereof, founded on an actual examination, and report to the court whether any part of it is in a condition requiring immediate sale for the interests of all parties, and notify the district attorney thereof; and if it be necessary to the examination or making of the inventory that the cargo be unladen, they shall apply to the court for an order to the marshal to unlade the same, and shall, from time to time, report to the court anything relating to the condition of the property, or its custody or disposal, which may require any action by the court, but the custody of the property shall be in the marshal only. They shall also seasonably return into court, sealed and secured from inspection, the documents and papers which shall come to their hands, duly scheduled and numbered, and the other preparatory evidence, and the evidence taken *de bene esse*, and their own inventory of the prize property; and if the captured vessel, or any of its cargo or stores, are such as in their judgment may be useful to the United States in war, they shall report the same to the Secretary of the Navy."

I have been instructed by my Government to request the Government of New Zealand, in view of the above provisions of law, to give its consent to the exercise within its jurisdiction of the authority contained in the Act. Upon the receipt of such consent, appropriate measures will be taken by my Government in accordance with Section 7 of the Act to accord reciprocal privileges in prize matters to the Government of New Zealand. I would therefore be grateful to have the reply of the Government of New Zealand in this matter at as early a moment as possible for communication to my Government.

I have the honor to be, Sir
Your obedient servant,

RAYMOND E. COX,
Chargé d'Affaires a.i.

Enclosure:
Copy of Act.

The Right Honorable
PETER FRASER,

Prime Minister of the Dominion of New Zealand,

Wellington.

*The New Zealand Prime Minister to the American Chargé d'Affaires
ad interim*

DOMINION OF NEW ZEALAND

PRIME MINISTER'S OFFICE,
WELLINGTON.

28th January, 1943.

SIR,

I have the honour to acknowledge the receipt of your note of November 3rd requesting the consent of the New Zealand Government to the exercise within its jurisdiction of the authority contained in the cited Public Law 704 – 77th Congress and offering, upon receipt of such consent, reciprocal privileges in prize matters.

Ante, p. 1301.

56 Stat. 746.

I note that the cited Act is described as “an act to facilitate the disposition of prizes captured by the United States during the present war, and for other purposes”. I take it that the arrangement will, therefore, apply for the period of the co-belligerency of the United States of America and of the Dominion of New Zealand, and for such period thereafter as may be necessary to conclude current cases.

I have to advise that consent is given, as requested, to the exercise in the Dominion of New Zealand and its dependencies, including Territorial Waters, of the authority contained in the Act, and to advise that the reciprocal privileges offered would be appreciated.

I have the honour to be, Sir,

Your obedient servant,

P. FRASER,
Prime Minister.

RAYMOND E. COX Esq.,

Chargé d'Affaires a.i.,

Legation of the United States of America,

Wellington, C.1.

February 28, 1945
[E. A. S. 456]

Agreements between the United States of America and France respecting mutual aid, including agreement relating to principles applying to mutual aid in the prosecution of the war against aggression and agreement relating to supplies and services, signed at Washington February 28, 1945, effective February 28, 1945; agreement relating to principles applying to the provision of aid to the armed forces of the United States, effected by exchange of notes signed at Washington February 28, 1945, effective from June 6, 1944. And accompanying memorandum and exchanges of letters, signed at Washington February 28, 1945.

PRINCIPLES APPLYING TO MUTUAL AID IN THE PROSECUTION OF THE WAR AGAINST AGGRESSION

Preliminary Agreement between the United States of America and the Provisional Government of the French Republic.

Whereas the Government of the United States of America and the Provisional Government of the French Republic declare that they are engaged in a cooperative undertaking, together with every other nation or people of like mind, to the end of laying the bases of a just and enduring world peace securing order under law to themselves and all nations;

And whereas the Government of the United States of America and the Provisional Government of the French Republic, as signatories of the Declaration by United Nations of January 1, 1942, have subscribed to a common program of purposes and principles embodied in the Joint Declaration, known as the Atlantic Charter, made on August 14, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland;

And whereas the President of the United States of America has determined, pursuant to the Act of Congress of March 11, 1941, that the defense of any French territory not under the control of the Axis is vital to the defense of the United States of America;

And whereas the United States of America has extended and is continuing to extend to the Provisional Government of the French Republic aid in resisting aggression:

And whereas it is expedient that the final determination of the terms and conditions upon which the Provisional Government of the French Republic receives such aid and of the benefits to be received by the United States of America in return therefor should be deferred until the extent of the defense aid is known and until the progress of events makes clearer the final terms and conditions and benefits which will be in the mutual interests of the United States of America

55 Stat. 1600.

55 Stat. 1603.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Anie. p. 52.

and France and will promote the establishment and maintenance of world peace;

And whereas the Government of the United States of America and the Provisional Government of the French Republic are mutually desirous of concluding now a preliminary agreement in regard to the provisions of defense aid and in regard to certain considerations which shall be taken into account in determining such terms and conditions and the making of such an agreement has been in all respects duly authorized, and all acts, conditions and formalities which it may have been necessary to perform, fulfill or execute prior to the making of such an agreement in conformity with the laws either of the United States of America or of France have been performed, fulfilled or executed as required;

The undersigned, being duly authorized by their respective Governments for that purpose, have agreed as follows:

ARTICLE I

The Government of the United States of America will continue to supply the Provisional Government of the French Republic with such defense articles, defense services, and defense information as the President of the United States of America shall authorize to be transferred or provided.

U. S. aid to France.

ARTICLE II

The Provisional Government of the French Republic will continue to contribute to the defense of the United States of America and the strengthening thereof and will provide such articles, services, facilities or information as it may be in a position to supply.

French aid to U. S.

ARTICLE III

The Provisional Government of the French Republic will not without the consent of the President of the United States of America transfer title to, or possession of, any defense article or defense information transferred to it under the Act of March 11, 1941 of the Congress of the United States of America or permit the use thereof by anyone not an officer, employee, or agent of the Provisional Government of the French Republic.

Restrictions on transfer of defense articles, etc.

55 Stat. 31,
22 U. S. C., Supp.
IV, §§ 411-419.
Akte, p. 52.

ARTICLE IV

If, as a result of the transfer to the Provisional Government of the French Republic of any defense article or defense information, it becomes necessary for that Government to take any action or make any payment in order fully to protect any of the rights of a citizen of the United States of America who has patent rights in and to any such defense article or information, the Provisional Government of the French Republic will take such action or make such payment when requested to do so by the President of the United States of America.

Protection of patent rights.

ARTICLE V

Return of defense articles to U. S.

The Provisional Government of the French Republic will return to the United States of America at the end of the present emergency, as determined by the President of the United States of America, such defense articles transferred under this Agreement as shall not have been destroyed, lost or consumed and as shall be determined by the President to be useful in the defense of the United States of America or of the Western Hemisphere or to be otherwise of use to the United States of America.

ARTICLE VI

Full cognizance of French aid.

In the final determination of the benefits to be provided to the United States of America by the Provisional Government of the French Republic full cognizance shall be taken of all property, services, information, facilities, or other benefits or considerations provided by the Provisional Government of the French Republic subsequent to March 11, 1941, and accepted or acknowledged by the President on behalf of the United States of America.

ARTICLE VII

Promotion of advantageous economic relations.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

In the final determination of the benefits to be provided to the United States of America by the Provisional Government of the French Republic in return for aid furnished under the Act of Congress of March 11, 1941, the terms and conditions thereof shall be such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of worldwide economic relations. To that end, they shall include provision for agreed action by the United States of America and France, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 14, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom.

55 Stat. 1603.

At an early convenient date, conversations shall be begun between the two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by their own agreed action and of seeking the agreed action of other likeminded Governments.

ARTICLE VIII

Effective date.

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Signed at Washington in duplicate this 28th day of February, 1945.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

JOSEPH C. GREW

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC:

H BONNET

JEAN MONNET.

AGREEMENT

Between the United States of America and the Provisional Government of the French Republic

As parties signatory to the United Nations Declaration of January 1, 1942, the Government of the United States of America and the Provisional Government of the French Republic have pledged themselves to employ their full resources, military and economic, against those nations with which they are at war. In the preliminary agreement of February 28, 1945 between the Government of the United States of America and the Provisional Government of the French Republic, on the principles applying to mutual aid, each contracting government undertakes to provide the other with such articles, services, facilities and information useful in the prosecution of their common war undertaking as each may be in a position to supply.

55 Stat. 1600.

Ante, p. 1304.

The Government of the United States of America and the Provisional Government of the French Republic desire to insure the continuing provision of such articles, services, facilities or information without interruption owing to any uncertainty as to the date when the military resistance of the common enemy may cease; and desire to insure further that such articles, services, facilities or information as shall be agreed to be furnished by the United States for the purpose of providing war aid to the Provisional Government of the French Republic shall be disposed of and transferred, following a determination by the President that such aid is no longer necessary to the prosecution of the war, in an orderly manner which will best promote their mutual interests.

Objectives of agreement.

For the purpose of attaining the above-stated objectives, the Government of the United States of America and the Provisional Government of the French Republic agree as follows:

Article I

All aid undertaken to be provided by the United States of America under this agreement shall be for Continental France and shall be made available under the authority and subject to the terms and conditions of the Act of Congress of March 11, 1941, as amended and any appropriation acts thereunder.

Aid for Continental France.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

Article II

The United States of America will transfer or render such of the articles and services set forth in Schedule 1 annexed hereto, to the Provisional Government of the French Republic, as the President of

Transfer of articles, etc., in Schedule 1.
Post, p. 1309.

the United States of America may authorize to be provided prior to a determination by the President that such articles and services are no longer necessary to the prosecution of the war. Any articles and services set forth in Schedule 1 transferred or rendered to the Provisional Government of the French Republic prior to such determination shall be provided upon terms the final determination of which shall be deferred until the extent of lend-lease aid provided by the United States of America and of reciprocal aid provided by the Provisional Government of the French Republic is known and until the progress of events makes clearer the final terms, conditions and benefits which will be in the mutual interests of the United States of America and France, in accordance with the terms of the preliminary agreement of February 28, 1945, and which will promote the establishment and maintenance of world peace.

Ante, p. 1304.

Article III

After a determination by the President of the United States of America that any of the articles and services set forth in Schedule 1 are no longer necessary to the prosecution of the war, the United States of America will transfer or render, within such periods of time as may be authorized by law, and the Provisional Government of the French Republic will accept, such articles and services as shall not have been transferred or rendered to the Provisional Government of the French Republic prior to said determination.

The Provisional Government of the French Republic undertakes to pay the United States of America in dollars for the articles and services transferred or rendered under the provisions of this Article in accordance with the terms and conditions prescribed in Schedule 1 annexed hereto.

Post, p. 1309.

Article IV

The United States of America undertakes to transfer to the Provisional Government of the French Republic, within such periods of time as may be authorized by law, and the Provisional Government of the French Republic agrees to accept, the defense articles set forth in Schedule 2, annexed hereto. The Provisional Government of the French Republic undertakes to pay the United States of America in dollars for the articles transferred under the provisions of this Article in accordance with the terms and conditions prescribed in said Schedule 2.

Transfer of articles in Schedule 2.

Post, p. 1312.

Article V

Changes may be made from time to time in the items set forth in Schedules 1 and 2 annexed hereto, by mutual agreement between the United States of America and the Provisional Government of the French Republic.

Changes.

Post, pp. 1309, 1312.

The Provisional Government of the French Republic shall be released from its obligation to accept articles or services, under Article III and Article IV above, upon payment to the Government of the

United States of America of any net losses to the Government of the United States of America including contract cancellation charges resulting from the determination of the Provisional Government of the French Republic not to accept such articles or services.

Delivery of any articles or services, under the provisions of Article III and Article IV, may be withheld by the Government of the United States of America without cost to the Provisional Government of the French Republic whenever the President determines that such action is in the national interest.

Article VI

Any amounts paid to the Government of the United States of America pursuant to the terms of this agreement shall be deemed to be among the benefits or considerations provided by the Provisional Government of the French Republic pursuant to Article VI of the preliminary agreement of February 28, 1945.

Credit for amounts paid to U. S.

Ante, p. 1306.

SCHEDULE I

The terms and conditions upon which the articles and services listed below are to be transferred by the United States of America to the Provisional Government of the French Republic after the determination by the President of the United States that such aid is no longer necessary in the prosecution of the war, in accordance with Article III hereof, are as follows:

Terms and conditions.

A. Unless otherwise provided by mutual agreements, transfers of articles shall take place, and title and risk of loss shall pass to the Provisional Government of the French Republic, immediately upon loading of the articles on board ocean vessel in a United States port, provided, that those articles which, prior to the end of the periods authorized by law, shall have been contracted for by the United States Government and shall not have been transferred to the Provisional Government of the French Republic as above set forth, shall be deemed to be transferred, and title and risk of loss shall pass to the Provisional Government of the French Republic, upon the last day of such periods.

Title and risk of loss.

B. The amount which the Provisional Government of the French Republic shall pay to the United States of America for articles transferred under the provisions of Article III of this Agreement, shall be the total purchase price, which shall be the sum of the following items, as determined by the President of the United States, or an officer of the United States Government designated by him:

Total purchase price.

Ante, p. 1306.

1. The price of the articles, which shall be determined as follows:

Price of articles.

(a) In the case of standard supplies the price shall be the current sale price or the adjusted contract price, whichever is lower; provided, that in the event the current sale price is not determined, the price shall be the adjusted contract price less five per cent of such adjusted contract price.

In the case of non-standard supplies which shall have been delivered to the United States by the contractor prior to thirty days following the date of a determination by the President that such articles are no longer necessary in the prosecution of the war, the price shall be the current sale price or the adjusted contract price, whichever is lower; provided, that in the event the current sale price is not determined, the price shall be the adjusted contract price less five per cent of such adjusted contract price. In the case of non-standard supplies which shall have been delivered to the United States by the contractor subsequent to thirty days following the aforesaid date of the determination by the President, the price shall be the adjusted contract price.

(b) The determination of the said price of supplies by the President, or an officer of the United States Government designated by him, shall be made in accordance with the following definitions:

"Standard supplies."

The term "standard supplies" shall mean those supplies which have been contracted for by the United States Government in accordance with standard United States specifications. The term "non-standard supplies" shall mean those supplies which have been contracted for by the United States Government in accordance with non-standard United States specifications. It is understood that those supplies which are standard except for minor non-standard features, attachments or adjustments shall be deemed to be standard supplies.

"Non-standard supplies."

"Adjusted contract price."

The term "adjusted contract price" shall mean the contract purchase price f.o.b. point of origin paid by the United States Government to the contractor, less five per cent of such contract purchase price, or, if such contract purchase price cannot be determined for the particular supplies transferred, the estimated average contract purchase price f.o.b. point of origin paid by the United States Government for similar supplies during a period of three months preceding the aforesaid date of the determination by the President of the United States, less five per cent of such average contract purchase price.

"Current sale price."

The term "current sale price" of particular standard or non-standard supplies transferred to the Provisional Government of the French Republic shall mean the price at which similar standard supplies of comparable quality and in comparable quantity have been sold by the United States Government, at or about the time of transfer of the particular supplies to the Provisional Government of the French Republic, to any foreign or domestic buyer. It is understood that "foreign or domestic buyer" shall be deemed to exclude United States Government agencies, States and political sub-divisions thereof, United States public, charitable, or educational institutions, relief organizations, and any persons or organizations which may purchase supplies on special financial terms provided by law.

Costs of delivery of articles at shipside.

2. The sum of any costs for inland transportation, storage, insurance and other charges incidental to delivery of the articles at shipside,

incurred by the United States, as determined by the President of the United States or an officer designated by him. The United States will inform the Provisional Government of the French Republic from time to time of the amounts of such costs incurred and the bases on which they have been determined.

C. Payment of the total purchase price for all articles transferred under the provisions of Article III of this Agreement, shall be made by the Provisional Government of the French Republic within a period of thirty years after the execution of this agreement.

Terms for payment.

Ante, p. 1308.

1. Payment of the total purchase price of any article so transferred shall be made in equal annual installments the first of which shall become due and payable on July 1, 1946, or on the first of July next following the day on which such article shall have been transferred, whichever is later.

2. Nothing herein shall be construed to prevent the Provisional Government of the French Republic from anticipating the payment of any of such installments or any part thereof.

3. If, by agreement of the Provisional Government of the French Republic and of the United States of America, it is determined that, because of extraordinary and adverse economic conditions arising during the course of payment, the payment of a due installment would not be in the joint interest of the Provisional Government of the French Republic and the United States, payment may be postponed for an agreed upon period.

D. Interest on the unpaid balances of the total purchase price determined under paragraph B above for any article so transferred, shall be paid by the Provisional Government of the French Republic at the fixed rate of two and three-eighths per cent per annum, accruing from the first day of July, 1946 or from the first day of July next following the day on which such article shall have been transferred, whichever is later. Interest shall be payable annually, the first payment to be made on the first day of July next following the first day of July on which such interest began to accrue.

Interest.

E. The Provisional Government of the French Republic shall pay to the United States the cost of the services listed in this schedule to the extent that such services shall be rendered to the Provisional Government of the French Republic following the determination by the President that such services are no longer necessary to the prosecution of the war. The cost of such services, so rendered, shall be determined by the President of the United States and shall be paid by the Provisional Government of the French Republic in accordance with the same terms as provided for the payment of the total purchase price of the articles provided hereunder, as set forth in Section C above. Interest shall be paid on the unpaid balances of the cost of such services in accordance with the terms of section D hereof.

Payment of cost of services.

The total purchase price value of all the articles and services in this schedule I shall not exceed \$1,675,000,000. Such articles and services

Limit on total purchase price value.

and their estimated cost to the Government of the United States are as follows:

Raw Materials For War Use and Essential Civilian Supply (Cotton, Metals, Steel Chemicals, Synthetic Rubber, Drugs, Medical Supplies, etc.)	\$840,000,000
Food (Milk, Pulses, Edible Oils, Oil Seed, Seeds)	185,000,000
Petroleum Supplies	132,000,000
French Prisoner-of-war Supplies	48,000,000
Short Life Manufacturing Equipment for War Production	250,000,000
Freight Charges (Rental and Charter of Vessels)	220,000,000
	\$1,675,000,000

SCHEDULE 2

- Terms and conditions. The terms and conditions upon which the supplies listed below are to be transferred by the Government of the United States of America to the Provisional Government of the French Republic under the provisions of Article IV of this agreement are as follows:
- Ante*, p. 1308.
- Title and risk of loss. 1. Transfers of articles shall take place, and title and risk of loss shall pass to the Provisional Government of the French Republic, upon the same terms as are set out in Schedule 1 annexed to this agreement.
- Terms for payment. 2. The Provisional Government of the French Republic shall pay to the United States of America, upon transfer, an amount equivalent to twenty (20) per cent of the total purchase price, as defined in Schedule 1 above, of the articles transferred to the Provisional Government of the French Republic under the terms of Article IV of this agreement.
- Ante*, p. 1308.
- Payment of balance of purchase price. 3. The Provisional Government of the French Republic shall pay the United States of America the balance of the total purchase price of the articles transferred under Article IV of this agreement on or before the last day of the thirtieth year following the day upon which this agreement is executed. Payment of the balance of the total purchase price with regard to each article so transferred shall be made in equal annual installments, the first of which shall become due and payable on July 1, 1946, or on the first of July next following the day on which such article shall have been transferred, whichever is later.
- Anticipation of payments. 4. Nothing herein shall be construed to prevent the Provisional Government of the French Republic from anticipating the payment of any of such installments, or of any part thereof.
- Postponement of payments. 5. If by agreement of both governments it is determined that because of extraordinary adverse economic conditions arising during the course of payment, the payment of a due installment would not be in the joint interest of the Provisional Government of the French Republic and the United States of America, payment may be postponed for an agreed-upon period.
- "Freight charges." 6. The cost or expenses for overseas transportation of any of the articles listed in this Schedule 2 are included in the item "Freight Charges" listed in Schedule 1 and shall be paid by the Provisional Government of the French Republic on the terms specified in that

Schedule. Such cost or expenses shall be limited to "Freight Charges" on United States vessels.

7. Interest on any unpaid portion of the balance of the total purchase price, above specified, of any article so transferred shall be paid by the Provisional Government of the French Republic at a fixed rate of 2 $\frac{3}{8}$ per cent per annum accruing from the first day of July, 1946 or from the first day of July next following the day on which such article shall have been transferred, whichever is later. Interest shall be payable annually, the first payment to be made on the first day of July next following the first day of July on which such interest began to accrue.

Interest.

8. The total purchase price value of the articles in this Schedule 2 shall not exceed a total of \$900,000,000. The articles in this Schedule 2 and their estimated cost to the Government of the United States of America are as follows:

Limit on total purchase price value.

Locomotives	\$200,000,000
Railroad Cars	120,000,000
Merchant Marines	140,000,000
Harbor Watercraft	32,000,000
Fishing Fleet	8,000,000
Inland Watercraft (Barges)	50,000,000
Metal Working Machinery	100,000,000
Industrial Equipment	150,000,000
Machinery for Mines, Arsenals, etc.	100,000,000
	\$900,000,000

Signed at Washington in duplicate this 28th day of February, 1945.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

JOSEPH C. GREW

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC:

H BONNET

JEAN MONNET.

The French Ambassador and the French Commissaire en Mission to the Acting Secretary of State

WASHINGTON, February 28, 1945.

SIR:

In the United Nations' declaration of January 1, 1942, the contracting governments pledged themselves to employ their full resources, military or economic, against those nations with which they are at war; and in the Preliminary Agreement of February 28, 1945 between the Government of the United States and the Provisional Government of France on the principles applying to mutual aid, each contracting government undertakes to provide the other with such articles, services, facilities, or information useful in the prosecution of their common war effort as it might be in a position to supply. It is the understanding of the Provisional Government of France that the general principle to be followed in providing mutual aid as set forth

55 Stat. 1600.

Ante, p. 1304.

Ante, p. 1304.

in the said Agreement of February 28, 1945 is that the war production and the war resources of both Nations should be used by each in ways which most effectively utilize the available materials, manpower, production facilities, shipping space, and other resources.

With a view, therefore, to supplementing the said Agreement of February 28, 1945 and the Memorandum relating to Lend-Lease and Reciprocal Aid and the Minutes attached thereto, agreed and exchanged by the United States and French representatives on August 25, 1944,^[1] we have the honor to set forth below the understanding of the Provisional Government of France of the principles and procedures applicable to the provision of aid by the Provisional Government of France to the armed forces of the United States and the manner in which such aid will be correlated with the maintenance of those forces by the United States Government.

1. The Provisional Government of France, retaining the right of final decision, in the light of its own potentialities and responsibilities, will provide the United States or its armed forces with the following types of assistance as reciprocal aid, when and to the extent that it is found that they can most effectively be procured in continental France.

- (A) Military equipment, munitions, and military and naval stores;
- (B) Other supplies, materials, facilities, services, or information for United States forces, except for the pay, allowances, and other emoluments of such forces and the administrative expenses of American Missions;
- (C) Supplies, materials, facilities, services, or information except for the wages and salaries of United States citizens, needed in the construction of military projects, tasks, and similar capital works required in the common war effort;
- (D) Settlement and payment of appropriate civil claims arising in French territory against the United States and its armed forces, employees, and officers;
- (E) Ship ballast, in order to assist in obtaining maximum efficiency in the use of shipping; provided, however, that any net proceeds resulting from the sale of such ballast shall be paid to the Provisional Government of France;
- (F) Such other supplies, materials, facilities or services as may be agreed upon as necessary in the prosecution of the war, including materials for war production, requested by the United States to be exported from continental France to the United States of America.

2. The practical application of the principles formulated in this note, including the procedure by which requests for aid by either Government are made and acted upon, shall be worked out as occasion may require by agreement between the two Governments, acting when possible through their appropriate military or civilian administrative authorities. Requests by the United States Government for such aid will be presented by duly authorized authorities of the United States

¹ [Not printed.]

to official agencies of the Provisional Government of France which will be designated or established at convenient locations for the purpose of facilitating the provision of reciprocal aid.

3. It is the understanding of the Provisional Government of France that all such aid, as well as other aid, including information, received under Article VI of the Preliminary Agreement of February 28, 1945, accepted by the President of the United States or his authorized representatives from the Provisional Government of France will be received as a benefit to the United States under the Act of March 11, 1941. Insofar as circumstances will permit, appropriate record of aid received under this arrangement will be kept by each Government.

Ante, p. 1306.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

In order to facilitate the procurement of the supplies, materials, facilities, information and services described in Section 1 hereof by permitting their direct purchase rather than their procurement by the methods contemplated in Section 2 hereof during the period of military operation and until such time as the official agencies of the Provisional Government of France are able to provide such reciprocal aid in the manner contemplated in Section 2, the Provisional Government of France agrees to make available to designated officers of the United States Government such French currency or credits as may be needed for the purpose. The necessary arrangements will be made by the appropriate authorities of the Government of the United States and the Provisional Government of France.

Ante, p. 1314.

Ante, p. 1314.

If the Government of the United States concurs in the foregoing, we would suggest that the present note and your reply to that effect be regarded as placing on record the understanding of our two Governments in this matter and that for clarity and convenience of administration this understanding be considered to be effective as from June 6, 1944.

Accept, Sir, the renewed assurances of our highest consideration.

JEAN MONNET.

H BONNET

The Honorable JOSEPH C. GREW,
Acting Secretary of State,
U. S. Department of State,
Washington, D. C.

The Acting Secretary of State to the French Ambassador

DEPARTMENT OF STATE
WASHINGTON
February 28, 1945

EXCELLENCY:

I have the honor to acknowledge the receipt of the note of today's date signed by Your Excellency and M. Monnet concerning the principles and procedures applicable to the provision of aid by the Provisional Government of the French Republic to the armed forces of the United States of America.

Ante, p. 1313.

In reply I wish to inform you that the Government of the United

States agrees with the understanding of the Provisional Government of the French Republic as expressed in that note. In accordance with the suggestion contained therein, your note and this reply will be regarded as placing on record the understanding between our two Governments in this matter.

This further integration and strengthening of our common war effort gives me great satisfaction.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSEPH C. GREW
Acting Secretary of State

His Excellency
HENRI BONNET,
*Ambassador of the Provisional
Government of the French Republic.*

MEMORANDUM

The Government of the United States directs the attention of the Provisional Government of the French Republic to the proposed agreement under Section 3 (c) of the Lend-Lease Act and in particular to Article V thereof. Under Article V this Government will review, from time to time, and particularly at the conclusion of hostilities in Europe, as determined by the President, articles and services set forth in Schedule 1 and Schedule 2 of the Agreement in order to determine whether the delivery of such articles or services should be withheld in the national interest of the United States. The reservation made by this Government in Article V to withhold delivery of articles and services "whenever the President determines that such action is in the national interest" constitutes a broad power to cancel or revoke procurement programs or contracts. It is not possible to predict with precision what occasions or circumstances may arise in the future which may require this Government to withhold delivery. Actual delivery will always be subject to the development of the military situation, and the changing demands of strategy, as well as to economic and financial factors which affect the national interest of this Government.

The Government of the United States expects that all articles and services transferred to the Provisional Government of the French Republic, pursuant to the Crowley-Monnet exchange of notes of September 4, 5 and 19, 1944,^[1] prior to the signing of this Agreement will be paid for in dollars, and any articles and services requisitioned in accordance with the provisions of these notes but transferred following the signing of this Agreement will be regarded, if appropriate, as deliveries under the relevant schedules of the Agreement.

It is further understood that as long as supplies are furnished under the so-called Plan "A", the Provisional Government of the

¹ [Not printed.]

55 Stat. 32.
22 U. S. C., Supp.
IV, § 412.
Ante, p. 52.
Ante, p. 1308.

Ante, pp. 1309, 1312.

French Republic will be obligated to pay for them currently in dollars.

It is, of course, understood that in the implementation of the provisions of the lend-lease agreements submitted to the Provisional Government of the French Republic, the Government of the United States will act in accordance with its Constitutional procedures.

J.C.G.

DEPARTMENT OF STATE,
Washington, February 28, 1945

The French Commissaire en Mission to the Acting Secretary of State

REPUBLIQUE FRANCAISE

AMBASSADE
DU
GOUVERNEMENT PROVISOIRE
AUX
ETATS UNIS

1800 MASSACHUSETTS AVE. N.W.
WASHINGTON 6, D.C.
DEcatur 7935

Ref. 4/1/1
No 5834

FEBRUARY 28, 1945.

MY DEAR MR. SECRETARY,

I have just returned from France. As the American Ambassador in Paris has been advised by our Minister of Foreign Affairs, my Government is now prepared to sign the draft agreements sent to me by Mr. Clayton on February 8th, 1945.

In its concurrence, my Government has taken full cognizance of your Memorandum accompanying the draft agreements.

Before my departure for Paris I agreed with Mr. Clayton the text of a Statement, attached hereto, which clarifies certain points and draws the attention of your Government to certain policies which we shall follow in the execution of the various agreements.

Yours sincerely,

JEAN MONNET.

The Honorable JOSEPH C. GREW,
*Acting Secretary of State,
Department of State,
Washington, D. C.*

STATEMENT

28 FEBRUARY 1945.

1. We understand that the Master Agreement covers munitions now being or to be supplied hereafter on a straight Lend-Lease basis.
2. ARTICLE 5. We understand that in general it is not the intention of the United States Government to exercise its right to recapture any articles for which the French Government pays; if the recapture clause should be exercised in respect to any such articles, appropriate arrangements will be made for repayment to the French Government.
3. ARTICLES 6 AND 7. We understand that "benefits provided to the United States by the Provisional Government of France" includes

benefits provided by the Comite National, the Haut Commandement en Chef, and the C.F.L.N. and that in the conversations referred to in Article VII full cognizance will be taken of all such benefits as well as of all aid extended under the various operating agreements and the Master Agreement.

B. 3(c) Agreement

- “Continental France.”
- “Net losses.”
- I. ARTICLE I. We understand that the phrase “Continental France” includes Corsica.
 2. ARTICLE V. We understand that the phrase “net losses” refers to out-of-pocket expenses, such as contract cancellation, transportation and storage expenses, incurred with respect to articles covered by a requisition or other formal request filed by the French Government.

C. Reciprocal Aid Agreement

The franc account provision appears unnecessarily broad. We understand that you are prepared to substitute for it a provision which will be consistent with mutually agreeable working arrangements now in effect in France.

II.

The purchase price clauses set forth in Section B of Schedule I of the 3 (c) agreement are complex. There is some doubt in our minds that their precise operative effect can be accurately predicted now. On the other hand, we recognize that they have been drafted with the purpose of establishing a pricing method that will be fair to both parties. Accordingly we ask for no revision at the present time. If the pricing operations under these formulae appear unsatisfactory in practice, we will feel free to propose an alternative method. The adoption of such an alternative by mutual agreement would not, of course, be retroactive, unless the propriety of such retroactive action were also mutually agreed.

III.

Statement of policy.

I wish also to direct your attention to certain policies we shall follow in the execution of these various arrangements.

- I. In relation to reciprocal aid, it is our intention to put forth our maximum effort. The extent of reciprocal aid which it will be possible to render will, however, necessarily depend in large measure on such factors as the availability of labor, power, and the flow of imported supplies.
2. In relation to the 3(c) agreement, it is our general intention to request and receive the articles and services in Schedules I and 2 up to the full amount of the financial limits provided for therein. However, we note our reserved right to have the programs or contracts cancelled upon paying the United States its out-of-pocket expenses; and it is our intention to review the articles and services

in the schedules from time to time and particularly at the conclusion of hostilities in Europe in order to make such adjustments in our requests and acceptances as we deem necessary in the light of the changing situation.

JEAN MONNET.

SD/288

The Acting Secretary of State to the French Commissaire en Mission

DEPARTMENT OF STATE
WASHINGTON
February 28, 1945

MY DEAR MR. MONNET:

I have your letter of today telling of your return from Paris and informing me that your Government is now prepared to sign the draft agreements which Mr. Clayton sent you on February 8, 1945, and that your Government has taken full cognizance of the Memorandum accompanying the draft agreement.

You attach to your letter the text of a statement, agreed to with Mr. Clayton before your departure for Paris, which clarifies certain points and which draws the attention of this Government to certain policies which your Government will follow in the execution of the various agreements. I wish to confirm your understanding with Mr. Clayton that this statement is acceptable to my Government.

Sincerely yours,

JOSEPH C. GREW
Acting Secretary

The Honorable

JEAN MONNET,

Commissaire en Mission,

Provisional Government of the French Republic,

1800 Massachusetts Avenue NW,

Washington, D. C.

The French Commissaire en Mission to the Acting Secretary of State

REPUBLIQUE FRANCAISE

AMBASSADE
DU
GOUVERNEMENT PROVISOIRE
AUX
ETATS UNIS

1800 MASSACHUSETTS AVE. N.W.
WASHINGTON 6, D.C.
P. O. Box 3157

Ref. 4/1/1
No 5833

DEcatnr 7935

FEBRUARY 28, 1945.

MY DEAR MR. SECRETARY,

When in Paris, I informed the French Provisional Government that the proposed Lend-Lease agreements do not change the arrangements now in effect between our two Governments regarding the payment in

dollars for francs used for troop pay and other items not furnished as Reciprocal Aid.

I am advising you of this merely to complete the record of our mutual understandings on the Lend-Lease arrangements.

Yours sincerely,

JEAN MONNET.

The Honorable JOSEPH C. GREW,
Acting Secretary of State,
Department of State,
Washington, D.C.

The Acting Secretary of State to the French Commissaire en Mission

DEPARTMENT OF STATE
WASHINGTON
February 28, 1945

MY DEAR MR. MONNET:

I am acknowledging your letter of today telling me that you had informed the members of the Provisional Government of the French Republic that the proposed lend-lease agreements do not change the arrangements now in effect between our two governments regarding the payment in dollars for francs used for troop pay and other items not furnished as reciprocal aid.

I appreciate this confirmation of the mutual understanding of our governments on this matter.

Sincerely yours,

JOSEPH C. GREW
Acting Secretary

The Honorable
JEAN MONNET,
Commissaire en Mission,
Provisional Government of the French Republic,
1800 Massachusetts Avenue,
Washington, D.C.

Armistice agreement between the United States of America, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland and Hungary together with annex and protocol. Signed at Moscow January 20, 1945; effective January 20, 1945. And letter of January 17, 1945.

January 20, 1945
[E. A. S. 456]

СОГДАШЕНИЕ

МЕЖДУ СОЮЗОМ СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК,
СОЕДИНЕННЫМ КОРОЛЕВСТВОМ ВЕЛИКОБРИТАНИИ И СЕВЕРНОЙ ИРЛАНДИИ И
СОЕДИНЕННЫМИ ШТАТАМИ АМЕРИКИ, С ОДНОЙ СТОРОНЫ, И ВЕНГРИЕЙ, С
ДРУГОЙ, О ПЕРЕМИРИИ.

Временное Национальное Правительство Венгрии, признавая факт поражения Венгрии в войне против Советского Союза, Соединенного Королевства, Соединенных Штатов Америки и других Об"единенных Наций, принимает условия перемирия, пред"явленные Правительствами упомянутых Трех Держав, действующих от имени всех Об"единенных Наций, находящихся в состоянии войны с Венгрией.

На основании вышеизложенного Представитель Союзного /Советского/ Главнокомандования Маршал Советского Союза К. Е. Ворошилов, надлежащим образом на то уполномоченный Правительствами Советского Союза, Соединенного Королевства и Соединенных Штатов Америки, действующих от имени всех Об"единенных Наций, находящихся в состоянии войны с Венгрией, с одной стороны, и Представители Временного Национального Правительства Венгрии Министр Иностраннных Дел г-н Дьендеш Янош, Министр Обороны генерал-полковник Вереш Янош и Секретарь кабинета министров г-н Балог Иштван, с другой, снабженные надлежащими полномочиями, подписали нижеследующие условия:

1. а) Венгрия вышла из войны против Советского Союза и других Об"единенных Наций, включая Чехословакию, порвала все отношения с Германией и об"явила войну Германии.

в) Правительство Венгрии обязуется разоружить германские вооруженные силы, находящиеся в Венгрии, и передать

2.

их в качестве военнопленных.

Правительство Венгрии также обязуется интернировать граждан Германии.

с) Правительство Венгрии обязуется содержать и предоставлять такие сухопутные, морские и воздушные силы, которые могут быть определены для службы под общим руководством Союзного /Советского/ Главнокомандования. При этом Венгрия выставит не менее 8 пехотных дивизий со средствами усиления. Эти силы не должны использоваться на территории Союзников, кроме как с предварительного согласия заинтересованного союзного правительства.

а) По прекращении военных действий против Германии, венгерские вооруженные силы должны быть демобилизованы и переданы под наблюдением Союзной Контрольной Комиссии на мирное положение. /См. Приложение к статье I/.

2. Венгрия приняла на себя обязательство эвакуировать все венгерские войска и чиновников из оккупированных ею территорий Чехословакии, Югославии, Румынии в пределы границ Венгрии, существовавших на 31 декабря 1937 года, а также аннулировать все законодательные и административные положения, относящиеся к аннексии или включению в состав Венгрии чехословацкой, югославской и румынской территорий.

3. Правительство и Главное Командование Венгрии обеспечат Советским и другим Союзным войскам возможность свободного передвижения по венгерской территории в любом направлении, если этого потребует, по мнению Союзного /Советского/ Главнокомандования, военная обстановка, причем Правительство и Главное Командование Венгрии окажут этому передвижению всемерное содействие своими средствами сообщения и за свой счет по суше, по воде и по воздуху. /См. При-

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ложение к статье 3).

4. Правительство Венгрии немедленно освободит всех основных военнопленных и интернированных. Впредь до получения дальнейших инструкций Правительство Венгрии обеспечит за свой счет всех основных военнопленных и интернированных, перемещенных лиц и беженцев, в том числе и граждан Чехословакии и Югославии, достаточным питанием, одеждой, медицинским обслуживанием и предметами санитарии и гигиены, а также транспортными средствами для возвращения любого из этих лиц в свое государство.

5. Венгерское Правительство немедленно освободит, независимо от гражданства и национальной принадлежности, всех лиц, содержащихся в заключении в связи с их деятельностью в пользу Об"единенных Наций или за их сочувствие делу Об"единенных Наций или ввиду их расового происхождения, или религиозных убеждений и отменит всякое дискриминационное законодательство и вытекающие из него ограничения.

Правительство Венгрии примет все необходимые меры к обеспечению того, чтобы все перемещенные лица или беженцы, находящиеся в пределах венгерской территории, включая евреев и лиц без гражданства, пользовались, по крайней мере, той же самой степенью защиты и безопасности, как его собственные граждане.

6. Правительство Венгрии обязуется в сроки, указанные Советской Контрольной Комиссией, возвратить Советскому Союзу, а также Чехословакии и Югославии и другим Об"единенным Нациям в полной сохранности вывезенные в Венгрию с территории Об"единенных Наций во время войны все ценности и материалы, принадлежащие государственным, общественным и кооперативным организациям, предприятиям, учреждениям и отдельным гражда-

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нам, как-то: оборудование фабрик и заводов, паровозы, железнодорожные вагоны, тракторы, автомашины, исторические памятники, музейные ценности и всякое другое имущество.

7. Правительство и Главное Командование Венгрии обязуются передать в качестве трофеев в распоряжение Союзного /Советского/ Главнокомандования все находящееся на территории Венгрии военное имущество Германии, включая суда флота Германии.

8. Правительство и Главное Командование Венгрии обязуются не допускать вывоза или экспроприации всякого рода имущества /включая ценности и валюту/, принадлежащего Германии или ее гражданам, или лицам, проживающим на ее территории, или на территориях, занятых ею, без разрешения Союзной Контрольной Комиссии. Они будут хранить это имущество в порядке, устанавливаемом Союзной Контрольной Комиссией.

9. Правительство и Главное Командование Венгрии обязуются передать Союзному /Советскому/ Главнокомандованию все суда, принадлежащие или принадлежавшие Объединенным Нациям и находящиеся в дунайских портах Венгрии, независимо от того, в чьем распоряжении эти суда находятся, для использования Союзным /Советским/ Главнокомандованием на время войны против Германии в общих интересах Союзников, с последующим возвращением этих судов их собственникам.

Венгерское Правительство несет полную материальную ответственность за всякое повреждение или уничтожение перечисленного выше имущества вплоть до момента передачи его Союзному /Советскому/ Главнокомандованию.

10. Венгерские торговые суда, находящиеся как в венгерских, так и в иностранных водах, будут подчинены оперативному контролю Союзного /Советского/

5.

Главкомандования для использования их в общих интересах союзников.

II. Венгерское Правительство должно регулярно выплачивать денежные суммы в венгерской валюте и предоставлять товары /горючее, продукты питания и т.п./, средства и услуги, которые могут потребоваться Союзному /Советскому/ Главкомандованию для выполнения его функций, а также для нужд миссий или представительств Союзных Государств, связанных с Союзной Контрольной Комиссией.

Венгерское Правительство должно также обеспечить, в случае необходимости, использование и регулирование работы промышленных и транспортных предприятий, средств связи, силовых станций, предприятий и устройств общественного пользования, складов топлива и других материалов, в соответствии с инструкциями, изданными во время перемирия Союзным /Советским/ Главкомандованием или Союзной Контрольной Комиссией. /См. Приложение к статье II/.

12. Убытки, причиненные Советскому Союзу, Чехословакии и Югославии военными действиями и оккупацией Венгрией территорий этих государств, будут Венгрией возмещены Советскому Союзу, Чехословакии и Югославии, причем, принимая во внимание, что Венгрия не только вышла из войны против Объединенных Наций, но и объявила войну Германии, стороны уславливаются о том, что возмещение указанных убытков будет произведено Венгрией не полностью, а только частично, а именно в сумме 300 миллионов американских долларов с погашением в течение 6 лет товарами /машинное оборудование, речные суда, зерно, скот и т.п./, причем сумма возмещения Советскому Союзу составит 200 миллионов американских долларов, а сумма возмещения Чехословакии и Югославии соста-

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вит 100 миллионов американских долларов.

Венгрия возместит убытки и ущерб, причиненные войной другим союзным государствам и их гражданам, причем сумма возмещения будет установлена позже. /См. Приложение к статье 12/.

13. Правительство Венгрии обязуется восстановить все законные права и интересы Об"единенных Наций и их граждан на венгерской территории, как они существовали перед войной, а также вернуть в полной сохранности их собственность.

14. Венгрия будет сотрудничать в деле задержания и передачи заинтересованным правительствам лиц, обвиняемых в военных преступлениях, и суда над ними.

15. Правительство Венгрии обязуется немедленно распустить находящиеся на венгерской территории все прогитлеровские или другие фашистские политические, военные, воензированные, а также другие организации, ведущие враждебную Об"единенным Нациям пропаганду, и впредь не допускать существования такого рода организаций.

16. Издание, ввоз и распространение в Венгрии периодической и неперидической литературы, постановка театральных зрелищ и кинофильмов, работа радиостанций, почты, телеграфа и телефона происходят по соглашению с Союзным /Советским/ Главнокомандованием. /См. Приложение к статье 16/.

17. Венгерская гражданская администрация восстанавливается во всей полосе Венгрии, отстоящей от линии фронта не менее, чем на 50-100 километров /в зависимости от условий местности/, причем венгерские административные органы обязуются выполнять в интересах восстановления мира, безопасности, инструкции и указания Союзного /Советского/ Главнокомандования или Союзной Контрольной Комиссии, данные им в целях обеспечения выполнения настоящих условий перемирия.

7.

18. На весь период перемирия будет учреждена Союзная Контрольная Комиссия в Венгрии, которая будет регулировать и следить за выполнением условий перемирия, под председательством Представителя Союзного /Советского/ Главнокомандования и с участием Представителей Соединенного Королевства и Соединенных Штатов.

В течение периода между вступлением в силу перемирия и окончанием военных действий против Германии Союзная Контрольная Комиссия будет находиться под общим руководством Союзного /Советского/ Главнокомандования. /См. Приложение к статье 18/.

19. Решения Венского Третейского Суда от 2 ноября 1938 года и Венского Арбитража от 30 августа 1940 года настоящим объявляются не существующими.

20. Настоящие условия вступают в силу с момента их подписания.

Составлено в Москве, " 20 " января 1945 года, в одном экземпляре, который будет передан на хранение Правительству СССР, на русском, английском и венгерском языках, причем русский и английский тексты являются аутентичными.

Заверенные копии настоящего Соглашения с приложениями будут переданы Правительством СССР каждому другому правительству, от имени которого подписывается настоящее Соглашение.

ПО УПОЛНОМОЧИЮ
ПРАВИТЕЛЬСТВ СОЮЗА ССР, СОЕДИНЕН-
НОГО КОРОЛЕВСТВА И СОЕДИНЕННЫХ
ШТАТОВ АМЕРИКИ

К. ВОРОШИЛОВ
(И. П.)

ПО УПОЛНОМОЧИЮ
ВРЕМЕННОГО НАЦИОНАЛЬ-
НОГО ПРАВИТЕЛЬСТВА
ВЕНГРИИ

GYÖNGYÖSI JÁNOS
VÜRÖS JÁNOS
BALOGH ISTVÁN
(И. П.)

П Р И Л О Ж Е Н И Я

К СОГЛАШЕНИЮ МЕЖДУ СОЮЗОМ СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК, СОЕДИНЕННЫМ КОРОЛЕВСТВОМ ВЕЛИКОБРИТАНИИ И СЕВЕРНОЙ ИРЛАНДИИ И СОЕДИНЕННЫМИ ШТАТАМИ АМЕРИКИ С ОДНОЙ СТОРОНЫ, И ВЕНГРИЕЙ, С ДРУГОЙ, С ПЕРЕМИРИИ, ПОДПИСАННОМУ В г.МОСКВЕ

* 20 *. ЯНВАРЯ 1945 г.

А. Приложение к ст. I.

Венгерское военное Командование передаст Союзному /Советскому/ Главнокомандованию в указанный последним срок все имеющиеся в его распоряжении сведения о германских вооруженных силах и планах германского военного командования по разворачиванию боевых действий против Союза ССР и других Объединенных Наций, а также схемы и карты и всю оперативную документацию, относящуюся к военным действиям немецких вооруженных сил.

Предусмотренные в ст. I Соглашения меры по интернированию граждан Германии, находящихся на венгерской территории, не распространяются на граждан этой страны еврейской национальности.

В. Приложение к ст. 3.

Под упомянутым в ст. 3 Соглашения одействием Венгерского Правительства и Главного Командования Венгрии имеется в виду предоставление Союзному /Советскому/ Главнокомандованию для использования по его усмотрению, на время перемирия, всех могущих потребоваться для военных нужд венгерских военных, воздушных и военно-речных сооружений и устройств, портов, казарм, складов, аэродромов, средств связи, метеостанций в полной исправности и с персоналом, необходимым для их обслуживания.

2.

С. Приложение к ст. II.

Венгерское Правительство вымет и выкупит в такие сроки и на таких условиях, которые будут указаны Союзным /Советским/ Главкомандованием, всю находящуюся на венгерской территории валюту, выпущенную Союзным /Советским/ Главкомандованием, и безвозмездно передаст изъятую таким образом валюту Союзному /Советскому/ Главкомандованию.

Венгерское Правительство не допустит передачи венгерского заграничного актива или передачи венгерского внутреннего актива иностранным государствам или иностранным гражданам без разрешения Союзного /Советского/ Главкомандования или Союзной Контрольной Комиссии.

д. Приложение к ст. II.

Подробные наименования и виды товаров, поставляемых Венгрией Советскому Союзу, Чехословакии и Югославии, в соответствии со статьей I2 Соглашения, а также уточненные сроки этих поставок по годам, будут определены особыми соглашениями между соответствующими правительствами. Эти поставки будут производиться по ценам 1938 года с надбавкой: на промышленное оборудование - 15% и на остальные товары - 10%.

В основу расчетов по выплате возмещения, предусмотренного в статье I2 Соглашения, положен американский доллар по его золотому паритету на день подписания Соглашения, то-есть 35 долларов за I унцию золота.

В связи со статьей I2 подразумевается, что Венгерское Правительство немедленно предоставит продукты питания и другое снабжение, необходимое для восстановления и оказания помощи населению чехословацкой и югославской территорий, пострадав-

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ших в результате венгерской агрессии. Размер этих поставок будет определен соглашением между тремя правительствами и будет рассматриваться как часть возмещения Венгрией за потерю и ущерб, понесенные Чехословакией и Югославией.

Е. Приложение к ст. 16.

Венгерское Правительство обязуется, что радиосвязь, телеграфная и почтовая переписка, шифрпереписка и курьерская связь, а также телефонная связь с заграницей посольств, миссий и консульств, находящихся в Венгрии, будут осуществляться в порядке, установленном Союзным /Советским/ Главнокомандованием.

Ж. Приложение к ст. 18.

На учреждаемую в соответствии со статьей 18-й Соглашения о перемирии Союзную Контрольную Комиссию возлагается контроль за точным выполнением условий перемирия.

Венгерское Правительство и его органы обязаны выполнять все указания Союзной Контрольной Комиссии, вытекающие из Соглашения о перемирии.

Союзная Контрольная Комиссия создаст специальные органы или секции, соответственно поручая им выполнение тех или иных функций. Кроме того, Союзная Контрольная Комиссия может иметь своих офицеров в разных местах Венгрии.

Союзная Контрольная Комиссия будет иметь своим местопребыванием г.Будапешт.

Москва, "20" января 1945 года.

AGREEMENT

CONCERNING AN ARMISTICE BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND THE UNITED STATES OF AMERICA ON ONE HAND AND HUNGARY ON THE OTHER.

The Provisional National Government of Hungary, recognizing the fact of the defeat of Hungary in the war against the Soviet Union, the United Kingdom, the United States of America, and other United Nations, accepts the armistice terms presented by the Governments of the above-mentioned three powers, acting on behalf of all the United Nations which are in a state of war with Hungary.

On the basis of the foregoing the representative of the Allied (Soviet) High Command, Marshal of the Soviet Union K. E. Voroshilov, duly authorized thereto by the Governments of the Soviet Union, the United Kingdom, and the United States of America, acting on behalf of all the United Nations which are at war with Hungary, on the one hand and the representatives of the Provisional National Government of Hungary, Minister of Foreign Affairs Mister Gyöngyösi Janos, Minister of Defense Colonel General Vörös Janos and State Secretary of the Cabinet of Ministers Mister Balogh Istvan, on the other, holding proper full powers, have signed the following conditions:

Conditions.

1. (a) Hungary has withdrawn from the war against the Union of Soviet Socialist Republics and other United Nations, including Czechoslovakia, has severed all relations with Germany and has declared war on Germany.

(b) The Government of Hungary undertakes to disarm German armed forces in Hungary and to hand them over as prisoners of war.

The Government of Hungary also undertakes to intern nationals of Germany.

(c) The Government of Hungary undertakes to maintain and make available such land, sea and air forces as may be specified for service under the general direction of the Allied (Soviet) High Command. In this connection Hungary will provide not less than eight infantry divisions with corps troops. These forces must not be used on allied territory except with the prior consent of the allied government concerned.

(d) On the conclusion of hostilities against Germany, the Hungarian armed forces must be demobilized and put on a peace footing under the supervision of the Allied Control Commission. (See Annex to Article I.)

Post, p. 1336.

2. Hungary has accepted the obligation to evacuate all Hungarian troops and officials from the territory of Czechoslovakia, Yugoslavia, and Rumania occupied by her within the limits of the frontiers of Hungary existing on December 31, 1937, and also to repeal all legislative and administrative provisions relating to the annexation or

incorporation into Hungary of Czechoslovak, Yugoslav and Rumanian territory.

3. The Government and High Command of Hungary will ensure to the Soviet and other allied forces facilities for free movement on Hungarian territory in any direction if, in the opinion of the Allied (Soviet) High Command, the military situation requires this, the Government and High Command of Hungary giving such movement every possible assistance with their own means of communication and at their own expense on land, on water and in the air. (See Annex to Article 3).

Post, p. 1336.

4. The Government of Hungary will immediately release all allied prisoners of war and internees. Pending further instructions the Government of Hungary will at its own expense provide all allied prisoners of war and internees, displaced persons and refugees, including nationals of Czechoslovakia and Yugoslavia, with adequate food, clothing, medical services, and sanitary and hygienic requirements, and also with means of transportation for the return of any such persons to their own country.

5. The Government of Hungary will immediately release, regardless of citizenship and nationality, all persons held in confinement in connection with their activities in favor of the United Nations or because of their sympathies with the United Nations' cause or for racial or religious reasons, and will repeal all discriminatory legislation and disabilities arising therefrom.

The Government of Hungary will take all necessary measures to ensure that all displaced persons or refugees within the limits of Hungarian territory, including Jews and stateless persons, are accorded at least the same measure of protection and security as its own nationals.

6. The Government of Hungary undertakes to return to the Soviet Union, and also to Czechoslovakia and Yugoslavia and to the other United Nations, by the dates specified by the Allied Control Commission, and in complete good order, all valuables and materials removed during the war to Hungary from United Nations' territory and belonging to state, public or cooperative organizations, enterprises, institutions or individual citizens, such as factory and works equipment, locomotives, rolling stock, tractors, motor vehicles, historic monuments, museum treasures and any other property.

7. The Government and High Command of Hungary undertake to hand over as booty into the hands of the Allied (Soviet) High Command all German war material located on Hungarian territory, including vessels of the fleet of Germany.

8. The Government and High Command of Hungary undertake not to permit, without the authorization of the Allied Control Commission, the export or expropriation of any form of property (including valuables and currency) belonging to Germany or her nationals or to persons resident in German territory or in territories occupied by Germany. They will safeguard such property in the manner specified by the Allied Control Commission.

9. The Government and High Command of Hungary undertake to hand over to the Allied (Soviet) High Command all vessels belonging or having belonged to the United Nations which are located in Hungarian Danubian ports, no matter at whose disposal these vessels may be, for use during the period of the war against Germany by the Allied (Soviet) High Command in the general interests of the Allies, these vessels subsequently to be returned to their owners.

The Government of Hungary will bear full material responsibility for any damage or destruction of the aforementioned property until the moment of its transfer to the Allied (Soviet) High Command.

10. Hungarian merchant vessels, whether in Hungarian or foreign waters, shall be subject to the operational control of the Allied (Soviet) High Command for use in the general interests of the Allies.

11. The Government of Hungary will make regular payments in Hungarian currency and provide commodities (fuel, foodstuffs, et cetera), facilities and services as may be required by the Allied (Soviet) High Command for the fulfillment of its functions as well as for the needs of missions and representatives of the allied states connected with the Allied Control Commission.

The Government of Hungary will also assure, in case of need, the use and regulation of the work of industrial and transport enterprises, means of communication, power stations, enterprises and installations of public utility, stores of fuel and other material, in accordance with instructions issued during the armistice by the Allied (Soviet) High Command or the Allied Control Commission. (See Annex to Article 11.)

12. Losses caused to the Soviet Union, Czechoslovakia and Yugoslavia by military operations and by the occupation by Hungary of the territories of these states will be made good by Hungary to the Soviet Union, Czechoslovakia and Yugoslavia, but taking into consideration that Hungary has not only withdrawn from the war against the United Nations but has declared war against Germany, the parties agree that compensation for the indicated losses will be made by Hungary not in full but only in part; namely, to the amount of 300 million American dollars payable over six years in commodities (machine equipment, river craft, grain, livestock, et cetera), the sum to be paid to the Soviet Union to amount to 200 million American dollars and the sum to be paid to Czechoslovakia and Yugoslavia to amount to 100 million American dollars.

Compensation will be paid by Hungary for loss and damage caused by the war to other allied states and their nationals, the amount of compensation to be fixed at a later date. (See Annex to Article 12.)

13. The Government of Hungary undertakes to restore all legal rights and interests of the United Nations and their nationals on Hungarian territory as they existed before the war and also to return their property in complete good order.

14. Hungary will cooperate in the apprehension and trial, as well as the surrender to the governments concerned, of persons accused of war crimes.

15. The Government of Hungary undertakes to dissolve immediately all pro-Hitler or other fascist political, military, para-military and other organizations on Hungarian territory conducting propaganda hostile to the United Nations and not to tolerate the existence of such organizations in future.

16. The publication, introduction and distribution in Hungary of periodical or non-periodical literature, the presentation of theatrical performances or films, the operation of wireless stations, post, telegraph and telephone services will take place in agreement with the Allied (Soviet) High Command. (See Annex to Article 16.)

Post, p. 1337.

17. Hungarian civil administration will be restored in the whole area of Hungary separated by not less than 50–100 kilometres (depending upon conditions of terrain) from the front line, Hungarian administrative bodies undertaking to carry out, in the interests of the reestablishment of peace and security, instructions and orders of the Allied (Soviet) High Command or Allied Control Commission issued by them for the purpose of securing the execution of these armistice terms.

18. For the whole period of the armistice there will be established in Hungary an Allied Control Commission which will regulate and supervise the execution of the armistice terms under the chairmanship of the representative of the Allied (Soviet) High Command and with the participation of representatives of the United Kingdom and the United States.

During the period between the coming into force of the armistice and the conclusion of hostilities against Germany, the Allied Control Commission will be under the general direction of the Allied (Soviet) High Command. (See Annex to Article 18).

Post, p. 1337.

19. The Vienna Arbitration Award of November 2, 1938 and the Vienna Award of August 30, 1940 are hereby declared to be null and void.

20. The present terms come into force at the moment of their signing.

Effective date.

Done in Moscow 20 January, 1945, in one copy which will be entrusted to the safekeeping of the Government of the Union of Soviet Socialist Republics, in the Russian, English and Hungarian languages, the Russian and English texts being authentic.

Certified copies of the present agreement, with annexes, will be transmitted by the Government of the Union of Soviet Socialist Republics to each of the other governments on whose behalf the present agreement is being signed.

FOR
THE GOVERNMENTS OF THE
UNION OF SOVIET SOCIALIST
REPUBLICS, THE UNITED
KINGDOM AND THE UNITED
STATES OF AMERICA

K. ВОРОШИЛОВ.

/M. II./

FOR
THE PROVISIONAL NATIONAL
GOVERNMENT OF HUNGARY

GYÖNGYÖSI JÁNOS
VÖRÖS JÁNOS
BALOGH ISTVÁN

/M. II./

ANNEX TO

"AGREEMENT CONCERNING AN ARMISTICE BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND THE UNITED STATES OF AMERICA ON ONE HAND AND HUNGARY ON THE OTHER", SIGNED IN MOSCOW 20 JANUARY, 1945.

A. ANNEX TO ARTICLE 1.

The Hungarian Military Command shall hand over to the Allied (Soviet) High Command within a period fixed by the latter all the information at its disposal regarding the German armed forces and the plans of the German Military Command for the development of military operations against the Union of Soviet Socialist Republics and the other United Nations, and also the charts and maps and all operational documents relating to the military operations of the German armed forces.

Ante, p. 1332.

The measures provided for in Article I of the Agreement regarding the internment of nationals of Germany now in Hungarian territory do not apply to nationals of that country of Jewish origin.

B. ANNEX TO ARTICLE 3.

The assistance specified in Article 3 of the Agreement shall be taken to mean that the Government and High Command of Hungary will place at the disposal of the Allied (Soviet) High Command, for use at its discretion during the armistice, in complete good order and with the personnel required for their maintenance, all Hungarian military, air and river fleet installations and buildings, ports, barracks, warehouses, airfields, means of communication and meteorological stations which might be required for military needs.

Ante, p. 1333.

C. ANNEX TO ARTICLE 11.

The Government of Hungary will withdraw and redeem within such time limits and on such terms as the Allied (Soviet) High Command may specify, all holdings in Hungarian territory of currencies issued by the Allied (Soviet) High Command, and will hand over currency so withdrawn free of cost to the Allied (Soviet) High Command.

The Government of Hungary will not permit the disposal of external Hungarian assets or the disposal of internal Hungarian assets to foreign governments or foreign nationals without the permission of the Allied (Soviet) High Command or Allied Control Commission.

D. ANNEX TO ARTICLE 12.

The precise nomenclature and varieties of commodities to be delivered by Hungary to the Soviet Union, Czechoslovakia and Yugoslavia in accordance with Article 12 of the Agreement and also

Ante, p. 1334.

the more precise periods for making these deliveries each year shall be defined in special agreements between the respective governments. These deliveries will be calculated at 1938 prices with an increase of fifteen percent for industrial equipment and ten percent for other goods.

As the basis of calculation for payment of the indemnity foreseen in Article 12 of the Agreement, the American dollar is to be used at its gold parity on the day of signing of the agreement, i. e. thirty-five dollars to one ounce of gold.

Ante, p. 1334.

In connection with Article 12 it is understood that the Government of Hungary will immediately make available certain food and other supplies required for relief and rehabilitation of the population of those Czechoslovak and Yugoslav territories which have suffered as a result of Hungarian aggression. The quantities of the products to be delivered will be determined by agreement between the three governments and will be considered as part of the reparation by Hungary for the loss and damages sustained by Czechoslovakia and Yugoslavia.

Ante, p. 1334.

E. ANNEX TO ARTICLE 16.

The Government of Hungary will ensure that wireless communication, telegraphic and postal correspondence, and correspondence in cipher and by courier, as well as telephonic communication with foreign countries, of embassies, legations and consulates situated in Hungary will be conducted in the manner laid down by the Allied (Soviet) High Command.

F. ANNEX TO ARTICLE 18.

Control over the exact execution of the armistice terms will be entrusted to the Allied Control Commission to be established in conformity with Article 18 of the Armistice Agreement.

Ante, p. 1335.

The Government of Hungary and its organs shall fulfill all instructions of the Allied Control Commission arising out of the armistice agreement.

The Allied Control Commission will set up special organs or sections, entrusting them respectively with the execution of various functions. In addition, the Allied Control Commission may have its officers in various parts of Hungary.

The Allied Control Commission will have its seat in the city of Budapest.

Moscow, 20 January, 1945.

F E G Y V E R S Z O K K E T I E G Y E Z M É N Y

MELYET EGY RÉSZRŐL A SZÖVETSÉGES SZOCIALISTA SZOVJETKÖZTÁRSASÁGOK, AZ EGYESÜLT BRIT KIRÁLYSÁG ÉS AZ ÉSZAK-ÍRORSZÁG, AZ AMERIKAI EGYESÜLT ÁLLAMOK, MÁSRÉSZRŐL MAGYARORSZÁG KÖZÖLTÉK:

Magyarország Ideiglenes Nemzeti Kormányja, beismerve azt a tényt, hogy Magyarország a Szövetséges Szocialista Szovjetköztársaságok, az Egyesült Királyság, az Amerikai Egyesült Államok és a többi Egyesült Nemzet ellen viselt háborút elvesztette, elfogadja a fentemlített Három Hatalom Kormányainak fegyverszüneti felteteleit, melyeket azok, úgy a maguk, mint a Magyarországgal háborus viszonyban lévő Egyesült Nemzetek nevében közöltek.

A fentismertettek alapján, egyrésztől a Szövetséges (Szovjet) Főparancsnokság-kepviseelője Vorosilov F.K. a Szovjetunió marsallja, aki a Magyarországgal háborus viszonyban lévő összes Egyesült Nemzetek nevében eljáró Szovjetunió, Egyesült Királyság és az Amerikai Egyesült Államok kormányaitól megfelelő meghatalmazást nyert, másrésztől Magyarország Ideiglenes Nemzeti Kormányának megfelelő meghatalmazással rendelkező képviselői, Gyöngyösi János külügyminiszter ur, Vörös János vezérsegedes, honvédelmi miniszter ur és Balogh István miniszterelnökségi Államtitkár ur, aláírták a következő felteteleket:

1. a) Magyarország megszüntette a Szovjetunió és a többi Egyesült Nemzet, közte a Csehszlovákia ellen viselt háborút. Fegyverszünettel fennállott minden viszonyt megszakította és hadat üzent Nemzetiségének.

b) Magyarország Kormányja kötelezi magát, hogy lefegyverzi a Magyarország területén lévő német fegyveres erőket és hadifoglyokként átadja azokat.

Magyarország Kormányja arra is kötelezi magát, hogy

- 2 -

internálja a német állampolgárokat.

c) Magyarország Kormánya kötelezi magát, olyan szárazföldi, tengeri és légi erők fenntartására és rendelkezésre bocsájtására, melyek a Szövetséges (Sovjet) Hadsereg főparancsnokság fővezetése alatti szolgálatra rendeltethetnek. Ezzel kapcsolatban Magyarország legalább nyolc nehéz fegyverzettel ellátott gyaloghadosztályt állít ki. Ezek az erők a Szövetségesek területén nem használhatók fel, csak az érdeelt szövetséges kormány előzetes beleegyezésével.

d) A Németország elleni hadműveletek beszüntetésével a magyar fegyveres erők leszerelendők és a Szövetséges Ellenőrző Bizottság felügyelete alatt bekeállandóba helyezendők. (Lásd az 1. pontra vonatkozó függelékét.)

2. Magyarország kötelezte magát, hogy Csehszlovákia, Jugoszlávia és Románia általa megszállt területeiről visszavonja az összes magyar csapatokat és hivatalnokokat, Magyarország 1937 december 31-én fennállott határai mögé, továbbá hatályon kívül helyez minden olyan törvényhozási és közigazgatási szabályt, amely az annekszióra, vagy pedig csehszlovák, jugoszláv és román területek Magyarországhoz csatolására vonatkozik.

3. Magyarország Kormánya és Hadsereg főparancsnoksága biztosítja a Szovjet csapatok és más Szövetséges csapatok számára a szabad mozgási lehetőséget magyar területen, bármilyen irányban, ha ezt a Szövetséges (Sovjet) Főparancsnokság véleménye szerint a katonai helyzet megkívánja; emellett Magyarország Kormánya és Főparancsnoksága a csapatátállításokat minden rendelkezésére álló közlekedési eszközzel, a saját költségére fogja elősegíteni, szárazon, vizen és a levegőben. (Lásd a 3. pontra vonatkozó függelékét.)

_ 3 _

4. Magyarország Kormánya haladéktalanul szabadon bocsájtja az összes szövetséges hadifoglyokat és internáltakat. Magyarország Kormánya, további utasításig saját költségére, elegendő élelemmel, ruházattal, orvosi segítséggel, tisztálkodási eszközökkel és szerekkel látja el az összes szövetséges hadifoglyokat, internáltakat, áttelepített és menekült személyeket, köztük Csehszlovákia és Jugoszlávia polgárait is. Szállítási eszközökről is gondoskodik, hogy a személyek bármelyike visszatérhessen országába.

5. Magyarország Kormánya, állampolgárságukra és nemzetiségükre való tekintet nélkül, haladéktalanul szabadon bocsájtja mindazokat a személyeket, akik az Egyesült Nemzetek javára kifejtett tevékenységükkel kapcsolatban, vagy az Egyesült Nemzetek ügye iránt nyilvánított rokonszenvük miatt, vagy faji származásuk, vagy pedig vallásos meggyőződésük következtében őrizetben vannak és hatályon kívül helyez minden sérelmes törvényt és minden abból származó korlátozást.

Magyarország Kormánya minden szükséges intézkedést megtesz annak a biztosítására, hogy a magyar területen lévő összes áttelepített személyek, vagy menekültek, — ideértve a zsidókat és a hontalanokat is, — legalább olyan védelemben részesüljenek és biztonságban legyenek, mint saját polgárai.

6. Magyarország Kormánya kötelezi magát, hogy a Szövetséges Ellenőrző Bizottság által megállapított határidőben, teljes épésben visszaszolgáltatja a Szovjetunióknak, valamint Csehszlovákiának és Jugoszláviának, ugyyszintén az összes Egyesült Nemzeteknek, mindazokat az értékeket és anyagokat,

— 4 —

melyek állami, társadalmi és szövetségi szervezetek, vállalatok, intézmények, vagy egyes polgárok tulajdonát képezik, mint gyárak és üzemek felszerelését, mozdonyokat, vasuti kocsikat, traktorokat, gépkocsikat, történelmi emlékeket, műzeális értékeket és minden egyéb vagyont, amit a háború folyamán az Egyesült Nemzetek területéről Magyarország területére szállítottak.

7. Magyarország Kormánya és Főparancsnoksága kötelezettséget vállal, hogy hadiszármányként a Szövetséges (Szovjet) Főparancsnokság rendelkezésére bocsájt minden Magyarországon területén lévő német katonai tulajdont, beleértve a német flotta hajóit is.

8. Magyarország Kormánya és Főparancsnoksága, kötelezettséget vállal, hogy a Szövetséges Ellenőrző Bizottság beleegyezése nélkül nem engedi meg semmiféle vagyont (beleértve az értékeket és valutát is) kivitelét, vagy kiszállítását, amely Németország, vagy polgárainak tulajdonát, vagy Németország és az általa megszállt országok területén élő személyek tulajdonát képezi. Ezt a vagyont a Szövetséges Ellenőrző Bizottság által előírt módon fogják megőrizni.

9. Magyarország Kormánya és Főparancsnoksága, kötelezi magát, hogy átadja a Szövetséges (Szovjet) Főparancsnokságnak mindazokat a Magyarországon dunai kikötőiben lévő hajókat, melyek az Egyesült Nemzetek tulajdonát képezik, vagy képezték, függetlenül attól, ki rendelkezik jelenleg ezekkel a hajókkal, abból a célból, hogy a Szövetséges (Szovjet) Főparancsnokság ezeket a hajókat a Szövetségesek közös érdekében a háború idején Németország ellen felhasználhassa. Ezeket a hajókat a háború után visszaadják tulajdonosaiknak.

- 5 -

A Magyar Kormány teljes anyagi felelősséget visel a fentebb felsorolt vagyontárgyak mindennemű megrongálásáért, vagy megsemmisítéséért, egészen azok átadásáig a Szövetséges (Szovjet) Főparancsnokságnak.

10. A magyarországi és külföldi vizeken tartózkodó magyar kereskedelmi hajók a Szövetséges (Szovjet) Főparancsnokság hadművelleti ellenőrzése alatt fognak állni, a Szövetségesek közös érdekében való felhasználás céljából.

11. A Magyar Kormány köteles rendszeresen magyar valutában pénzüsszegeket kifizetni és árukat (üzemanyagot, élelmiszert stb.) eszközöket és szolgáltatásokat rendelkezésre bocsájtani, melyekre a Szövetséges (Szovjet) Főparancsnokságnak, funkciói teljesítésére, valamint a Szövetséges Allamok amba misszióinak és képviselőinek, melyek a Szövetséges Ellenőrző Bizottsággal kapcsolatban állanak, szükségük lehet.

A Magyar Kormánynak, szükség esetén biztosítani kell az ipari és szállítási vállalatok, a posta, táviró, távbevezető és rádió, az erőművek, a közüzemi vállalatok és berendezések, a fűtőanyag és egyéb anyagraktárak felhasználását és munkájuk szabályozását, azoknak az utasításoknak megfelelően, melyeket a fegyverszünet idején a Szövetséges (Sovjet) Főparancsnokság, vagy a Szövetséges Ellenőrző Bizottság ad ki. (Lásd a 11. pontra vonatkozó függelék).

12. Azokat a károkat, melyeket Magyarország a Szovjetunióknak, Csehszlovákiáknak és Jugoszláviáknak okozott hadműveleteivel és ez országok területének megszállásával, Magyarország megtéríti a Szovjetunióknak, Csehszlovákiáknak

— 6 —

és Jugoszláviának. Emellett tekintetbe véve, hogy Magyar_ ország nemcsak megszüntette a háborút az Egyesült Nemzetek ellen, hanem hadat is üzent Németországnak, _ a felek abban állapodnak meg, hogy Magyarország az okozott károkat nem tel_ jes egészében, hanem csak részben téríti meg. Ez a kártéri_ tés 300 millió amerikai dollárban állapittatik meg, melyet 6 év folyamán törleszt le áruban (gépekben, folyami hajókban, gabonában, jószágban stb.) A kártérítés összegétől 200 mil_ lió amerikai dollár a Szovjetuniót illeti meg, a Csehszlová_ kiának és Jugoszláviának járó kártérítés összege pedig 100 millió amerikai dollár.

Magyarország megtéríti a károkat és vesztesége_ ket, melyeket a háború más szövetséges államoknak és azok polgárainak okozott. A kártérítés mérete később nyer meg_ állapítást. (Lásd a 12. pontra vonatkozó függelékot. (

13. Magyarország Kormánya kötelezi magát, hogy magyar területen, az Egyesült Nemzetek és azok polgárainak összes törvényes jogait és érdekeit illetően, a háború előtti helyzetet állítja vissza és teljes épségben visszaszolgáltat_ ja azok tulajdonát.

14. Magyarország közre fog működni a háborús bűncselekményekkel vádolt személyek letartóztatásában, az érdekelt kormányoknak való kiszolgáltatásában és az ítélkezés_ ben e személyek felett.

15. Magyarország Kormánya kötelezi magát, hogy haladéktalanul feloszlatja a magyar területen lévő összes hitlerbarát, vagy más fasiszta politikai, katonai és katonai jellegű szervezeteket, valamint az egyéb olyan szervezeteket,

-- 7 --

amelyek az Egyesült Nemzetekkel szemben ellenséges propagandát folytatnak és a jövőben nem tűri meg ilyen szervezetek fennállását.

16. Időszakos, vagy egyéb irodalmi termékek kiadása, behozatala és terjesztése Magyarországon, színelőadások rendezése, mozgóképek bemutatása, a rádióállomások, a posta, a távíró, a távbeszélő működése, a Szövetséges (Szovjet) Főparancsnoksággal való megegyezés alapján történik. (Lásd a 16. pontra vonatkozó függelékot.)

17. A magyar polgári közigazgatás visszaállítatik Magyarországnak min. azon területén, amely az arcvonalától nem kevesebb, mint 50-100 kilométerre (a helyi viszonyoktól függően) fekszik, emellett a magyar közigazgatási szervek kötelezik magukat, hogy a béke és a közbiztonság helyreállítása érdekében végrehajtják a Szövetséges (Szovjet) Főparancsnokság, vagy a Szövetséges Ellenőrző Bizottság instrukcióit és utasításait, amelyeket a jelen fegyverszüneti feltételek teljesítésének biztosítása céljából adnak ki.

18. A fegyverszünet egész időtartamára Szövetséges Ellenőrző Bizottságot létesítenek Magyarországon, amely szabályozni és ellenőrizni fogja a fegyverszüneti feltételek végrehajtását, a Szövetséges (Szovjet) Főparancsnokság képviselőjének elnökege alatt és az Egyesült Királyság és az Egyesült Államok képviselőjének részvételével.

A Szövetséges Ellenőrző Bizottság, a fegyverszünet hatályba lépésétől a Németország ellen folytatott hadműveletek befejezéséig terjedő időben, a Szövetséges (Szovjet) Fő

— 8 —

parancsnokság fűvezetése alatt fog állani. (Jásd a 18. pontra vonatkozó függelék).

19. A Bécsi Döntőbiróság 1938 november 2-án kelt határozatai és az 1940 augusztus 3-iki Bécsi Döntés ezen-
nel érvénytelennek nyilvánítatnak.

20. A jelen feltételek, aláírásuk pillanatában hatályba lépnek.

Kiállítottott Moszkvában 1945 január 20-án, egy példányban, orosz, angol és magyar nyelven, amelyet megőr-
ésre a Szövetséges Szocialista Szovjetkörtársaságok kormá-
nyának adnak át, megjegyezve, hogy az orosz és angol sá-
veg tekintetik autentikusnak.

Jelen egyezmény hitelesített másolatát mellék-
leteivel a Szövetséges Szocialista Szovjetkörtársaságok kor-
mánya át fogja adni mindazoknak a kormányoknak, amelyek ne-
vében ez az egyezmény aláíratik.

A SZÖVETSÉGES SZOCIALISTA
SZOVJETKÖRTÁRSASÁGOK, AZ
EGYESÜLT KIRÁLYSÁG ÉS AZ
AMERIKAI EGYESÜLT ÁLLAMOK
KORMÁNYAINAK
MEGHATALMAZÁSÁBÓL:

MAGYARORSZÁG IDEIGLENES
NEMZETI KORMÁNYÁNAK
MEGHATALMAZÁSÁBÓL:

К. ЗОПОЛНОВ
(М.П.)

Gyöngyösi János
Vörös János
Balogh István
(М.П.)

F U G G E L E K

* A FEGYVERSZÜNETI EGYEZMÉNYHEZ KÉLYLT EGYRESZRŐL A SZÖVET-
SÉGES SZOCIALISTA SZOVJETKÖZTÁRSASÁGOK, AZ EGYESÜLT BRIT KI-
RALYSÁG ÉS ÉSZAKIORSZÁG, AZ AMERIKAI EGYESÜLT ÁLLAMOK, -
MÁSRESZRŐL MAGYARORSZÁG KÖTÖTTÉK MEG* ES IFTAY ALÁ
MOSZKVA-BAN 1945 JANUÁR 20 n.

A) Függelék az 1. ponthoz.

A Magyar Katonai Parancsnokság átad a Szövetséges
(Szovjet) Főparancsnokságnak, - az utóbbi által megjelölt ha-
táridőn belül, - minden rendelkezésre álló adatot a német
fegyveres erőkről, a német katonai parancsnokságnak a Szov-
jetunió és a többi Egyesült Nemzetek ellen irányuló hadmi-
velteire vonatkozó terveit, valamint a német fegyveres erők
haditevékenységét illető vázlatokat és térképeket és minden
hadművelési okmányt.

Az egyezmény 1. pontjában előírt intézkedések a
magyar területen lévő német állampolgárok internálására vonat-
kozólag, nem terjednek ki Németország zsidó-nemzetiségi pol-
gáira.

B) Függelék a 3. ponthoz.

A Magyar Kormánynek és Főparancsnokságnak az egyezmény
3. pontjában említett közreműködése a következőképen értendő:
A Magyar Kormány és Főparancsnokság, - a fegyverszünet idején,
a Szövetséges (Szovjet) Főparancsnokság rendelkezésére bocsájt-
ja, - annak belátása szerint való felhasználás céljából, - mind-
azokat a magyar katonai, aviációs és folyami katonai berende-
zéseket és építményeket, kikötőket, kaszárnyákat, raktárakat,
repülőtereket, távirót, távbeszélőt és rádiót, meteorologiai
állomásokat, melyekre katonai szempontból szüksége lehet. Mind-
ezeket felhasználás céljából, üzemképes állapotban és megfele-
lő személyzettel bocsájtja rendelkezésére.

_ 2 _

C(Függeték a 11. ponthoz.

A Magyar Kormány kivonja a forgalomból és beváltja, a Szövetséges (Szojjet(Főparancsnokság által megállapított időben és feltételek mellett, mindazt a valutát, melyet a Szövetséges (Szojjet(Főparancsnokság magyar területen forgalomba hozott s ezt a forgalomból kivont valutát, ellenszolgáltatás nélkül átadja a Szövetséges (Szojjet(Főparancsnokságnak.

A Magyar Kormány, a Szövetséges (Szojjet(Főparancsnokság, vagy a Szövetséges Ellendző Bizottság beleegyezése nélkül nem engedi meg a külföldi, vagy belföldi magyar követelések és javak átadását idegen államoknak, vagy idegen állampolgároknak.

D(Függeték a 12. ponthoz.

Azoknak az áruknak részletes jegyzékét és az árúnevek megnevezését, melyeket Magyarország a Szovjetunió, Csehszlovákiának és Jugoszláviának, az egyezmény 12. pontja értelmében fog szállítani, valamint a szállítások megállapított időpontját évek szerint, az érdekelt kormányok külön egyezményei fogják meghatározni. Ezeket a szállításokat az 1938-ban érvényes árak alapján fogják teljesíteni, felemelve az ipari berendezések árát 15 százalékkal, a többi árukat pedig 10 százalékkal.

Az egyezmény 12. pontjában megjelölt kártérítés kifizetésének elszámolási alapját az amerikai dollárnak az egyezmény aláírása napján érvényes aranyparitása képezi, vagyis egy uncia arany értéke 35 dollár.

Az egyezmény 12. pontjával kapcsolatban magától értetődik, hogy a Magyar Kormány azonnal élelmiszereket és

_ 3 _

egyéb közszükségleti cikkeket bocsájt rendelkezésre, amelyek a magyar agresszió folytán károsult csehszlovák és jugoszláv területek helyreállításához és ezen területek lakosságának megsegítéséhez szükségesek. Ezeknek a szállításoknak merete it a három kormány közötti egyezmény fogja meghatározni és ezek a szállítások amú kártérítés részeként tekintetnek, mely Magyarországot a Csehszlovákiának és Jugoszláviának okozott veszteségeikért és károkért terheli.

E) Függelék a 16. ponthoz.

A Magyar Kormány kötelezi magát, hogy a Magyarországon lévő külföldi követségek, missziók és konzulátusok rádióösszeköttetése, táviró útján történő és postai levelezése, rejtjeles levelezése, a futárszolgálat, valamint a távbeszélő útján való összeköttetése, a Szövetséges (Szovjet) Főparancsnokság által meghatározott módon fog történni.

F) Függelék a 18. ponthoz.

A fegyverszüneti egyezmény 18. pontjának megfelelően létesítendő Szövetséges Ellenőrző Bizottság feladata a fegyverszüneti feltételek pontos teljesítésének ellenőrzése.

A Magyar Kormány és annak szervei kötelesek a Szövetséges Ellenőrző Bizottság minden a fegyverszüneti egyezményből következő utasítását teljesíteni.

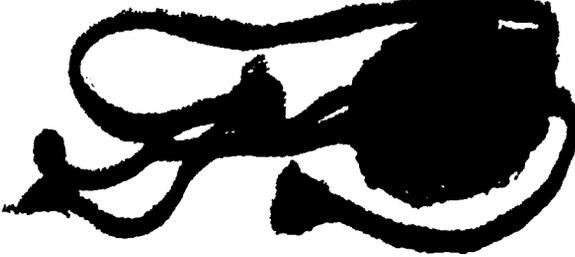
A Szövetséges Ellenőrző Bizottság külön szerveket, vagy szekciókat létesít és feladatuknak megfelelő különböző funkciók teljesítésével bizza meg azokat. Ezenkívül a Szövetséges Ellenőrző Bizottság tisztjeit Magyarország különböző részeire is kirendelheti.

A Szövetséges Ellenőrző Bizottság tartózkodási helye Budapest lesz.

Moszkva 1945. január 20 n.

С подлинным верно:

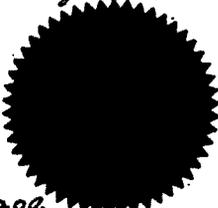
Полномочий Заведующего
Правовым Отделом ТСАД СССР *В. Таварский*, Бюропол



Union of Soviet Socialist Republics	}	ss:
Russian Socialist Federated Soviet Republic		
Moscow Oblast		
City of Moscow		
Embassy of the United States of America		
Consular Section		

I, Herwick Perkins, Consul of the United States of America at Moscow, Union of Soviet Socialist Republics, duly commissioned and qualified, do hereby certify that S. Bazarov, whose true signature and official seal are, respectively, subscribed and affixed to the foregoing document, was, on the twentieth day of January, A.D. 1945, the date on which the said document was signed, Assistant Chief of the Legal Section of the People's Commissariat for Foreign Affairs of the Union of Soviet Socialist Republics, duly commissioned and qualified, to whose official acts faith and credit are due.

In Witness Whereof, I have hereunto set my hand and official seal at Moscow, this thirty-first day of January, 1945.



Herwick Perkins
Herwick Perkins
Consul of the United States
of America.

*Service No. 209.
No fee prescribed.
Form No 38.*

П Р О Т О К О Л
К СОГЛАШЕНИЮ О ПЕРЕМИРИИ С ВЕНГРИЕЙ.

При подписании Соглашения о перемирии с Правительством Венгрии Союзные Правительства, подписавшие его, согласились:

1. Термин "военное имущество", употребляемый в статье 7-й, будет рассматриваться, как включающий все имущество или снаряжение, принадлежащее, используемое или предназначенное к использованию военными или полувенными соединениями противника или их членами.

2. Использование Союзным (Советским) Главкомандованием союзных судов, возвращенных Правительством Венгрии в соответствии со статьей 9-й Соглашения о перемирии, и дата их возврата владельцам будут предметом обсуждения и урегулирования между Правительством Советского Союза и заинтересованными Союзными Правительствами.

Составлено в Москве в трех экземплярах, каждый на английском и русском языках, причем английский и русский тексты являются аутентичными.

*20 " января 1945 года.

ЗА ПРАВИТЕЛЬСТВО
СОЕДИНЕННЫХ ШТАТОВ
АМЕРИКИ

L. E. Hamm

ЗА ПРАВИТЕЛЬСТВО
СОЕДИНЕННОГО КОРОЛЕВ-
СТВА

John Dill

ПО УПОЛНОМОЧИЮ
ПРАВИТЕЛЬСТВА СОЮЗА
СОВЕТСКИХ СОЦИАЛИСТИ-
ЧЕСКИХ РЕСПУБЛИК

И. Д. Сидоров



PROTOCOL
TO THE ARMISTICE AGREEMENT WITH HUNGARY.

In signing the Armistice Agreement with the Government of Hungary, the Allied Governments signatory thereto have agreed as follows:

1. The term "war material" used in Article 7 shall be deemed to include all material or equipment belonging to, used by, or intended for use by the military or para-military formations of the enemy or members thereof.

Ante, p. 1333.

2. The use by the Allied (Soviet) High Command of allied vessels handed over by the Government of Hungary in accordance with Article 9 of the Armistice Agreement and the date of their return to their owners will be the subject of discussion and settlement between the Government of the Soviet Union and the Allied Governments concerned.

Ante, p. 1334.

Done in Moscow in three copies, each in the Russian and English languages, the Russian and English texts being authentic.

January 20, 1945.

BY AUTHORITY OF
THE GOVERNMENT
OF THE UNION OF
SOVIET SOCIALIST
REPUBLICS.

FOR THE GOVERN-
MENT OF THE
UNITED STATES
OF AMERICA.

FOR THE GOVERN-
MENT OF THE
UNITED KINGDOM.

В. ДЕКХОЗОВ

W. A. HARRIMAN

JOHN BALFOUR.

[SEAL]

[SEAL]

[SEAL]

The American Ambassador to the Soviet People's Commissar for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Moscow, January 17, 1945.

EXCELLENCY:

I have the honor to state that the United States Government hereby authorizes Marshal of the Soviet Union K. E. Voroshilov to sign on its behalf the armistice to be concluded in Moscow with the Provisional National Government of Hungary.

Accept, Excellency, the assurances of my most distinguished consideration.

W. A. HARRIMAN

His Excellency

V. M. MOLOTOV,

*People's Commissar for Foreign Affairs,
Moscow.*

Agreement between the United States of America and Canada respecting air transport services. Effected by exchange of notes signed at Washington February 17, 1945.

February 17, 1945
[E. A. S. 457]

The Canadian Ambassador to the Acting Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

WASHINGTON, D. C.,
February 17, 1945.

No. 46

SIR,

With reference to negotiations that have recently taken place between representatives of the Canadian and United States Governments concerning civil air transport, I have the honour to propose that an agreement be entered into between the two Governments as follows:

AGREEMENT FOR CIVIL AIR TRANSPORT
BETWEEN CANADA AND THE UNITED STATES OF AMERICA.

Article I

Pending the coming into force of the International Air Services Transit Agreement done at Chicago on December 7, 1944, each Government grants to the other, in respect of its scheduled international air services, the right to fly across its territory without landing and the right to land for non-traffic purposes.

Post, p. 1693.

Article II

The Governments grant the rights specified in the Annex for establishing the international civil air routes and services described in the Annex, whether such services be inaugurated immediately or at a later date at the option of the Government to whom the rights are granted.

Post, p. 1356.

Article III

Each of the air services so described may be placed in operation when the Government to whom the rights have been granted by Article II to designate an airline or airlines for the route concerned has authorized an airline for such route, and the Government granting the rights shall, subject to Article V hereof, take the appropriate steps to permit the operation by the airline or airlines concerned: provided that the airline so designated may be required to qualify before the competent aeronautical authorities of the Government granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this Agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

Inauguration of air services.

Article IV

Prevention of discrimination, etc.

In order to prevent discriminatory practices and to ensure equality of treatment, the Governments agree that:

- (a) Each of them may impose or permit to be imposed on airlines of the other state just and reasonable charges for the use of public airports and other facilities on its territory provided that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services;
- (b) Fuel and oil, aircraft stores, spare parts and equipment introduced into the territory of one state by the other state or by nationals of the other state, and intended solely for use by aircraft of such other state shall be accorded national and most-favoured-nation treatment with respect to the imposition of customs and excise duties and taxes, inspection fees or other national duties or charges by the state whose territory is entered: provided, however, that such state may require that such imported materials shall be kept under customs supervision and control;
- (c) The fuel and oil, aircraft stores, spare parts and equipment retained on board civil aircraft of the airlines authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other state, be exempt from the imposition of customs and excise duties and taxes, inspection fees or other national duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory;
- (d) Neither of them will give a preference to its own airlines against the airlines of the other state in the application of its customs, immigration, quarantine and similar regulations or in the use of airports, airways or other facilities.

Article V

Laws and regulations applicable.

The laws and regulations of each state relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other state, and shall be complied with by such aircraft, upon entering or departing from or while within the territory of that state.

Article VI

Right reserved to withhold or revoke certificate or permit.

Each Government reserves the right to withhold or revoke a certificate or permit to an airline of the other state in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of that state, or in case of failure of an airline to comply with the laws of the state over which it operates, as described in Article V, or to perform its obligations under this Agreement.

Article VII

This Agreement shall apply to the territory of the continental United States including Alaska, and to the territory of Canada including the territorial waters adjacent to each territory.

Territory covered.

Article VIII

The aircraft operated by United States airlines shall conform at all times with the airworthiness requirements prescribed by the competent aeronautical authorities of the United States of America for aircraft employed in air transportation of the character contemplated by this Agreement.

Airworthiness requirements.

The aircraft operated by Canadian airlines shall conform at all times with the airworthiness requirements prescribed by the competent aeronautical authorities of Canada for aircraft employed in air transportation of the character contemplated by this Agreement.

Article IX

The competent authorities of the two Governments shall enter into agreements concerning the transportation of mail on the services authorized by this Agreement.

Mail transportation.

Article X

The services authorized by this Agreement and for which rights are specified in the Annex shall be conducted in accordance with the following provisions:

Post, p. 1356.

- (1) Pending the coming into force of the Interim Agreement on International Civil Aviation done at Chicago on December 7, 1944, they shall be subject to the applicable terms of the Air Navigation Agreement between Canada and the United States of America effected by an exchange of notes of July 28, 1938;
- (2) Additional stops may be made in the territory of the state of which an airline is a national at the election of that state, provided that these stops lie in reasonable proximity to the direct route connecting the terminals indicated in the Annex, and subject to the special provisions indicated therein with respect to particular routes;
- (3) Holders of through tickets travelling on a through international service may make stopovers at any point where a landing is made even though such landing is made at a point not otherwise authorized for the pick-up and discharge of traffic;
- (4) Future proposals for services between any point in Alaska and any point in Canada west of the 130th meridian shall be initially considered (unless in any particular case the two Governments shall agree to follow a different course) by a representative designated by each Government, whose recommendations shall be transmitted to the two Governments for action;
- (5) The routes specified in the Annex shall be open for operation by properly designated airlines at any time during the life of the Agreement. The rights shall not lapse with any failure to exercise them, or any interruption of such exercise.

Post, p. 1516.

53 Stat. 1925.

Post, p. 1356.

Article XI

Prior agreements
superseded,
54 Stat. 1805.

This Agreement supersedes that relating to air transport services effected by an exchange of notes of August 18, 1939, the supplementary arrangement relating to air transport services effected by an exchange of notes of November 29 and December 2, 1940 and the exchange of notes of March 4, 1943, which continued in force the supplementary arrangement of November 29 and December 2, 1940.

54 Stat. 2422.

57 Stat. 923.

Article XII

Provisions for mod-
ification.

The Annex to this Agreement shall be reviewed from time to time by the competent aeronautical authorities of the two Governments. These authorities may recommend to their respective Governments modifications of the Annex. Such modifications, if approved by both Governments, shall be made effective by exchange of notes.

Article XIII

Registry of agree-
ment.

This Agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

Article XIV

Effective date; du-
ration.

This Agreement shall become effective on February 19, 1945, and shall remain in effect until terminated by mutual agreement or until twelve months after the giving of notice by either Government to the other Government.

ANNEX

Routes.

A. The airlines designated by the Government of the United States of America may operate on the following routes, with the right to take on and put down passengers, mail and cargo at the Canadian terminals specified:

Boston	-	Moncton
Boston	-	Montreal
New York or Boston	-	Quebec

New York	-	{ Montreal
		{ Ottawa

(Provided that Montreal and Ottawa shall not be served on the same flight)

Washington	-	{ Montreal
		{ Ottawa

(Provided that Montreal and Ottawa shall not be served on the same flight, and that the last point touched in the United States, if it be other than Washington, shall lie east of the 77th meridian)

Buffalo	-	Toronto
Fargo	-	Winnipeg
Great Falls	-	Lethbridge
Seattle	-	Vancouver
Seattle	-	Whitehorse
Fairbanks	-	Whitehorse.

The service on the route between Buffalo and Toronto may, at the election of the United States Government, be rendered by two airlines. On the other routes service by a single airline only will be authorized.

In addition to the routes listed above, airlines of United States registry will be authorized to stop in Windsor on any route on which they are now or in the future may be authorized by the United States Government to serve Detroit.

B. The airlines designated by the Government of Canada may operate on the following routes, with the right to take on and put down passengers, mail and cargo at the United States terminals specified:

Halifax	-	Boston
Toronto	-	New York
Toronto	-	Cleveland
Toronto	-	Chicago

(No stop will be made on this route at any Canadian point within forty miles of Detroit.)

Port Arthur	-	Duluth
Victoria	-	Seattle
Whitehorse	-	Fairbanks.

A single airline will be authorized for each of the foregoing routes. With respect to the routes between Toronto and Cleveland and Toronto and Chicago no through services will be operated from either point in the United States to points lying beyond the territorial limits of Canada.

In addition to the routes listed above, airlines of Canadian registry will be authorized to stop in Detroit on any route on which they are now or in the future may be authorized by the Canadian Government to serve Windsor.

If these proposals are acceptable to the Government of the United States of America, this note, and your reply thereto accepting the proposals, shall be regarded as placing on record the understanding arrived at between the two Governments concerning this matter.

Accept, Sir, the renewed assurances of my highest consideration.

L B PEARSON

The Honourable JOSEPH C. GREW,
Acting Secretary of State of the United States,
Washington, D. C.

The Acting Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
WASHINGTON
February 17, 1945

EXCELLENCY:

I have the honor to acknowledge your note No. 46 of February 17, 1945, in which you propose that an agreement be entered into between

Ante, p. 1363.

the Governments of the United States of America and Canada relating to civil air transport.

The agreement as proposed in your note is acceptable to the Government of the United States of America. Your note and this reply are regarded as placing on record the understanding arrived at between the two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Acting Secretary of State:

WILLIAM L. CLAYTON

His Excellency

L. B. PEARSON, O.B.E.,

Ambassador of Canada.

*Agreement between the United States of America and other powers
respecting European inland transport. Signed at London May 8,
1945.*

May 8, 1945
[E. A. S. 458]

[SEAL]

AGREEMENT CONCERNING A
PROVISIONAL ORGANISATION FOR
EUROPEAN INLAND TRANSPORT

ACCORD RELATIF À UN OFFICE
PROVISOIRE DES TRANSPORTS
INTÉRIEURS EUROPÉENS

AGREEMENT CONCERNING A PROVISIONAL ORGANISATION FOR
EUROPEAN INLAND TRANSPORT.

Post, p. 1740.

Post, p. 1368.

THE Governments whose duly authorised representatives have subscribed hereto (hereinafter referred to as the Signatory Governments), being agreed that an European Central Inland Transport Organisation should be established at the earliest possible date for the purposes set out in the Draft Agreement annexed hereto (hereinafter referred to as the Draft Agreement), and being desirous of making provision for mutual co-operation in achieving these purposes in the territories in Continental Europe under their authority during such period as may elapse before the Organisation's establishment,

Have agreed as follows:—

ARTICLE I.

The Signatory Governments hereby agree to bring the Draft Agreement provisionally into force between them in respect of the territories in Continental Europe under their authority.

ARTICLE II.

In order to discharge in respect of the territories under their authority the functions to be exercised by the Executive Board in accordance with the Draft Agreement, the Signatory Governments hereby agree to establish forthwith a Provisional Executive for European Inland Transport. A Council as provided by the Draft Agreement shall also be provisionally established.

ARTICLE III.

Provisional Execu-
tive.

The Provisional Executive shall consist initially of five members who shall be appointed by the Provisional Council and shall include one member nominated by the Provisional Government of the French Republic, one member nominated by the Government of the United Kingdom of Great Britain and Northern Ireland and one by the Government of the United States of America. The Provisional Council, at any time after the accession of a Signatory Government under Article IV, may review these appointments and shall have power at its discretion to make further appointments, not exceeding two in number.

ACCORD RELATIF À UN OFFICE PROVISOIRE DES TRANSPORTS
INTÉRIEURS EUROPÉENS.

LES Gouvernements (désignés ci-après comme Gouvernements Signataires), dont les Représentants dûment autorisés ont signé le présent document,

—étant d'accord pour que soit constitué un Office Central des Transports Intérieurs Européens à la date la plus rapprochée, aux fins exposées dans le projet d'accord annexé (dénommé ci-après projet d'accord), et

—désireux de prendre dès maintenant les mesures nécessaires à une coopération mutuelle pour atteindre les buts proposés dans les territoires de l'Europe Continentale se trouvant sous leur autorité, pendant la période qui s'écoulera jusqu'à la création de l'Office

—Sont convenus de ce qui suit:

ARTICLE I.

Les Gouvernements Signataires conviennent de mettre en application entre eux, et à titre provisoire, les dispositions du projet d'accord dans les territoires de l'Europe Continentale placés sous leur autorité.

ARTICLE II.

Pour assurer dans les territoires placés sous leur autorité, l'exercice des fonctions dévolues par le projet d'accord au Comité Exécutif, les Gouvernements Signataires conviennent de constituer dès maintenant un Exécutif Provisoire des Transports Intérieurs Européens. Un Conseil est également constitué, à titre provisoire, conformément aux dispositions du projet d'accord.

ARTICLE III.

L'Exécutif Provisoire est composé initialement de cinq membres qui sont nommés par le Conseil Provisoire, dont trois sont désignés respectivement par le Gouvernement des États-Unis d'Amérique, le Gouvernement Provisoire de la République Française et le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord. Le Conseil Provisoire peut reviser ces nominations à tout moment après l'accession d'un Gouvernement Signataire, conformément aux dispositions de l'Article IV, et peut, à sa discrétion, procéder à des nominations supplémentaires dont le nombre ne pourra être supérieur à deux.

ARTICLE IV.

The Provisional Council may invite any other interested Government to accede to this Agreement, and upon accession such Government shall become, for the purpose of this Agreement, a Signatory Government.

ARTICLE V.

Withdrawal.

Any Signatory Government may withdraw from this Agreement at any time, such withdrawal to take effect at the expiration of three months from the date of the notification in writing of its intention to withdraw to each of the other Signatory Governments. This Agreement shall, in any case, cease to have effect from the date when the Organisation provided for in the Draft Agreement is established.

Termination date.

Post, p. 1368.

ARTICLE IV.

Le Conseil Provisoire peut inviter tout autre Gouvernement intéressé à adhérer au présent accord. Dès son adhésion, ce Gouvernement devient un Gouvernement Signataire, aux fins de cet accord.

ARTICLE V.

Tout Gouvernement Signataire peut à tout moment dénoncer le présent accord, qui cessera de lui être applicable à l'expiration d'un délai de trois mois, à compter de la date de la notification écrite, à chacun des autres Gouvernements Signataires, de son intention de se retirer. En tout état de cause, le présent accord sera tenu pour caduc dès la constitution de l'Office prévu au projet d'accord.

IN WITNESS whereof the under- EN FOI de quoi, les soussignés,
signed, duly authorised by their dûment autorisés par leurs Gou-
respective Governments, have vernements respectifs, ont signé
signed the present Agreement. le présent accord.

Done in London on the 8th day Fait à Londres, le 8 mai 1945,
of May, 1945, in English and en un seul exemplaire, en langues
French, both texts being equally française et anglaise, dont les deux
authoritative, in a single copy textes font également foi. Cet
which shall remain deposited in the exemplaire sera déposé, pour y être
archives of the Government of the conservé, dans les archives du
United Kingdom of Great Britain Gouvernement du Royaume-Uni de
and Northern Ireland, by whom Grande-Bretagne et d'Irlande du
certified copies shall be transmitted Nord, qui en remettra à tous les
to all Signatory Governments. Gouvernements Signataires des
copies certifiées conformes.

For the Government of the United Pour le Gouvernement des États-
States of America: Unis d'Amérique:

JOHN G. WINANT.

For the Royal Belgian Govern- Pour le Gouvernement du Royaume
ment: de Belgique:

OBERT DE THIEUSIES.

For the Provisional Government of Pour le Gouvernement Provisoire
the French Republic: de la République Française:

MASSIGLI.

For the Government of the United Pour le Gouvernement du Roy-
Kingdom of Great Britain and aume-Uni de Grande-Bretagne
Northern Ireland: et d'Irlande du Nord:

PHILIP NOEL BAKER.

For the Government of the Grand Duchy of Luxembourg: Pour le Gouvernement du Grand-Duché de Luxembourg:

A. J. CLASEN.

For the Royal Netherlands Government: Pour le Gouvernement du Royaume des Pays-Bas:

W. HUENDER.

For the Royal Norwegian Government: Pour le Gouvernement du Royaume de Norvège:

ARNE SUNDE.

ANNEX.

DRAFT AGREEMENT CONCERNING THE ESTABLISHMENT OF AN EUROPEAN CENTRAL INLAND TRANSPORT ORGANISATION.

WHEREAS, upon the liberation of any territories of the United Nations in Europe, and upon the occupation of any enemy territories in Europe, it is expedient for the fulfilment of the common military needs of the United Nations and in the interests of the social and economic progress of Europe, to provide for co-ordination both in the movement of traffic and in the allocation of transport equipment and material with a view to ensuring the best possible movement of supplies both for military forces and the civil population and the speedy repatriation of displaced persons, and also with a view to creating conditions in which the normal movement of traffic can be more rapidly resumed;

The Governments whose duly authorised representatives have subscribed hereto

Have agreed as follows:—

ARTICLE I.

There is hereby established the European Central Inland Transport Organisation, hereinafter called "the Organisation," which shall act in accordance with the provisions of the following Articles. The Organisation is established as a co-ordinating and consultative organ. It shall co-ordinate efforts to utilise all means of transport for the successful completion of the war and for the improvement of transport communications so as to provide for the restoration of normal conditions of economic life. It shall also provide assistance to the Allied Commanders-in-Chief during the war and to the Occupation Authorities set up by Governments of the United Nations during the first period after the war to maintain and improve the carrying capacity of transport.

ARTICLE II.—*Membership.*

The members of the Organisation shall be the Governments signatory hereto and such other Governments as may be admitted thereto by the Council.

ARTICLE III.—*Constitution.*

1. The Organisation shall consist of a Council and an Executive Board with the necessary headquarters, regional and local staff.

The Council.

2. Each member Government shall name one representative and such alternates as may be necessary upon the Council. The Council shall, for each of its sessions, select one of its members to preside. The Council shall determine its own rules of procedure. Unless otherwise provided in this Agreement or by action of the Council, the Council shall vote by simple majority.

3. The Council shall be convened in regular session not less than twice a year by the Executive Board. It may be convened in special

ANNEXE.

PROJET D'ACCORD PORTANT CRÉATION D'UN OFFICE CENTRAL DES TRANSPORTS INTÉRIEURS EUROPÉENS.

CONSIDÉRANT qu'il est opportun, lors de la libération des territoires des Nations Unies en Europe et de l'occupation de territoires ennemis en Europe, en vue de satisfaire aux besoins militaires communs des Nations Unies et dans l'intérêt du progrès social et économique de l'Europe, de concerter l'action des autorités compétentes en matière de mouvement du trafic et de fourniture de moyens de transport et de matériel et

Estimant qu'ainsi le transport du ravitaillement destiné tant aux armées alliées qu'aux populations civiles sera amélioré autant que possible; que le retour rapide des personnes à rapatrier sera facilité; enfin, que le mouvement normal du trafic pourra être plus rapidement repris,

Les Gouvernements dont les Représentants dûment autorisés ont signé le présent accord

Sont convenus de ce qui suit:

ARTICLE I.

Il est créé par le présent accord un Office Central des Transports Intérieurs Européens, ci-après dénommé "l'Office," qui exercera son activité dans les conditions prévues par les articles qui suivent. L'Office est établi en qualité d'organisme de coordination et de consultation. Il coordonne les efforts tendant à utiliser tous moyens de transport en vue de l'issue favorable de la guerre et de l'amélioration des transports, de manière à aider au rétablissement des conditions normales de la vie économique. Il aidera également les Commandants en Chef Alliés pendant la guerre, et les Autorités d'occupation établies par les Gouvernements des Nations Unies pendant la première période qui suivra la guerre, à maintenir et à améliorer les possibilités de transport adéquates.

ARTICLE II.—*Composition.*

Sont membres de l'Office les Gouvernements contractants et tels autres Gouvernements qui pourront y être admis par le Conseil.

ARTICLE III.—*Constitution.*

1. L'Office comporte un Conseil, un Comité Exécutif, et les services centraux, régionaux et locaux nécessaires.

Conseil.

2. Chaque Gouvernement contractant nomme un représentant au Conseil et autant de suppléants qu'il est nécessaire. Le Conseil choisit l'un de ses membres pour présider chacune de ses sessions. Le Conseil fixe ses propres règles de procédure. A moins qu'il n'en soit disposé autrement dans le présent accord ou par le Conseil, les décisions de ce dernier sont prises à la majorité simple.

3. Le Conseil est réuni en session ordinaire au moins deux fois par an par le Comité Exécutif. Il peut être réuni en session spéciale

session whenever the Executive Board shall deem necessary and shall be convened within thirty days after request by one-third of the members of the Council.

4. The Council shall perform the functions assigned to it under this Agreement and review the work of the Organisation generally to ensure its conformity with the broad policies determined by the Council.

The Executive Board.

5. The Executive Board shall consist of seven members who shall be appointed by the Council. It shall include one member nominated by each of the following Governments, the Provisional Government of the French Republic and the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Each member of the Executive Board shall be provided with a deputy similarly nominated and appointed. The members and their deputies shall be appointed for not longer than one year. The Executive Board shall choose its own Chairman, subject to confirmation by the Council.

6. The Executive Board shall perform the executive functions assigned to the Organisation within the framework of the broad policies determined by the Council. It shall act in accordance with the ruling of the majority of its members. It shall present to the Council such reports on the performance of its functions as the Council may require.

7. The Executive Board shall appoint a chief officer to direct the technical and administrative work of the Organisation under its supervision and in conformity with the broad policies determined by the Council. This officer shall appoint the staff at headquarters, regional and local offices, subject to the approval of the Executive Board, taking into account the exigencies of the various branches of transport concerned. The responsibilities of the chief officer and staff shall be exclusively international in character.

8. Each member Government may appoint a representative for purposes of consultation and communication with the Executive Board. Such representatives shall be fully informed by the Board of all activities of the Organisation. Each time that any important question is discussed concerning the interests of a member Government, this representative shall be entitled to take part in the discussion without right of vote.

ARTICLE IV.

1. The Organisation shall have power to perform any legal act appropriate to its object and purposes, including the power to acquire, hold and convey property, to enter into contracts and undertake obligations, to designate or create subordinate organs and to review their activity. The Organisation shall not, however, have power to own transport equipment and material, except with the unanimous consent of the Council.

2. These powers are vested in the Council. Subject to the provisions of paragraph 2 of Article V, the Council may delegate such of

chaque fois que le Comité Exécutif l'estime nécessaire et se réunira également dans les 30 jours après que la demande en aura été faite par le tiers des membres du Conseil.

4. Le Conseil remplit les fonctions qui lui sont assignées par le présent accord et exerce un contrôle d'ordre général sur l'activité de l'Office, pour en assurer la conformité avec les directives qu'il a lui-même établies.

Comité Exécutif.

5. Le Comité Exécutif est composé de sept membres nommés par le Conseil. Il comprend un membre désigné par chacun des Gouvernements suivants: le Gouvernement Provisoire de la République Française, et les Gouvernements des États-Unis d'Amérique, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et de l'Union des Républiques Soviétistes Socialistes. Chaque membre du Comité Exécutif est secondé par un suppléant désigné et nommé de la même manière. Les membres et leurs suppléants sont désignés pour une période ne dépassant pas un an. Le Comité Exécutif choisira son Président sous réserve de confirmation par le Conseil.

6. Le Comité Exécutif remplit les fonctions de direction assignées à l'Office dans le cadre des directives arrêtées par le Conseil. Il agit en conformité des décisions de la majorité de ses membres. Il présente au Conseil sur l'accomplissement de sa mission les rapports que le Conseil peut lui demander.

7. Le Comité Exécutif désigne un haut fonctionnaire pour diriger, sous son contrôle général et en conformité des directives arrêtées par le Conseil, le travail technique et administratif de l'Office. Ce fonctionnaire nomme le personnel des services centraux, régionaux et locaux sous réserve de l'approbation du Comité Exécutif, en tenant compte des exigences des diverses catégories de transports intéressés. Ce haut fonctionnaire et son personnel sont exclusivement responsables vis-à-vis de l'Office international.

8. Chaque Gouvernement contractant peut désigner un représentant aux fins de se concerter avec le Comité Exécutif et de communiquer avec lui. Ces représentants sont tenus pleinement informés par le Comité de toutes les activités de l'Office. Chaque fois qu'une question importante concernant les intérêts d'un Gouvernement contractant est discutée, ce représentant a la faculté de prendre part à la discussion, sans droit de vote.

ARTICLE IV.

1. L'Office a le pouvoir d'accomplir tout acte juridique approprié à ses activités, y compris celui d'acquérir des biens, de les conserver et d'en disposer, de signer des contrats, d'assumer des obligations, de désigner ou de créer des organismes subordonnés et de contrôler leur activité. Toutefois, l'Office n'a pas le pouvoir de posséder des moyens de transport et du matériel, sauf avec le consentement unanime du Conseil.

2. Les pouvoirs définis ci-dessus appartiennent au Conseil. Sous réserve des dispositions du paragraphe 2 de l'article V, le Conseil peut

these powers as it may deem necessary to the Executive Board, including the power of subdelegation. The Executive Board shall be responsible to the Council for the upkeep and administration of any property owned by the Organisation.

ARTICLE V.—*Finance.*

1. The Executive Board shall submit to the Council an initial budget and from time to time such supplementary budgets as may be required, covering the administrative expenses of the Organisation. Upon approval of a budget by the Council the total amount approved shall be raised in such manner or be allocated in such proportions as may be agreed between the member Governments. Each member Government undertakes, subject to the requirements of its constitutional procedure, promptly to contribute to the Organisation, in such currency or currencies as may be agreed by such Government with the Executive Board, its share of these expenses. Each member Government shall also provide such facilities as are required for the transfer into other currencies of sums so contributed and held by the Organisation in that Government's own currency.

2. The Organisation shall not incur any expenses, other than administrative expenses, except under the authority of the Council. Proposals for such expenses shall be submitted by the Executive Board to the Council, and when approved by the Council such expenses shall be met by contributions which a member Government or member Governments may agree to make or in such other manner as may be agreed between member Governments.

3. Nothing in this Agreement shall require any member Government or transport administration under its authority to perform services without remuneration.

ARTICLE VI.—*Scope of the Organisation.*

1. The Organisation shall exercise its functions in any territory in Continental Europe as soon as the member Government concerned becomes the effective authority for transport in that territory, provided that the Allied Commander-in-Chief concerned is satisfied that military necessity permits and under such conditions as he may deem necessary.

2. In respect of any territory in Continental Europe in which the Allied Commanders-in-Chief retain responsibility for the direction of the transport system, the Organisation shall on request give advice or assistance to the Allied Commanders-in-Chief, and, in consultation with the Allied Commander-in-Chief concerned, to any member Government or to other appropriate authorities of the United Nations, on any question with which it is empowered to deal under Article VII.

3. The Organisation shall treat with any of the Occupation Authorities set up by Governments of the United Nations in respect of any territory in Continental Europe in which such Occupation Authorities are exercising authority.

déléguer au Comité Exécutif tels de ses pouvoirs qu'il juge utile, y compris le pouvoir de sous-délégation. Le Comité Exécutif est responsable devant le Conseil de l'entretien et de l'administration de tous biens possédés par l'Office.

ARTICLE V.—*Ressources.*

1. Le Comité Exécutif soumet au Conseil un budget initial et de temps à autre, en tant que de besoin, des budgets supplémentaires couvrant les dépenses administratives de l'Office. Après l'approbation d'un budget par le Conseil, le montant total en est perçu suivant les procédures ou réparti dans les proportions qui auront pu être fixées d'accord entre les Gouvernements contractants. Chaque Gouvernement contractant s'engage, sous réserve des exigences de sa procédure constitutionnelle, à verser promptement sa part des frais de l'Office en telle monnaie dont il pourra être convenu avec le Comité Exécutif. Chaque Gouvernement contractant doit aussi faciliter, en tant que de besoin, le transfert en d'autres monnaies des sommes ainsi versées dans sa propre monnaie et détenues par l'Office.

2. L'Office n'engage aucune dépense autre que des dépenses administratives, si ce n'est par décision du Conseil. Les autres dépenses font l'objet de propositions soumises par le Comité Exécutif au Conseil et, après approbation par le Conseil, sont couvertes par les contributions qu'un ou plusieurs Gouvernements contractants pourraient consentir à fournir ou de telle autre manière dont les Gouvernements contractants pourraient convenir.

3. Aucune disposition du présent accord ne peut être interprétée comme obligeant un Gouvernement contractant, ou une administration de transport placée sous l'autorité de celui-ci, à effectuer des services sans rémunération.

ARTICLE VI.—*Champ d'Action de l'Office.*

1. L'Office exerce ses activités dans tout territoire de l'Europe Continentale aussitôt que le Gouvernement contractant intéressé devient l'autorité effective en matière de transports, à condition toutefois que le Commandant en Chef Allié intéressé le juge possible du point de vue des nécessités militaires, et sous réserve des modalités qu'il estimerait utile de fixer.

2. En ce qui concerne tout territoire de l'Europe Continentale sur lequel les Commandants en Chef Alliés conservent la responsabilité de la direction des transports et sur toutes questions de sa compétence aux termes de l'Article VII, l'Office donne, sur demande, avis ou assistance aux Commandants en Chef Alliés et, en accord avec le Commandant en Chef Allié intéressé, à tout Gouvernement contractant ou à toute autre Autorité compétente des Nations Unies.

3. L'Office traite avec toutes Autorités d'occupation établies par les Gouvernements des Nations Unies, en ce qui touche les territoires de l'Europe Continentale sur lesquels ces Autorités d'occupation exercent leurs pouvoirs.

ARTICLE VII.—*Executive Functions of the Organisation.**Introductory.*

1. The Organisation shall carry out thorough studies of the technical and economic conditions affecting traffic of an international character and shall give to the Governments concerned with such traffic technical advice and recommendations directed to restoring and increasing the carrying capacity of the transport systems in Continental Europe and to co-ordinating the movement of traffic of common concern on these systems.

2. In case any member Government meets with difficulties in carrying out these recommendations owing to reasons of a material and economic character, the Organisation shall investigate with the member Governments concerned means of practical help.

Information on Transport Equipment and Material.

3. The Organisation shall receive and collect information concerning the requirements of transport equipment and material for Continental Europe.

Realisation of Requirements for Transport Equipment and Material.

4. The Organisation shall assist the realisation of requirements of any member Government in Continental Europe for transport equipment and material.

Allocation and Distribution for Use of Transport Equipment and Material.

5. The Organisation shall, within the framework of the priorities determined by the appropriate authorities of the United Nations, determine the allocation or distribution for use to Governments in Continental Europe, on such conditions as it may deem necessary, of such transport equipment and material as may be made available for this purpose by the Allied Commanders-in-Chief, by Occupation Authorities, or by agencies of any one or more of the United Nations. To enable the Organisation to carry out this function effectively, it may consult with the Governments concerned on their export possibilities and import needs for transport equipment and material for Continental Europe and will receive from such Governments notification of all arrangements made in respect thereto of which they have notice.

Arrangements to make Mobile Transport Equipment and Material available.

6. In cases where temporary emergency requirements of mobile transport equipment for carrying traffic of common concern arise and normal arrangements for the interchange of such mobile transport equipment are inadequate, the Organisation shall arrange with member Governments concerned to make available mobile transport equipment for the purpose of meeting such requirements. Such mobile transport equipment shall be made available under arrangements made between the member Governments concerned, with the assistance of the Organisation.

ARTICLE VII.—*Fonctions de Direction de l'Office.**Introduction.*

1. L'Office procède à des études approfondies des conditions techniques et économiques affectant le trafic de caractère international et donne aux Gouvernements intéressés à ce trafic tous avis techniques et recommandations en vue de rétablir et d'augmenter la capacité des réseaux de transport de l'Europe Continentale et de coordonner les mouvements du trafic d'intérêt commun sur ces réseaux.

2. Lorsqu'un Gouvernement contractant rencontre des difficultés à appliquer ces recommandations pour des motifs d'ordre matériel et économique, l'Office recherche avec les Gouvernements contractants intéressés des moyens d'aide pratique.

Renseignements sur les Moyens de Transport et le Matériel.

3. L'Office reçoit et réunit les informations concernant les besoins en moyens de transport et en matériel de l'Europe Continentale.

Satisfaction des Besoins en Moyens de Transport et Matériel.

4. L'Office donne son aide à tous les Gouvernements contractants en Europe Continentale en vue de la satisfaction de leurs besoins en moyens de transport et en matériel.

Attribution et Répartition des Moyens de Transport et du Matériel.

5. Dans le cadre des priorités établies par les Autorités compétentes des Nations Unies, l'Office attribue aux Gouvernements en Europe Continentale ou répartit entre ces Gouvernements, pour usage et sous telles conditions qui peuvent être jugées nécessaires, les moyens de transport et le matériel qui peuvent être rendus disponibles à cet effet par les Commandants en Chef Alliés, par les Autorités d'occupation ou par les organismes relevant d'une ou de plusieurs des Nations Unies. Pour pouvoir exercer ces fonctions avec efficacité, l'Office peut se concerter avec les Gouvernements intéressés sur leurs possibilités d'exportation et leurs besoins d'importation pour l'Europe Continentale en moyens de transport et en matériel; il est avisé par ces Gouvernements de tous arrangements faits à ce sujet dont ils auraient connaissance.

Arrangements en vue de rendre disponibles des Moyens de Transport et du Matériel.

6. S'il se présente des besoins urgents et temporaires de moyens mobiles de transport pour faire face à un trafic d'intérêt commun, et si les arrangements normaux concernant l'échange de ces moyens de transport se révèlent insuffisants, l'Office s'entend avec les Gouvernements contractants intéressés pour rendre disponibles les moyens de transport nécessaires à la satisfaction de ces besoins. De tels moyens de transport sont rendus disponibles par des arrangements entre les Gouvernements contractants intéressés, avec l'assistance de l'Office.

Restoration of Transport Equipment and Material.

7. The Organisation shall arrange, as soon as practicable, to restore to the member Government concerned transport equipment and material belonging to a member Government or to its nationals, found outside the territories under the authority of that member Government and outside its control. These arrangements shall be made in accordance with any general policies which may be determined by the appropriate authorities of the United Nations regarding restoration and restitution of property removed by the enemy. Where immediate restoration would unduly prejudice the operation of essential transport in the area, the Organisation shall work out arrangements with the Governments concerned for the temporary use of equipment pending its restoration.

Census of Transport Equipment and Material.

8. The Organisation shall at the earliest practicable time arrange through the member Governments for a census of rolling-stock in Continental Europe and of such other transport equipment and material there as may appear necessary for the proper discharge of its functions.

Traffic.

9. The Organisation may make such recommendations to the appropriate authorities as it deems necessary with respect to particulars of projected movements of traffic of common concern, having regard to the transport facilities available for the movement of such traffic.

10. The Organisation shall make recommendations to the Governments concerned in order to ensure the movement of traffic of common concern on all routes of transport in Continental Europe in accordance with the priorities determined by the appropriate authorities of the United Nations. In respect of traffic of military importance sponsored by the Allied Commanders-in-Chief, the appropriate authority for this purpose will be the Allied Commander-in-Chief concerned.

Charges.

11. The Organisation may work out the unification of tariffs, terms and conditions of transport and the like applicable to traffic of an international character. It shall recommend to the Government concerned the principles by which reasonable transport charges for traffic of common concern in Continental Europe should be fixed by them in accordance with the provisions of paragraph 9 of Article VIII. This paragraph shall not apply to military traffic under the control of the Allied Commanders-in-Chief except at their request.

Post, p. 1382.

Rehabilitation of Transport Systems.

12. The Organisation may study the conditions of transport affecting traffic of an international character in individual countries and make recommendations to the Governments concerned as to technical measures directed to the quickest restoration of transport facilities and their most effective use, and as to the priority in which works or projects in respect of the restoration or improvement of transport facilities shall be carried out.

Restitution des Moyens de Transport et du Matériel.

7. L'Office prend aussitôt que possible les dispositions voulues en vue de la restitution à tout Gouvernement contractant intéressé des moyens de transport et du matériel appartenant à ce Gouvernement ou à ses ressortissants et trouvés dans des territoires qui ne relèvent pas de son autorité et ne sont pas placés sous son contrôle. Ces dispositions sont prises dans le cadre de la politique générale qui pourra être déterminée par les Autorités compétentes des Nations Unies en ce qui concerne la restitution des biens enlevés par l'ennemi. Au cas où la restitution entraverait indûment les transports essentiels dans la région considérée, l'Office négocie des accords avec les Gouvernements intéressés pour l'usage temporaire de ces moyens de transport en attendant leur restitution.

Recensement des Moyens de Transport et du Matériel.

8. L'Office fait procéder, aussitôt que possible, par l'entremise des Gouvernements contractants à un recensement du matériel roulant en Europe Continentale et de telles catégories de moyens de transport et de matériel qui paraîtraient nécessaires pour lui permettre de remplir correctement ses fonctions.

Trafic.

9. L'Office peut faire telles recommandations qu'il estime nécessaire aux Autorités compétentes au sujet des modalités des programmes concernant le trafic d'intérêt commun, en tenant compte des moyens et du matériel disponibles pour assurer ce trafic.

10. L'Office fait des recommandations aux Gouvernements intéressés en vue d'assurer le trafic d'intérêt commun sur tous les itinéraires de transport en Europe Continentale, en accord avec les priorités établies par les Autorités compétentes des Nations Unies. En ce qui concerne le trafic d'intérêt militaire relevant des Commandants en Chef Alliés, l'Autorité compétente à cet égard est le Commandant en Chef Allié intéressé.

Tarifs.

11. L'Office peut étudier l'unification des tarifs, des clauses et des conditions de transport applicables au trafic de caractère international, ainsi que les questions connexes. Il recommande au Gouvernement intéressé les principes d'après lesquels des tarifs raisonnables pour le trafic d'intérêt commun en Europe Continentale devraient être fixés par lui conformément aux dispositions du paragraphe 9 de l'Article VIII. Le présent paragraphe ne s'applique pas au trafic militaire sous le contrôle des Commandants en Chef Alliés, sauf s'ils en font la demande.

Remise en état des Réseaux de Transport.

12. L'Office peut étudier les conditions de transport intéressant le trafic de caractère international dans des pays déterminés et faire aux Gouvernements intéressés des recommandations en ce qui concerne les mesures techniques susceptibles d'assurer le rétablissement rapide des réseaux de transport, leur utilisation la plus efficace et les priorités selon lesquelles les travaux ou projets concernant la remise en état ou l'amélioration de ces réseaux devraient être exécutés.

Operation of Transport

13. While it remains the task of each member Government to provide for the efficient operation of the transport systems in Continental Europe for which it is responsible, the Organisation may exceptionally, at the request of any member Government, give any practicable assistance in the rehabilitation or operation of transport in any territory in Continental Europe under the authority of such Government on such conditions as may be agreed between such Government and the Organisation, having due regard to the rights of other member Governments.

Co-ordination of European Transport.

14. The Organisation shall work out and co-ordinate common action to secure the inauguration, maintenance, modification, resumption or, where appropriate, suppression, of international arrangements for through working of railways and exchange of rolling-stock of the Continental European countries for carrying out international transport. In particular, it shall ensure a unified clearing system for traffic operations between the different countries in Continental Europe. In general, it shall promote where necessary the establishment of appropriate machinery for co-operation between railway administrations.

15. The Organisation shall place its services at the disposal of member Governments and make recommendations with a view to ensuring the most efficient movement of international traffic on waterways.

16. The Organisation shall take such steps as may be practicable through the Governments concerned to facilitate the movement across frontiers of road transport vehicles.

17. In carrying out the functions mentioned in paragraphs 14 and 16 of this Article and in placing its services at the disposal of member Governments as described in paragraph 15 of this Article, the Organisation shall make use, to the extent practicable, of conventions in force between member Governments so as to obtain the greatest benefit therefrom for the fulfilment of its task in this respect, provided that the Organisation shall act—

- (a) in accordance with any general policies which may be determined by the appropriate authorities of the United Nations; and
- (b) with due respect for existing rights and obligations.

18. The Organisation shall make recommendations to the Governments concerned designed to promote adequate co-ordination of all European transport for the fulfilment of the common military needs of the United Nations or in the interests of traffic of an international character.

Relations with other Agencies.

19. The Organisation shall co-operate as may be required with the appropriate authorities and agencies of any one or more of the United Nations and with international organisations.

20. The Organisation shall provide all possible assistance to the Allied Commanders-in-Chief in meeting their needs for transport

Exploitation.

13. Bien qu'il appartienne à chaque Gouvernement contractant d'assurer l'exploitation satisfaisante des réseaux de transport dont il est responsable en Europe Continentale, l'Office peut, exceptionnellement, à la demande de l'un quelconque des Gouvernements contractants, donner à celui-ci toute l'aide en son pouvoir pour la réorganisation ou l'exploitation des transports dans tous les territoires de l'Europe Continentale sous l'autorité de ce Gouvernement, aux conditions fixées d'accord entre ce Gouvernement et l'Office, compte tenu des droits des autres Gouvernements contractants.

Coordination des Transports Européens.

14. L'Office prépare et coordonne l'action commune en vue d'assurer l'établissement, le maintien, la modification, le rétablissement, ou, s'il est opportun, la suppression d'arrangements internationaux pour l'exploitation en transit des chemins de fer et l'échange du matériel roulant dans les pays de l'Europe Continentale, en vue d'assurer les transports internationaux. En particulier, il établit un système de clearing unifié pour le trafic entre les différents pays de l'Europe Continentale. En général l'Office provoque, là où les circonstances le demandent, l'établissement de procédures appropriées pour la coopération entre les administrations des Chemins de Fer.

15. L'Office met ses services à la disposition des Gouvernements contractants et fait des recommandations en vue d'assurer sur toutes les voies navigables le trafic international de la manière la plus satisfaisante.

16. L'Office prend toutes mesures utiles, par l'entremise des Gouvernements intéressés, pour faciliter le passage aux frontières des véhicules de transports routiers.

17. En remplissant les fonctions définies aux paragraphes 14 et 16 du présent article et en mettant ses services à la disposition des Gouvernements contractants comme il est dit au paragraphe 15 du présent article, l'Office applique dans la mesure du possible les conventions en vigueur entre les Gouvernements contractants de manière à en tirer le plus grand avantage pour l'accomplissement de sa mission dans ce domaine, et à cet effet l'Office agit—

- (a) en accord avec les directives générales qui peuvent être données par les Autorités compétentes des Nations Unies;
- (b) en respectant les obligations et droits existants.

18. L'Office adresse aux Gouvernements intéressés des recommandations tendant à promouvoir la coordination nécessaire de tous les transports européens, en vue d'assurer les besoins militaires communs des Nations Unies ou dans l'intérêt du trafic de caractère international.

Relations avec les autres Organismes.

19. L'Office coopère, en tant que de besoin, avec les Autorités compétentes ou organismes d'une ou plusieurs des Nations Unies et avec les organisations internationales.

20. L'Office donne toute assistance possible aux Commandants en Chef Alliés pour faire face à leurs besoins en matière de matériel et

facilities and improving the use of these facilities for the successful fulfilment of military requirements.

21. The Organisation shall arrange for consultation through appropriate machinery with representatives of persons employed in inland transport on international questions of mutual concern to the Organisation and such representatives within the field of the Organisation's activities.

Miscellaneous.

22. The Organisation may advise the Governments concerned and the appropriate authorities of the United Nations on the priority to be given, in the interests of the rehabilitation of European transport, to the repatriation of displaced transport personnel and to workers required for the production, maintenance or repair of transport equipment and material.

23. The Organisation shall give all practicable assistance through the appropriate authorities to any Government concerned at its request in obtaining supplies of fuel, power and lubricants to meet the needs of traffic of common concern, in order that that Government may fulfil its obligations under paragraph 7 of Article VIII.

Post, p. 1382.

ARTICLE VIII—*Obligations of Member Governments.*

Information.

1. Every member Government, in respect of territory which is in the field of activity of the Organisation, shall, upon request of the Organisation, provide it with such information as is essential for the performance of its functions.

Restoration of Transport Equipment and Material.

2. Every member Government, in respect of territory which is in the field of activity of the Organisation, undertakes that:—

Ante, p. 1376.

- (i) it will facilitate the execution of paragraph 7 of Article VII;
- (ii) except with the consent of the Organisation, it will neither seize nor make use of—

- (a) transport equipment and material in Continental Europe found outside the territories under its authority, even though such equipment and material may belong to it or to any of its nationals; provided that this sub-paragraph shall not debar any member Government or any of its nationals from continuing the management of its or his own inland vessels;

- (b) transport equipment and material found within territory under its authority but not belonging to it or any of its nationals, provided that a member Government may make temporary use of enemy or ex-enemy transport equipment and material pending any arrangements that may be made in accordance with the provisions of paragraph 5 of Article VII and with-

Ante, p. 1374.

d'équipement de transport, de manière à améliorer le rendement de ces derniers en vue de la satisfaction des besoins militaires.

21. L'Office prend toutes dispositions pour se concerter, selon les procédures appropriées, avec les représentants des personnes employées dans les transports intérieurs au sujet des questions internationales de la compétence de l'Office et intéressant aussi bien celui-ci que lesdites personnes.

Dispositions diverses.

22. L'Office peut donner des avis aux Gouvernements intéressés et à toutes les Autorités compétentes des Nations Unies sur les priorités à accorder, dans l'intérêt de la réorganisation des transports européens, au rapatriement du personnel des transports déporté et à la main-d'œuvre exigée pour la production, l'entretien ou les réparations des moyens de transport et du matériel.

23. L'Office donne toute l'assistance possible, par l'entremise des Autorités compétentes, aux Gouvernements intéressés, et à la demande de ceux-ci, pour leur procurer des approvisionnements en combustibles, en carburants, en énergie électrique et en lubrifiants en vue d'assurer les besoins du trafic d'intérêt commun, de telle manière que ces Gouvernements puissent remplir leurs obligations conformément au paragraphe 7 de l'Article VIII.

ARTICLE VIII.—*Obligations des Gouvernements contractants.*

Informations.

1. Tout Gouvernement contractant fournit à l'Office, pour ce qui concerne les territoires sur lesquels s'étend la compétence de celui-ci et à sa demande, tous renseignements indispensables à l'exercice des fonctions qui lui sont dévolues.

Restitution des Moyens de Transport et du Matériel.

2. Chaque Gouvernement contractant, pour ce qui concerne les territoires sur lesquels s'étend la compétence de l'Office, prend l'engagement:

1° de faciliter l'exécution du paragraphe 7 de l'Article VII;

2° sauf autorisation de l'Office, de ne pas saisir ou utiliser:

- (a) des moyens de transport et du matériel en Europe Continentale en dehors des territoires relevant de son autorité, même si ces moyens de transport et ce matériel lui appartenaient ou appartenaient à ses ressortissants, étant entendu que cette disposition ne mettra pas obstacle à ce qu'un Gouvernement contractant, ou les ressortissants de ce dernier, continuent à gérer leurs bateaux de navigation intérieure;
- (b) des moyens de transport et du matériel trouvés sur un territoire placé sous son autorité, mais qui n'appartiennent ni à ce Gouvernement ni à ses ressortissants, étant entendu toutefois qu'un Gouvernement contractant peut faire usage temporaire de moyens de transport et de matériel ennemis ou ex-ennemis, en attendant tous arrangements qui pourront être con-

out prejudice to the ultimate disposal of such transport equipment and material by the appropriate authorities of the United Nations;

- (c) transport equipment and material coming within territory under its authority under arrangements made under the auspices of the Organisation for the movement of traffic of common concern.

3. The provisions of paragraph 2 of this Article shall not affect the rights of the Allied Commanders-in-Chief within any territory in respect of which the Organisation has not begun to exercise its functions under Article VII.

Census of Transport Equipment and Material.

4. Every member Government undertakes to co-operate fully with the Organisation in arranging any census for which provision is made in paragraph 8 of Article VII.

Ante, p. 1376.

Traffic.

5. Every member Government undertakes to ensure by any means in its power the best possible movement of traffic of common concern in accordance with the recommendations made by the Organisation under paragraph 10 of Article VII.

Ante, p. 1376.

6. Every member Government undertakes to provide inland vessels under its control in Continental Europe required for traffic of common concern,

- (i) in accordance with the recommendations of the Organisation generally, and
- (ii) if signatory to the Annex to this Agreement, in accordance with its terms.

Post, p. 1388.

Provision of Fuel, Power and Lubricants.

7. Every member Government shall take all measures necessary and practicable to ensure, in respect of the territory in Continental Europe under its authority, that adequate supplies of fuel, power and lubricants are available for traffic of common concern, provided that the Organisation has made suitable arrangements with the Government concerned.

Charges.

8. Every member Government undertakes not to levy or permit the levy of customs duties or other charges, other than transport charges, and admissible transit charges on traffic of common concern in transit through territories in Continental Europe under its authority. No discrimination shall be made in respect of import duties levied on goods of common concern, dependent on the route the goods have travelled prior to importation into the country concerned.

9. Every member Government undertakes to secure that transport charges made within territories in Continental Europe under its authority on traffic of common concern, including such traffic in transit

clus par application des dispositions du paragraphe 5 de l'article VII et sans préjudice de l'attribution finale de ces moyens de transport et de ce matériel qui serait décidée par les Autorités compétentes des Nations Unies;

- (c) des moyens de transport et du matériel entrant dans un territoire placé sous leur autorité en vertu d'arrangements conclus sous les auspices de l'Office pour le trafic d'intérêt commun.

3. Les dispositions du paragraphe 2 du présent article n'affectent pas les droits des Commandants en Chef Alliés à l'intérieur de tout territoire sur lequel l'Office n'a pas commencé à exercer ses fonctions en vertu de l'Article VII.

Recensement des Moyens de Transport et du Matériel.

4. Chaque Gouvernement contractant s'engage à coopérer pleinement avec l'Office pour effectuer tout recensement prévu au paragraphe 8 de l'Article VII.

Trafic.

5. Chaque Gouvernement contractant s'engage à assurer, par tous les moyens en son pouvoir, la meilleure circulation possible du trafic d'intérêt commun, conformément aux recommandations faites par l'Office en vertu du paragraphe 10 de l'Article VII.

6. Chaque Gouvernement contractant s'engage à procurer les bateaux de navigation intérieure nécessaires au trafic d'intérêt commun se trouvant sous son contrôle en Europe Continentale:

- 1° conformément aux recommandations de l'Office d'une manière générale;
- 2° et, si ce Gouvernement est signataire de l'annexe au présent accord, conformément aux dispositions de celle-ci.

Ravitaillement en Combustibles, Carburants, Énergie électrique et Lubrifiants.

7. Chaque Gouvernement contractant prend dans la limite du possible toutes mesures nécessaires en ce qui concerne les territoires de l'Europe Continentale relevant de son autorité, pour qu'un ravitaillement suffisant en combustibles, carburants, énergie électrique et lubrifiants soit disponible pour le trafic d'intérêt commun, sous réserve que l'Office ait conclu des arrangements adéquats avec le Gouvernement intéressé.

Perceptions.

8. Chaque Gouvernement contractant s'engage à ne pas percevoir et à ne pas autoriser la perception de droits de douane et d'autres droits, si ce n'est les frais de transport et les frais de transit normaux, sur le trafic d'intérêt commun transitant sur les territoires de l'Europe Continentale relevant de son autorité. Aucune discrimination n'est faite en ce qui concerne les droits d'importation perçus sur les matières d'intérêt commun, suivant l'itinéraire que ces matières ont emprunté avant leur importation dans le pays intéressé.

9. Chaque Gouvernement contractant s'engage à prendre des dispositions pour que les tarifs de transport perçus sur les territoires de l'Europe Continentale relevant de son autorité intéressant le trafic

through such territories, shall be as low and simple and as uniform with those in other territories, to which this Agreement applies, as is practicable. Every member Government shall give the fullest consideration to recommendations made by the Organisation in accordance with paragraph 11 of Article VII and report to the Organisation on the action taken.

Ante, p. 1376.

Miscellaneous.

10. Every member Government undertakes to co-operate with the Organisation in the exercise of its functions under paragraphs 14 and 16 of Article VII.

Ante, p. 1378.

11. Every member Government shall use its best endeavours in its relations with any other international organisations, agencies or authorities to give effect to the provisions of this Agreement.

12. Every member Government shall give the fullest consideration to any recommendations made by the Organisation in accordance with paragraphs 12, 15 and 18 of Article VII and report to the Organisation on the action taken.

Ante, pp. 1376, 1378.

13. Every member Government shall respect the exclusively international character of the chief officer and the staff of the Organisation, and shall grant such facilities to the Organisation, to members of its constituent bodies, and to members of its staff as are necessary to the performance by the Organisation of its functions in accordance with Article VII.

Ante, p. 1374.

14. Every member Government shall in territory under its authority take all steps in its power to facilitate the exercise by the Organisation of any of the powers referred to in Article IV.

Ante, p. 1370.

ARTICLE IX.

The Organisation shall be related to any general international organisation to which may be entrusted the co-ordination of the activities of international organisations with specialised responsibilities.

Relation to international organization.

ARTICLE X.

1. The functions of the Organisation shall relate to all forms of transport by road, rail or waterway, within the territories of the Continent of Europe in which the Organisation operates, but not to sea-going shipping, except that the provisions of paragraph 10 of Article VII and paragraph 5 of Article VIII shall apply in respect of such shipping when employed in Continental Europe on inland waterways.

Ante, pp. 1376, 1382.

2. In regard to the handling of traffic in ports where sea-going vessels are discharged or loaded, the Organisation shall co-operate with the appropriate authorities of the member Government concerned and any shipping organisation set up by them to ensure—

- (i) the rapid turn-round of ships;
- (ii) the efficient use of port facilities in the best interests of the prompt clearance of cargo of common concern.

d'intérêt commun, y compris le trafic en transit par lesdits territoires, soient aussi modérés, simples et voisins de ceux perçus sur les autres territoires auxquels le présent accord est appliqué, qu'il est possible. Chaque Gouvernement contractant tient le plus grand compte des recommandations faites par l'Office conformément au paragraphe 11 de l'Article VII et rend compte à l'Office des mesures qu'il a prises à cet égard.

Dispositions diverses.

10. Chaque Gouvernement contractant s'engage à coopérer avec l'Office dans l'exercice des fonctions qui lui sont dévolues par les paragraphes 14 et 16 de l'Article VII.

11. Chaque Gouvernement contractant fait tous ses efforts dans ses relations avec tous autres organismes, administrations ou autorités internationales pour donner effet aux dispositions du présent accord.

12. Chaque Gouvernement contractant tient le plus grand compte de toutes recommandations faites par l'Office par application des paragraphes 12, 15, 18 de l'Article VII et rend compte à l'Office des mesures qu'il a prises à cet égard.

13. Chaque Gouvernement contractant respecte le caractère exclusivement international du haut fonctionnaire et du personnel de l'Office, et accorde à l'Office, aux membres de son Conseil, de son Comité exécutif et de son personnel toutes facilités nécessaires à l'accomplissement, par l'Office, des fonctions qui lui sont dévolues par l'Article VII.

14. Chaque Gouvernement contractant prend, sur les territoires relevant de son autorité, toutes mesures en son pouvoir pour faciliter l'exercice par l'Office de tous les droits énumérés à l'Article IV.

ARTICLE IX.

L'Office sera affilié à toute organisation internationale générale qui viendrait à être chargée de coordonner les activités des organisations internationales à compétence spécialisée.

ARTICLE X.

1. Les attributions de l'Office s'étendent à toutes les formes de transport, par route, rail ou voie d'eau à l'intérieur des territoires du Continent européen sur lesquels il exerce son activité. Elles ne s'étendent pas aux navires de mer; toutefois les dispositions du paragraphe 10 de l'Article VII et du paragraphe 5 de l'Article VIII sont applicables à ces navires lorsqu'ils sont employés en Europe Continentale sur des voies de navigation intérieure.

2. En ce qui concerne le trafic dans les ports où des navires de mer sont chargés ou déchargés, l'Office coopère avec les administrations compétentes des Gouvernements contractants, et avec toutes organisations établies par ces Gouvernements pour la marine marchande, afin d'assurer:

- (i) une rotation rapide des navires,
- (ii) l'emploi rationnel des installations portuaires dans l'intérêt bien compris d'une rapide réexpédition des cargaisons d'intérêt commun.

ARTICLE XI.

In the event of there being any direct inconsistency between the provisions of this Agreement and the provisions of any agreement already existing between any of the member Governments, the provisions of this Agreement shall, as between such member Governments, be deemed to prevail, due respect being had to the provisions of paragraph 17 of Article VII, provided, however, that nothing in this Article shall be construed to prevent member Governments from entering into agreements to facilitate the working of traffic across national frontiers.

Ante, p. 1378.

ARTICLE XII.

Until the end of the period of two years after the general suspension of hostilities with Germany, the provisions of this Agreement may be amended, suspended or terminated only by a unanimous vote of the Council. At any time after that date any provision of this Agreement may be amended, suspended or terminated by a two-thirds majority of the Council, provided that no alteration shall be made in the provisions of this Agreement so as to extend the obligations or financial liability of any member Government without that Government's consent.

ARTICLE XIII.

Effective date.

1. This Agreement shall come into force for each member Government on the date of signature.

Right of withdrawal.

2. It shall remain in force for two years from the date of the general suspension of hostilities with Germany. It shall thereafter remain in force, subject to the right of any member Government, after the expiration of eighteen months from the date of such general suspension of hostilities, to give six months' notice in writing to the Council of its intention to withdraw from this Agreement.

ARTICLE XIV.—*Definitions.*

1. For the purpose of this Agreement and its Annex, the definitions given in this Article have been adopted.

2. The term "inland transport" shall include all forms of transport as referred to in Article X of this Agreement.

3. The term "Continental Europe" shall mean all territories in Europe under the authority or control of member Governments, but shall not extend to territory of the United Kingdom or of the Union of Soviet Socialist Republics.

4. The term "territory under the authority of a member Government" shall be construed to mean territory in Continental Europe either under the sovereignty of a member Government or territory over which a member Government or member Governments is or are exercising authority or control.

ARTICLE XI.

Au cas où une disposition du présent accord serait en contradiction formelle avec les dispositions d'une convention en vigueur entre les Gouvernements contractants ou certains d'entre eux, les dispositions du présent accord prévaudront dans les rapports entre Gouvernements contractants, compte tenu des dispositions du paragraphe 17 de l'Article VII.

Toutefois, aucune disposition du présent article ne pourra être opposée à des Gouvernements contractants pour faire obstacle à la conclusion d'accords destinés à faciliter le passage du trafic aux frontières nationales.

ARTICLE XII.

A condition qu'aucune disposition de l'accord ne soit modifiée de manière à augmenter les obligations ou les engagements financiers d'aucun Gouvernement contractant, sans le consentement de celui-ci, et jusqu'à l'expiration d'une période de deux ans après la suspension des hostilités avec l'Allemagne, un vote unanime du Conseil est nécessaire pour amender ou suspendre le présent accord ou y mettre fin; passé ce délai, ces mesures pourront être prises à la majorité des deux tiers du Conseil.

ARTICLE XIII.

1. Le présent accord entrera en vigueur, pour chaque Gouvernement contractant, à la date de sa signature.

2. Il restera en vigueur pendant deux années à compter de la date de la suspension générale des hostilités avec l'Allemagne. Il demeurera ensuite en vigueur, sous réserve du droit pour tout Gouvernement contractant de notifier par écrit au Conseil, après l'expiration d'un délai de dix-huit mois à compter de ladite suspension, son intention de le dénoncer; l'accord sera tenu pour caduc à l'égard de ce Gouvernement six mois après une telle notification.

ARTICLE XIV.—*Définitions.*

1. Pour l'application du présent accord et de son annexe, les termes énumérés dans le présent article seront entendus dans le sens indiqué ci-après.

2. Les mots "transports intérieurs" s'entendent de tous les moyens de transport énumérés à l'Article X du présent accord.

3. Les mots "Europe Continentale" s'entendent de tous les territoires d'Europe placés sous l'autorité ou le contrôle des Gouvernements contractants, mais ne s'appliquent pas aux territoires du Royaume-Uni et de l'Union des Républiques Soviétistes Socialistes.

4. Les mots "territoires sous l'autorité d'un Gouvernement contractant" s'entendent des territoires d'Europe Continentale placés sous la souveraineté d'un Gouvernement contractant, ou sur lesquels un ou plusieurs Gouvernements contractants exercent leur autorité ou leur contrôle.

5. The term "transport equipment and material" shall include, so far as the Executive Board deems it necessary for the execution of the functions of the Organisation:—

- (i) any items of fixed and mobile equipment, stores (other than fuel), plant and spares and accessories of all kinds specifically intended and required for use of transport undertakings, including equipment required for use in ports, whether ashore or afloat;
- (ii) equipment and material specifically intended and required for the rehabilitation, maintenance or construction of roads, railways, bridges, ports and inland waterways;
- (iii) major plant and tools specifically required for the repair of transport equipment and material for use by transport authorities.

6. The term "traffic of common concern" shall include—

- (i) personnel, stores, supplies or other traffic to be moved in accordance with the requirements of the Allied Commanders-in-Chief;
- (ii) displaced and other persons to be moved in accordance with the priorities determined by the appropriate United Nations authorities;
- (iii) supplies for civil needs to be moved in Continental Europe in accordance with the priorities determined by the appropriate United Nations authorities;
- (iv) property removed by the enemy.

7. The term "transport charges" shall include, in addition to freight or conveyance charges, any other incidental charges, such as tolls, port charges, charges for warehousing and handling goods in transit which may affect the cost of transport.

8. The term "admissible transit charges" means dues intended solely to defray expenses of supervision and administration entailed by the transit traffic concerned.

9. The term "Allied Commanders-in-Chief" shall mean Commanders-in-Chief designated by the appropriate authorities of the French Republic, the Union of Soviet Socialist Republics, the United Kingdom and the United States for commands on the Continent of Europe.

10. The term "Government" includes any Provisional Government.

ANNEX.

PROTOCOL RELATING TO TRAFFIC ON INLAND WATERWAYS.

PREAMBLE.

With a view to fulfilling, in respect of traffic on inland waterways, the obligations assumed by the Agreement concerning the establishment of an European Central Inland Transport Organisation (here-

5. Les mots "les moyens de transport et le matériel" comprennent, dans la mesure où le Comité Exécutif le jugera nécessaire à l'accomplissement des tâches de l'Office:

- (i) Tous articles d'équipement fixe ou mobile, les approvisionnements (autres que le combustible), l'outillage, les pièces détachées et accessoires de toutes espèces nécessaires et destinés à l'usage des entreprises de transport, y compris l'outillage nécessaire flottant ou fixe pour usage dans les ports.
- (ii) L'équipement et le matériel spécialement destiné et nécessaire au rétablissement, à l'entretien ou à la construction de routes, voies ferrées, ponts, ports et voies d'eau intérieures.
- (iii) Les grands ateliers et outillages spécialement nécessaires à la réparation des moyens de transport et le matériel à l'usage des Autorités de transport.

6. Les mots "trafic d'intérêt commun" comprennent les transports suivants:

- (i) personnes, approvisionnements, ravitaillement, et toutes autres matières dont le transport doit s'exécuter en fonction des besoins des Commandants en Chef Alliés;
- (ii) personnes à rapatrier et toutes autres personnes à transporter conformément aux priorités établies par les Autorités compétentes des Nations Unies;
- (iii) fournitures pour les besoins civils qui doivent être transportées en Europe Continentale, conformément aux priorités fixées par les Autorités compétentes des Nations Unies;
- (iv) biens emportés par l'ennemi.

7. Les mots "tarifs de transport" comprendront, outre le prix du fret ou des expéditions proprement dites, tous autres frais supplémentaires, tels que redevances, frais de ports, frais de magasinage et de manutention de marchandises en transit qui peuvent affecter le prix du transport.

8. Les mots "frais de transit normaux" visent les droits ayant uniquement pour objet de couvrir les dépenses de contrôle et d'administration entraînées par ce transit.

9. Les mots "Commandants en Chef Alliés" visent les Commandants en Chef désignés par les Autorités compétentes des États-Unis d'Amérique, de la République Française, du Royaume-Uni et de l'Union des Républiques Soviétistes Socialistes, pour les Commandements en Europe Continentale.

10. Le terme "Gouvernement" s'entend de tout "Gouvernement Provisoire."

A N N E X E .

P R O T O C O L E R E L A T I F A U T R A F I C D E L A N A V I G A T I O N I N T É R I E U R E .

P R É A M B U L E .

En vue de remplir, en ce qui concerne le trafic de la navigation intérieure, les obligations assumées en vertu du Projet d'Accord portant création d'un Office Central Européen des Transports Intérieurs

inafter referred to as the Agreement), and subject to the conditions set out therein, the member Governments signatory hereto have agreed as follows:—

ARTICLE I.

Every member Government signatory hereto undertakes to establish appropriate machinery necessary for the application of all the obligations assumed in paragraphs 5 and 6 of Article VIII of the Agreement to traffic on Inland Waterways and to appoint persons or organisations entitled to treat with the Organisation on questions of this nature.

Ante, p. 1382.

ARTICLE II.

The member Governments signatory hereto, taking into account the geographical, technical and other peculiarities connected with traffic on inland waterways and the needs of each of them in these respects, will form committees of experts to be consulted by the chief officer on questions of traffic on inland waterways within the various areas of such traffic.

ARTICLE III.

For each waterways traffic area concerned in Continental Europe, the allocation of inland shipping and, if necessary, shipping space for carrying approved programmes of traffic of common concern will be determined from time to time by the Organisation in agreement with the Governments concerned. In determining this allocation, due account shall be taken of the particulars of the vessel, its equipment and crew and of its normal traffic.

ARTICLE IV.

The terms of remuneration to be paid by the users of inland vessels for traffic of common concern shall be worked out by the Organisation in agreement with the Governments and/or the authorities concerned on a fair and reasonable basis in such a manner as to give effect to the following two principles:

- (i) inland vessels of all flags performing the same services should receive the same freights;
- (ii) freights with reference to paragraph 11 of Article VII shall be calculated so as to include, after providing for depreciation of the ship, a reasonable margin of profit.

Ante, p. 1376.

(ci-après dénommé "l'accord principal"), et en conformité avec les dispositions de cet accord, les Gouvernements contractants soussignés sont convenus de ce qui suit:

ARTICLE I.

Chaque Gouvernement contractant signataire de la présente annexe s'engage à mettre en œuvre l'organisation nécessaire pour remplir les obligations prévues aux paragraphes 5 et 6 de l'Article VIII de l'Accord principal en ce qui concerne la navigation intérieure, et à désigner des personnes ou créer des organisations ayant qualité pour traiter avec l'Office les questions du même ordre.

ARTICLE II.

Les Gouvernements contractants, signataires de la présente annexe, prenant en considération les conditions géographiques, techniques et autres ayant trait au trafic de la navigation intérieure, ainsi que les besoins de chacun d'entre eux dans ce domaine, constitueront des comités d'experts qui seront consultés par le haut fonctionnaire sur certaines questions de trafic de navigation intérieure à traiter dans les zones de ce trafic.

ARTICLE III.

Pour chaque zone de navigation intérieure en Europe Continentale, l'allocation de tonnage de navigation intérieure, et, si nécessaire, de tonnage pour certains programmes approuvés de transport pour le trafic d'intérêt commun, sera déterminée de temps à autre par l'Office en accord avec les Gouvernements intéressés. En fixant cette allocation, compte sera tenu des particularités du bâtiment, de son outillage, de son personnel et de son exploitation normale.

ARTICLE IV.

Les taux de la rémunération qui sera allouée par les utilisateurs des bâtiments de navigation intérieure pour le trafic d'intérêt commun, seront calculés par l'Office en accord avec les Gouvernements aussi bien qu'avec les autorités intéressés, sur une base juste et raisonnable, de façon à donner effet aux deux principes suivants:

- (a) Les bâtiments de navigation intérieure battant tous pavillons et utilisés d'une manière identique devront recevoir le même fret;
- (b) Les frets mentionnés au paragraphe 11 de l'Article VII seront calculés sur des bases qui permettront d'inclure une marge raisonnable de bénéfice, après avoir prévu une part d'amortissement du bâtiment.

Certified a true copy.

[SEAL]

LONDON

19 May 1945

J. F. FRENCH

*Acting Librarian and Keeper of the Papers for
the Secretary of State for Foreign Affairs.*

May 21, 1945
[E. A. S. 459]

Agreement between the United States of America and Guatemala respecting a Military Mission. Signed at Washington May 21, 1945; effective May 21, 1945.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF GUATEMALA

ACUERDO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA Y EL GOBIERNO DE LA REPÚBLICA DE GUATEMALA

In conformity with the request of the Government of the Republic of Guatemala to the Government of the United States of America, the President of the United States of America has authorized the appointment of officers of the United States Army to constitute a Military Mission to the Republic of Guatemala under the conditions specified below:

De conformidad con la solicitud del Gobierno de la República de Guatemala al Gobierno de los Estados Unidos de América, el Presidente de los Estados Unidos de América ha autorizado el nombramiento de oficiales del Ejército de los Estados Unidos que constituyan una Misión Militar a la República de Guatemala de acuerdo con las condiciones que se estipulan a continuación:

TITLE I

TÍTULO I

Purpose and Duration

Propósito y Duración

ARTICLE 1. The purpose of this Mission is to cooperate with the Minister of National Defense of the Republic of Guatemala and with the personnel of the Guatemalan Army, with a view to enhancing the efficiency of the Guatemalan Army, and to serve as Adviser to the Guatemalan Army General Staff, as Adviser to the Director of the various military academies, and as Adviser to assist in the organization of an Army Service Forces.

ARTÍCULO 1. El propósito de esta Misión es cooperar con el Ministro de la Defensa Nacional de la República de Guatemala y con el personal del Ejército guatemalteco con el fin de aumentar la eficiencia del Ejército guatemalteco y servir como Asesor del Estado Mayor del Ejército guatemalteco, como Asesor del Director de las diversas academias militares, y como Asesor para ayudar a organizar una Fuerza de Servicio del Ejército.

ARTICLE 2. This Mission shall continue for a period of four years from the date of the signing of this Agreement by the accredited representatives of the Government of the United States of America and the Government of

ARTÍCULO 2. Esta Misión durará cuatro años a partir de la fecha de la firma de este Acuerdo por los representantes acreditados del Gobierno de los Estados Unidos de América y del Gobierno de la República de Guatemala, a

the Republic of Guatemala, unless previously terminated or extended as hereinafter provided. Any member of the Mission may be recalled by the Government of the United States of America after the expiration of two years of service, in which case another member shall be furnished to replace him.

ARTICLE 3. If the Government of the Republic of Guatemala should desire that the services of the Mission be extended beyond the stipulated period, it shall make a written proposal to that effect six months before the expiration of this Agreement.

ARTICLE 4. This Agreement may be terminated before the expiration of the period of four years prescribed in Article 2, or before the expiration of the extension authorized in Article 3, in the following manner:

(a) By either of the Governments, subject to three months' written notice to the other Government;

(b) By the recall of the entire personnel of the Mission by the Government of the United States of America in the public interest of the United States of America, without necessity of compliance with provision (a) of this Article.

ARTICLE 5. This Agreement is subject to cancellation upon the initiative of either the Government of the United States of America or the Government of the Republic of Guatemala at any time during a period when either Government is involved in domestic or foreign hostilities.

menos que se dé por terminado antes o se prorrogue según se provee más adelante. Cualquiera miembro de la Misión podrá ser retirado por el Gobierno de los Estados Unidos de América después de transcurridos dos años de servicio, y en tal caso se nombrará a otro miembro en su lugar.

ARTÍCULO 3. Si el Gobierno de la República de Guatemala deseara que se prorroguen los servicios de la Misión más allá del período estipulado, hará una propuesta con ese objeto seis meses antes de la expiración de este Acuerdo.

ARTÍCULO 4. Este Acuerdo podrá terminarse antes de la expiración del período de cuatro años prescrito en el Artículo 2, o antes de la expiración de la prórroga autorizada en el Artículo 3, de la manera siguiente:

(a) Por cualquiera de los dos Gobiernos, siempre que lo notifique por escrito al otro Gobierno con tres meses de anticipación;

(b) Al retirar el Gobierno de los Estados Unidos de América a todo el personal de la Misión, en el interés público de los Estados Unidos de América, sin necesidad de cumplir con el inciso (a) de este Artículo.

ARTÍCULO 5. Este Acuerdo está sujeto a cancelación por iniciativa del Gobierno de los Estados Unidos de América o del Gobierno de la República de Guatemala, en cualquier tiempo durante un período en que cualquiera de los dos Gobiernos se vea envuelto en hostilidades internas o externas.

Extension of services of Mission.

Termination of agreement.

Cancellation in case of hostilities.

TITLE II

Composition and Personnel

ARTICLE 6. This Mission shall consist of such number of personnel of the United States Army as may be agreed upon by the Minister of National Defense of the Republic of Guatemala through his authorized representative in Washington and by the War Department of the United States of America. The individuals to be assigned shall be those agreed upon by the Minister of National Defense of the Republic of Guatemala or his authorized representative and by the War Department of the United States or its authorized representative.

TITLE III

Duties, Rank and Precedence

ARTICLE 7. Prior to inception of operations by the Mission under this Agreement, a tentative program for the Mission will be informally agreed upon between the Minister of National Defense of the Republic of Guatemala and representatives of the United States War and State Departments. Any changes in this program which experience may demonstrate to be desirable shall be similarly agreed upon. The Mission shall carry out such duties as may be determined in pursuance of this Article and such other duties consistent with the purposes of this Agreement as set forth in Article 1 as may be assigned by the Minister of National Defense of the Republic of Guatemala. The members of the Mission shall be responsible directly to the Min-

TÍTULO II

Organización y Personal

ARTÍCULO 6. Esta Misión constará del personal del Ejército de los Estados Unidos que convengan el Ministro de la Defensa Nacional de la República de Guatemala, por conducto de su representante autorizado en Washington, y la Secretaría de Guerra de los Estados Unidos de América. Los oficiales que se asignen serán los que determinen por mutuo acuerdo el Ministro de la Defensa Nacional de la República de Guatemala o su representante autorizado y la Secretaría de Guerra de los Estados Unidos o su representante autorizado.

TÍTULO III

Deberes, Rango y Precedencia

ARTÍCULO 7. Antes que la Misión dé comienzo a sus funciones de conformidad con este Acuerdo, el Ministro de la Defensa Nacional de la República de Guatemala y representantes de las Secretarías de Guerra y Estado de los Estados Unidos convendrán extraoficialmente en un programa tentativo para la Misión. En forma similar se determinarán cualesquier cambios en este programa que la experiencia demuestre que son convenientes. La Misión desempeñará los deberes que se determinen en cumplimiento de este Artículo y cualesquiera otros deberes consistentes con los propósitos de este Acuerdo, según se expresan en el Artículo 1, que le asigne el Ministro de la Defensa Nacional de la República de Guatemala. Los miembros de la

ister of National Defense of the Republic of Guatemala.

ARTICLE 8. Each member of the Mission shall serve on the Mission with the rank he holds in the United States Army, and shall wear the uniform of his rank in the United States Army, but shall have precedence over all Guatemalan officers of the same rank.

ARTICLE 9. Each member of the Mission shall be entitled to all benefits and privileges which the Regulations of the Guatemalan Army provide for Guatemalan officers of corresponding rank.

ARTICLE 10. The personnel of the Mission shall be governed by the disciplinary regulations of the United States Army.

Misión serán responsables directamente al Ministro de la Defensa Nacional de la República de Guatemala.

ARTÍCULO 8. Cada miembro de la Misión servirá en ella con el rango que tenga en el Ejército de los Estados Unidos y usará el uniforme de su rango en el Ejército de los Estados Unidos, pero tendrá precedencia sobre todos los oficiales guatemaltecos de igual rango.

ARTÍCULO 9. Cada miembro de la Misión tendrá derecho a todos los beneficios y privilegios que los Reglamentos del Ejército guatemalteco proveen para oficiales guatemaltecos de rango correspondiente.

ARTÍCULO 10. El personal de la Misión se regirá por los reglamentos disciplinarios del Ejército de los Estados Unidos.

Benefits and privileges.

Disciplinary regulations.

TITLE IV

Compensation and Perquisites

ARTICLE 11. Members of the Mission shall receive from the Government of the Republic of Guatemala such net annual compensation as may be agreed upon between the Government of the United States of America and the Government of the Republic of Guatemala for each member. This compensation shall be paid in twelve (12) equal monthly instalments, each due and payable on the last day of the month. The compensation shall not be subject to any tax, now or hereafter in effect, of the Government of the Republic of Guatemala or of any of its political or administrative subdivisions. Should there, however, at present or while this Agreement is in effect, be any taxes that might affect this com-

TÍTULO IV

Remuneración y Obvenciones

ARTÍCULO 11. Los miembros de la Misión recibirán del Gobierno de la República de Guatemala la remuneración neta anual que acuerden el Gobierno de los Estados Unidos de América y el Gobierno de la República de Guatemala para cada miembro. Esta remuneración se abonará en doce (12) mensualidades iguales, que vencen y deben pagarse el día último de cada mes. La remuneración no estará sujeta a impuesto alguno, ahora en vigor o que se imponga en el futuro, del Gobierno de la República de Guatemala ni de ninguna de sus dependencias políticas o administrativas. Sin embargo, si al presente o durante la vigencia de este Acuerdo existieren impuestos que puedan afectar esta remuneración, tales impuestos los

Tax exemption.

compensation, such taxes shall be borne by the Minister of National Defense of the Republic of Guatemala in order to comply with the provision of this Article that the compensation agreed upon shall be net.

ARTICLE 12. The compensation agreed upon as indicated in the preceding Article shall commence upon the date of departure from the United States of America of each member of the Mission, and, except as otherwise expressly provided in this Agreement, shall continue, following the termination of duty with the Mission, for the return voyage to the United States of America and thereafter for the period of any accumulated leave which may be due.

ARTICLE 13. The compensation due for the period of the return trip and accumulated leave shall be paid to a detached member of the Mission before his departure from the Republic of Guatemala, and such payment shall be computed for travel by the shortest usually traveled route to the port of entry in the United States of America, regardless of the route and method of travel used by the member of the Mission.

ARTICLE 14. Each member of the Mission and his family shall be furnished by the Government of the Republic of Guatemala with first-class accommodations for travel, via the shortest usually traveled route, required and performed under this Agreement, between the port of embarkation in the United States of America and his official residence in the Republic of Guatemala, both for the outward and for the return voyage.

Travel accommodations.

pagará el Ministro de la Defensa Nacional de la República de Guatemala, a fin de cumplir con la estipulación de este Artículo de que la remuneración que se convenga será neta.

ARTÍCULO 12. La remuneración que se convenga según se indica en el Artículo precedente comenzará a devengarse desde la fecha en que cada miembro de la Misión parta de los Estados Unidos de América y, salvo lo que expresamente se dispone en contrario en este Acuerdo, continuará después de la terminación de sus deberes con la Misión, durante el viaje de regreso a los Estados Unidos de América y por el período que dure cualquier licencia acumulada a que tenga derecho.

ARTÍCULO 13. La remuneración que se adeude por el período que dure el viaje de regreso y por el de la licencia acumulada se le pagará al miembro de la Misión a quien se retire, antes de su partida de la República de Guatemala, y el pago se calculará a base de viaje por la ruta ordinaria más corta hasta el puerto de entrada a los Estados Unidos de América, no importa qué ruta y qué sistema de transporte utilice el miembro de la Misión.

ARTÍCULO 14. El Gobierno de la República de Guatemala proporcionará a cada miembro de la Misión y su familia pasaje de primera clase por la ruta ordinaria más corta para el viaje que se requiera y que se efectúe de conformidad con este Acuerdo entre el puerto de embarque en los Estados Unidos de América y su residencia oficial en la República de Guatemala, tanto para el viaje de ida como para el de regreso. El

The Government of the Republic of Guatemala shall also pay all expenses of shipment of household effects, baggage and automobile of each member of the Mission between the port of embarkation in the United States of America and his official residence in the Republic of Guatemala as well as all expenses incidental to the transportation of such household effects, baggage and automobile from the Republic of Guatemala to the port of entry in the United States of America. Transportation of such household effects, baggage and automobile shall be effected in one shipment, and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise provided in this Agreement, or when such shipments are necessitated by circumstances beyond their control.

ARTICLE 15. The Government of the Republic of Guatemala shall grant, upon request of the members of the Mission, exemption from customs duties on articles imported for the official use of the Mission or the personal use of the members thereof and of members of their families, provided that their request for free entry has received the approval of the Ambassador of the United States of America or of the Chargé d'Affaires ad interim.

ARTICLE 16. Compensation for transportation and traveling expenses in the Republic of Guatemala on official business of the Government of the Republic of Guatemala shall be provided by the Government of the Republic of Guatemala in accordance with the provisions of Article 9.

Gobierno de la República de Guatemala pagará también todos los gastos de transporte de los efectos domésticos, equipaje y automóvil de cada miembro de la Misión entre el puerto de embarque en los Estados Unidos de América y su residencia oficial en la República de Guatemala, y todos los gastos inherentes al transporte de dichos efectos domésticos, equipaje y automóvil desde la República de Guatemala hasta el puerto de entrada en los Estados Unidos de América. El transporte de dichos efectos domésticos, equipaje y automóvil se efectuará en un solo embarque, y todos los embarques sucesivos correrán por cuenta de los respectivos miembros de la Misión, excepto lo que se disponga en contrario en este Acuerdo, o cuando circunstancias ajenas a su voluntad hagan necesarios dichos embarques.

ARTÍCULO 15. A solicitud de los miembros de la Misión, el Gobierno de la República de Guatemala eximirá del pago de derechos de aduana los artículos que se importen para uso oficial de la Misión o para uso personal de los miembros de la misma o de miembros de su familia, siempre que su solicitud de entrada libre haya recibido la aprobación del Embajador de los Estados Unidos de América o del Encargado de Negocios ad interim.

ARTÍCULO 16. El Gobierno de la República de Guatemala proveerá compensación por gastos de transporte y de viaje en la República de Guatemala cuando se trate de asuntos oficiales del Gobierno de la República de Guatemala, de acuerdo con las estipulaciones del Artículo 9.

Shipment of household effects, etc.

Exemption from customs duties on articles for official and personal use.

Motor transportation, etc.

ARTICLE 17. Suitable motor transportation with chauffeur shall, on call, be made available by the Government of the Republic of Guatemala for use by the members of the Mission for the conduct of the official business of the Mission.

Office space, etc.

ARTICLE 18. The Government of the Republic of Guatemala shall provide suitable office space and facilities for the use of the members of the Mission.

Transportation of remains in case of death.

ARTICLE 19. If any member of the Mission, or any member of his family, should die in the Republic of Guatemala, the Government of the Republic of Guatemala shall have the body transported to such place in the United States of America as the surviving members of the family may decide, but the cost to the Government of the Republic of Guatemala shall not exceed the cost of transporting the remains from the place of decease to New York City. Should the deceased be a member of the Mission, his services with the Mission shall be considered to have terminated fifteen (15) days after his death. Return transportation to New York City for the family of the deceased member and for their household effects, baggage and automobile shall be provided as prescribed in Article 14. All compensation due the deceased member, including salary for the fifteen (15) days subsequent to his death, and reimbursement for expenses and transportation due the deceased member for travel performed on official business of the Republic of Guatemala, shall be paid to the widow of the deceased member or to any other person who may have been designated in writing by the deceased while serving under the terms of this Agree-

Return transportation for family.

Ante, p. 1396.
Compensation due deceased member.

ARTÍCULO 17. El Gobierno de la República de Guatemala, cuando se le solicite, proporcionará transporte adecuado en automóvil con chófer para uso de los miembros de la Misión en la tramitación de los asuntos oficiales de la misma.

ARTÍCULO 18. El Gobierno de la República de Guatemala proporcionará una oficina adecuada, equipada debidamente, para uso de los miembros de la Misión.

ARTÍCULO 19. Si cualquier miembro de la Misión o cualquier miembro de su familia fallecieren en la República de Guatemala, el Gobierno de la República de Guatemala hará trasladar los restos hasta el lugar en los Estados Unidos de América que determinen los familiares sobrevivientes, pero el costo para el Gobierno de la República de Guatemala no excederá del costo del traslado de los restos desde el lugar de fallecimiento hasta la ciudad de Nueva York. Si el fallecido fuere uno de los miembros de la Misión, se considerará que sus servicios han terminado quince (15) días después de su muerte. Se proporcionará transporte de regreso a la ciudad de Nueva York para la familia del miembro fallecido y para sus efectos domésticos, equipaje y automóvil, de acuerdo con las disposiciones del Artículo 14. Toda remuneración que se adeude al miembro fallecido, incluso su salario por los quince (15) días siguientes a su muerte, y cualquier reembolso que se le adeude por gastos y transporte en viajes realizados en asuntos oficiales de la República de Guatemala, se pagarán a la viuda del miembro fallecido o a cualquiera otra persona que el finado haya designado por escrito mien-

ment; but such widow or other person shall not be compensated for accrued leave due and not taken by the deceased. All compensations due the widow or other person designated by the deceased, under the provisions of this Article, shall be paid within fifteen (15) days of the decease of the said member.

tras servía de conformidad con los términos de este Acuerdo; pero no se pagará a la viuda ni a la otra persona por cualquier licencia acumulada a que tuviere derecho el finado y que no haya disfrutado. Toda remuneración que de conformidad con las disposiciones de este Artículo se adeude a la viuda o a la otra persona designada por el finado, se pagará dentro de quince (15) días después de la muerte del miembro de la Misión.

TITLE V

Requisites and Conditions

ARTICLE 20. So long as this Agreement, or any extension thereof, is in effect, the Government of the Republic of Guatemala shall not engage the services of any personnel of any other foreign government for duties of any nature connected with the Guatemalan Army, except by mutual agreement between the Government of the United States of America and the Government of the Republic of Guatemala.

ARTICLE 21. Each member of the Mission shall agree not to divulge or in any way disclose to any foreign government or to any person whatsoever any secret or confidential matter of which he may become cognizant in his capacity as a member of the Mission. This requirement shall continue in force after the termination of service with the Mission and after the expiration or cancellation of this Agreement or any extension thereof.

ARTICLE 22. Throughout this Agreement the term "family" is limited to mean wife and dependent children.

TÍTULO V

Requisitos y Condiciones

ARTÍCULO 20. Mientras estén en vigor este Acuerdo o cualquier prórroga del mismo, el Gobierno de la República de Guatemala no contratará personal de ningún gobierno extranjero para prestar servicios de ninguna naturaleza relacionados con el Ejército guatemalteco, excepto por acuerdo mutuo entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de Guatemala.

ARTÍCULO 21. Cada miembro de la Misión se comprometerá a no divulgar, ni a revelar por ningún medio a gobierno extranjero alguno, o a persona alguna, ningún secreto ni asunto confidencial que puedan llegar a su conocimiento en su capacidad de miembro de la Misión. Este requisito continuará siendo obligatorio después de terminar el servicio con la Misión y después de la expiración o cancelación del presente Acuerdo o de cualquier prórroga del mismo.

ARTÍCULO 22. En todo este Acuerdo se entenderá que el término "familia" sólo comprende a la esposa y a los hijos no emancipados.

Services of personnel of other foreign governments, restriction.

Secrecy requirement.

"Family."

Annual leave.

ARTICLE 23. Each member of the Mission shall be entitled to one month's annual leave with pay, or to a proportional part thereof with pay for any fractional part of a year. Unused portions of said leave shall be cumulative from year to year during service as a member of the Mission.

ARTICLE 24. The leave specified in the preceding Article may be spent in the Republic of Guatemala, in the United States of America or in other countries, but the expense of travel and transportation not otherwise provided for in this Agreement shall be borne by the member of the Mission taking such leave. All travel time shall count as leave and shall not be in addition to the time authorized in the preceding Article.

ARTICLE 25. The leave specified in Article 23 may be spent in foreign countries, subject to the standing instructions of the War Department of the United States of America concerning visits abroad. In all cases the said leave or portions thereof shall be taken by the officers only after consultation with the Ministry of National Defense of the Republic of Guatemala with a view to ascertaining the mutual convenience of the Government of the Republic of Guatemala and the officers in respect to this leave.

ARTICLE 26. Members of the Mission that may be replaced shall terminate their services on the Mission only upon the arrival of their replacements, except when

ARTÍCULO 23. Cada miembro de la Misión tendrá derecho anualmente a un mes de licencia con goce de sueldo, o a una parte proporcional de dicha licencia con sueldo por cualquier fracción de un año. Las partes de dicha licencia que no se usaren podrán acumularse de año en año mientras la persona preste servicio como miembro de la Misión.

ARTÍCULO 24. La licencia que se estipula en el Artículo anterior podrá disfrutarse en la República de Guatemala, en los Estados Unidos de América o en otros países, pero los gastos de viaje y de transporte que no sean abonables según las disposiciones de este Acuerdo correrán por cuenta del miembro de la Misión que disfrute la licencia. Todo el tiempo que se emplee en viajar se contará como parte de la licencia, y no se añadirá al tiempo que se autoriza en el Artículo precedente.

ARTÍCULO 25. La licencia especificada en el Artículo 23 podrá disfrutarse en países extranjeros, sujeto a las instrucciones vigentes de la Secretaría de Guerra de los Estados Unidos de América respecto a viajes al extranjero. En todos los casos, los oficiales tomarán la referida licencia o cualesquiera partes de la misma sólo después de consultar con el Ministerio de la Defensa Nacional de la República de Guatemala con el fin de determinar la conveniencia mutua del Gobierno de la República de Guatemala y de los oficiales respecto a esta licencia.

ARTÍCULO 26. Los miembros de la Misión a quienes se reemplace terminarán sus servicios en la Misión solamente cuando lleguen sus reemplazos, excepto cuando

Termination of services of replaced member.

otherwise mutually agreed upon los dos Gobiernos convengan de in advance by the respective Gov- antemano en lo contrario. ernments.

ARTICLE 27. The Government of the Republic of Guatemala shall provide suitable medical attention for the officers and their families. In case an officer or any member of his family becomes ill or suffers injury, he or she shall be placed in such hospital as the officer deems suitable after consultation with the Ministry of National Defense of the Republic of Guatemala; and all expenses incurred as the result of such illness or injury, while the officer is a member of the Mission and remains in the Republic of Guatemala, shall be paid by the Government of the Republic of Guatemala. The officer shall in all cases pay the cost of subsistence incident to his hospitalization or that of a member of his family, except as may be provided in Article 9.

ARTICLE 28. Any member of the Mission unable to perform his duties with the Mission by reason of long continued physical disability shall be replaced.

IN WITNESS WHEREOF, the undersigned, Joseph C. Grew, Acting Secretary of State of the United States of America, and Dr. Enrique López-Herrarte, Chargé d'Affaires ad interim of the Republic of Guatemala in Washington, duly authorized thereto, have signed this Agreement in duplicate, in the English and Spanish languages, in Washington, this twenty-first day of May, one thousand nine hundred forty-five.

FOR THE UNITED STATES OF AMERICA:

JOSEPH C. GREW

FOR THE REPUBLIC OF GUATEMALA:

ENRIQUE LOPEZ HERRARTE.

ARTÍCULO 27. El Gobierno de la República de Guatemala proporcionará atención médica adecuada a los oficiales y sus familias. En caso de que un oficial o un miembro de su familia se enfermen o sufran lesiones, se les hospitalizará en el hospital que el oficial considere adecuado después de consultar con el Ministerio de la Defensa Nacional de la República de Guatemala; y todos los gastos en que se incurra como resultado de dicha enfermedad o lesiones mientras el oficial sea miembro de la Misión y esté en la República de Guatemala, correrán por cuenta del Gobierno de la República de Guatemala. En todos los casos el oficial pagará los gastos de subsistencia relacionados con su hospitalización o con la de cualquier miembro de su familia, excepto lo que se dispone en el Artículo 9.

ARTÍCULO 28. Se reemplazará a cualquier miembro de la Misión que no pueda desempeñar sus deberes en la misma por razón de prolongada inhabilidad física.

EN TESTIMONIO DE LO CUAL, los infrascritos, Joseph C. Grew, Secretario de Estado Interino de los Estados Unidos de América, y Dr. Enrique López-Herrarte, Encargado de Negocios ad interim de la República de Guatemala en Washington, debidamente autorizados para ello, firman este Acuerdo en duplicado, en los idiomas inglés y español, en Washington, hoy día veintiuno de mayo de mil novecientos cuarenta y cinco.

Medical attention.

Ante, p. 1395.

Replacement in case of disability.

February 3, 1945
[E. A. S. 460]

Agreement between the United States of America and Ireland respecting air transport services. Effected by exchange of notes signed at Washington February 3, 1945; effective February 15, 1945.

The Assistant Secretary of State to the Irish Minister

DEPARTMENT OF STATE
WASHINGTON
February 3, 1945

SIR:

I have the honor to refer to discussions which began at the recent International Civil Aviation Conference in Chicago, and which have since been continued, on the subject of a reciprocal air transport agreement between the Government of the United States and the Government of Ireland.

It is my understanding that these discussions and negotiations, now terminated, have resulted in the following agreement:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND
IRELAND RELATING TO AIR TRANSPORT SERVICES

Having in mind the resolution recommending a standard form of agreement for provisional air routes and services, included in the Final Act of the International Civil Aviation Conference signed at Chicago on December 7, 1944, and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States and Ireland, the two Governments parties to this arrangement agree that the further development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE 1

The contracting parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

ARTICLE 2

(a) Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the

Post, p. 1405.

Inauguration of air
services.

airline so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either contracting party granted commercial rights under this agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

Prevention of discrimination, etc.

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 1405.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

Certificates of airworthiness, etc.

Post, p. 1405.

ARTICLE 5

Laws and regulations.

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Right reserved to withhold or revoke certificate or permit.

Each contracting party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this agreement.

ARTICLE 7

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Operating rights granted previously by either of the contracting parties shall continue in force according to their terms.

ARTICLE 9

Termination.

This agreement or any of the rights for air transport services granted thereunder may, without prejudice to Article 8 above, be terminated by either contracting party upon giving one year's notice to the other contracting party.

ARTICLE 10

51 Stat. 319.

Except as may be modified by the present agreement, the air navigation arrangement between the two contracting parties signed September 29, 1937, and November 4, 1937, shall continue in force until superseded by a multilateral aviation convention to which Ireland and the United States become contracting parties.

ARTICLE 11

Provisions for modification.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. In case the aforementioned authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND IRELAND

A. Airlines of the United States authorized under the present agreement are accorded in the territory of Ireland rights of transit, non-traffic stop, and commercial entry for international traffic at Shannon airport (Foynes and Rineanna), on the following routes:

The United States to Ireland and countries beyond, via intermediate points; in both directions.

It is agreed that in view of the long transoceanic flight necessary on the above routes, and considering the still limited development of aeronautical science, all eastbound aircraft on routes covered in this Annex shall stop at Shannon airport as first European port of call and all westbound aircraft on the same routes shall stop at Shannon airport.

B. Airlines of Ireland authorized under the present agreement are accorded in the territory of the United States rights of transit, non-traffic stop and commercial entry for international traffic at specific airports in connection with such route or routes as may be determined at a later date.

C. Aircraft of either contracting party availing itself of the non-traffic stops granted by this agreement may be required by the other contracting party to offer reasonable commercial services in passengers, cargo and mail, both outward and inward.

You will, of course, understand that this agreement may be affected by subsequent legislation enacted by the Congress of the United States.

I shall be glad to have you inform me whether it is the understanding of your Government that the terms of the agreement resulting from the negotiations are as above set forth. If so, it is suggested that February 15, 1945 become the effective date. If your Government

Effective date.

concur in this suggestion the Government of the United States will regard the agreement as becoming effective at such time.

Accept, Sir, the renewed assurances of my highest consideration.

W. L. CLAYTON

The Honorable

ROBERT BRENNAN,

Minister of Ireland.

The Irish Minister to the Secretary of State

IRISH LEGATION

WASHINGTON, D. C.

February 3, 1945

SIR:

I have the honor to acknowledge the receipt of your note of February 3, 1945, in which you communicated to me the terms of a reciprocal air transport agreement between Ireland and the United States of America, as understood by you to have been agreed to in negotiations, now terminated, between the Delegations of the Irish Government and the Government of the United States at the International Civil Aviation Conference in Chicago.

The terms of this agreement which you have communicated to me are as follows:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND
IRELAND RELATING TO AIR TRANSPORT SERVICES

Having in mind the resolution recommending a standard form of agreement for provisional air routes and services, included in the Final Act of the International Civil Aviation Conference signed at Chicago on December 7, 1944, and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States and Ireland, the two Governments parties to this arrangement agree that the further development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE 1

The contracting parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

ARTICLE 2

(a) Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route,

Ante, p. 1402.

Post, p. 1409.

and the contracting party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airline so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either contracting party granted commercial rights under this agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 1409.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own terri-

Post, p. 1409.

tory, certificates of competency and licenses granted to its own nationals by another State.

ARTICLE 5

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Each contracting party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this agreement.

ARTICLE 7

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Operating rights granted previously by either of the contracting parties shall continue in force according to their terms.

ARTICLE 9

This agreement or any of the rights for air transport services granted thereunder may, without prejudice to Article 8 above, be terminated by either contracting party upon giving one year's notice to the other contracting party.

ARTICLE 10

Except as may be modified by the present agreement, the air navigation arrangement between the two contracting parties signed September 29, 1937, and November 4, 1937, shall continue in force until superseded by a multilateral aviation convention to which Ireland and the United States become contracting parties.

ARTICLE 11

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. In case the aforementioned authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND IRELAND

A. Airlines of the United States authorized under the present agreement are accorded in the territory of Ireland rights of transit, non-traffic stop, and commercial entry for international traffic at Shannon Airport (Foynes and Rineanna), on the following routes:

The United States to Ireland and countries beyond, via intermediate points; in both directions.

It is agreed that in view of the long transoceanic flight necessary on the above routes, and considering the still limited development of aeronautical science, all eastbound aircraft on routes covered in this Annex shall stop at Shannon airport as first European port of call and all westbound aircraft on the same routes shall stop at Shannon airport.

B. Airlines of Ireland authorized under the present agreement are accorded in the territory of the United States rights of transit, non-traffic stop and commercial entry for international traffic at specific airports in connection with such route or routes as may be determined at a later date.

C. Aircraft of either contracting party availing itself of the non-traffic stops granted by this agreement may be required by the other contracting party to offer reasonable commercial services in passengers, cargo and mail, both outward and inward.

I am instructed to state that the terms of the agreement as communicated to me are agreed to by my Government. Furthermore, I am pleased to add that your suggestion that the agreement become effective on February 15, 1945, is acceptable to my Government.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

ROBT. BRENNAN
*Envoy Extraordinary and
Minister Plenipotentiary*

The Honourable
EDWARD R. STETTINIUS, Jr.
Secretary of State

Interim arrangements between the United States of America and other powers respecting the Preparatory Commission of the United Nations. Signed at San Francisco June 26, 1945; effective from June 26, 1945.

June 26, 1945
[E. A. S. 461]

INTERIM ARRANGEMENTS
CONCLUDED BY THE GOVERNMENTS REPRESENTED
AT THE UNITED NATIONS CONFERENCE ON
INTERNATIONAL ORGANIZATION



**INTERIM ARRANGEMENTS
CONCLUDED BY THE GOVERNMENTS REPRESENTED
AT THE UNITED NATIONS CONFERENCE ON
INTERNATIONAL ORGANIZATION¹**

THE GOVERNMENTS represented at the United Nations Conference on International Organization in the city of San Francisco,

Having determined that an international organization to be known as the United Nations shall be established,

Having this day signed the Charter of the United Nations, and

Having decided that, pending the coming into force of the Charter and the establishment of the United Nations as provided in the Charter, a Preparatory Commission of the United Nations should be established for the performance of certain functions and duties,

AGREE as follows:

1. There is hereby established a Preparatory Commission of the United Nations for the purpose of making provisional arrangements for the first sessions of the General Assembly, the Security Council, the Economic and Social Council, and the Trusteeship Council, for the establishment of the Secretariat, and for the convening of the International Court of Justice.

2. The Commission shall consist of one representative from each government signatory to the Charter. The Commission shall establish its own rules of procedure. The functions and powers of the Commission, when the Commission is not in session, shall be exercised by an Executive Committee composed of the representatives of those governments now represented on the Executive Committee of the Conference. The Executive Committee shall appoint such committees as may be necessary to facilitate its work, and shall make use of persons of special knowledge and experience.

3. The Commission shall be assisted by an Executive Secretary, who shall exercise such powers and perform such duties as the Commission may determine, and by such staff as may be required. This staff shall be composed so far as possible of officials appointed for this purpose by the participating governments on the invitation of the Executive Secretary.

4. The Commission shall:

- a. convoke the General Assembly in its first session;
- b. prepare the provisional agenda for the first sessions of the principal organs of the Organization, and prepare documents and recommendations relating to all matters on these agenda;
- c. formulate recommendations concerning the possible transfer of certain func-

¹ [Text and signatures reproduced by photographic process from the signed original. For romanized signatures see pages 1454-1457.]

Preparatory Commission of United Nations.

Executive Committee.

Executive Secretary.

Duties.

tions, activities, and assets of the League of Nations which it may be considered desirable for the new Organization to take over on terms to be arranged;

d. examine the problems involved in the establishment of the relationship between specialized intergovernmental organizations and agencies and the Organization;

e. issue invitations for the nomination of candidates for the International Court of Justice in accordance with the provisions of the Statute of the Court;

f. prepare recommendations concerning arrangements for the Secretariat of the Organization; and

g. make studies and prepare recommendations concerning the location of the permanent headquarters of the Organization.

5. The expenses incurred by the Commission and the expenses incidental to the convening of the first meeting of the General Assembly shall be met by the Government of the United Kingdom of Great Britain and Northern Ireland or, if the Commission so requests, shared by other governments. All such advances from governments shall be deductible from their first contributions to the Organization. } Expenses.

6. The seat of the Commission shall be located in London. The Commission shall hold its first meeting in San Francisco immediately after the conclusion of the United Nations Conference on International Organization. The Executive Committee shall call the Commission into session again as soon as possible after the Charter of the Organization comes into effect and whenever subsequently it considers such a session desirable. Location of meetings.

7. The Commission shall cease to exist upon the election of the Secretary-General of the Organization, at which time its property and records shall be transferred to the Organization. Duration of Commission.

8. The Government of the United States of America shall be the temporary depositary and shall have custody of the original document embodying these interim arrangements in the five languages in which it is signed. Duly certified copies thereof shall be transmitted to the governments of the signatory states. The Government of the United States of America shall transfer the original to the Executive Secretary on his appointment. Depositary.

9. This document shall be effective as from this date, and shall remain open for signature by the states entitled to be the original Members of the United Nations until the Commission is dissolved in accordance with paragraph 7. Effective date.

IN FAITH WHEREOF, the undersigned representatives having been duly authorized for that purpose, sign this document in the English, French, Chinese, Russian and Spanish languages, all texts being of equal authenticity.

DONE at the city of San Francisco this twenty-sixth day of June, one thousand nine hundred and forty-five.

**ARRANGEMENTS PROVISOIRES
CONCLUS PAR LES GOUVERNEMENTS REPRESENTES
A LA CONFERENCE DES NATIONS UNIES POUR
L'ORGANISATION INTERNATIONALE**



SAN FRANCISCO • 1945

**ARRANGEMENTS PROVISOIRES
CONCLUS PAR LES GOUVERNEMENTS REPRESENTES
A LA CONFERENCE DES NATIONS UNIES POUR
L'ORGANISATION INTERNATIONALE**

LES GOUVERNEMENTS représentés à la Conférence des Nations Unies pour l'Organisation Internationale, tenue dans la ville de San Francisco,

Ayant décidé qu'une organisation internationale désignée sous le nom de Nations Unies sera instituée,

Ayant signé ce jour la Charte des Nations Unies,

Ayant décidé qu'en attendant l'entrée en vigueur de la Charte et l'institution des Nations Unies conformément à la Charte, une Commission Préparatoire des Nations Unies sera établie en vue d'exercer certaines fonctions et de remplir certaines obligations,

CONVIENNENT de ce qui suit:

1. Il est créé par les présentes une Commission Préparatoire des Nations Unies, qui sera chargée de prendre des mesures provisoires pour les premières sessions de l'Assemblée Générale, du Conseil de Sécurité, du Conseil Economique et Social et du Conseil de Tutelle, ainsi que pour la mise sur pied du Secrétariat et la convocation de la Cour Internationale de Justice.

2. La Commission comprendra un représentant de chacun des gouvernements signataires de la Charte. Elle fixera son propre règlement. Les fonctions et pouvoirs de la Commission seront exercés, en dehors des sessions, par un Comité Exécutif composé des représentants des gouvernements représentés à l'heure actuelle au Comité Exécutif de la Conférence. Le Comité Exécutif créera les comités qui pourront être nécessaires pour l'aider dans ses travaux, et fera appel au concours de personnes ayant des connaissances et une expérience spéciales.

3. La Commission sera assistée d'un Secrétaire Administratif, qui exercera les pouvoirs et accomplira les fonctions que déterminera la Commission, et du personnel nécessaire. Ce personnel sera composé, dans la mesure du possible, de fonctionnaires nommés à cette fin par les gouvernements participants, sur la demande du Secrétaire Administratif.

4. La Commission:

a. convoquera la première session de l'Assemblée Générale;

b. préparera les ordres du jour provisoires des premières sessions des principaux organes de l'Organisation ainsi que les documents et les recommandations se rapportant à toutes les questions figurant à ces ordres du jour;

c. formulera des recommandations sur le transfert éventuel des fonctions, activités et avoirs de la Société des Nations qu'il pourra sembler utile de confier à la nouvelle Organisation dans des conditions à fixer;

d. examinera les problèmes soulevés par l'établissement des relations entre les institutions spécialisées intergouvernementales et l'Organisation;

e. enverra des invitations en vue de la désignation de candidats à la Cour Internationale de Justice, conformément aux dispositions du Statut de la Cour;

f. préparera des recommandations concernant la constitution du Secrétariat de l'Organisation;

g. procédera aux études nécessaires relatives au siège permanent de l'Organisation et fera des recommandations à ce sujet.

5. Les dépenses effectuées par la Commission et les dépenses qu'entraînera la réunion de la première session de l'Assemblée Générale seront assumées par le Gouvernement du Royaume-Uni de Grande Bretagne et d'Irlande du Nord ou, si la Commission le demande, réparties entre d'autres gouvernements. Toutes les avances faites à ce titre par les gouvernements seront déduites de leur première contribution à l'Organisation.

6. Le siège de la Commission sera établi à Londres. La Commission tiendra sa première séance à San Francisco, aussitôt après la clôture de la Conférence des Nations Unies pour l'Organisation Internationale. Le Comité Exécutif convoquera une autre réunion de la Commission aussitôt que possible après l'entrée en vigueur de la Charte de l'Organisation et, par la suite, toutes les fois qu'il le jugera utile.

7. La Commission cessera d'exister lors de l'élection du Secrétaire Général de l'Organisation; ses biens et ses archives seront alors transférés à l'Organisation.

8. Le Gouvernement des Etats-Unis d'Amérique sera le dépositaire temporaire et aura la garde du document original où seront consignés ces arrangements transitoires, rédigés dans les cinq langues dans lesquelles il aura été signé. Des copies certifiées conformes seront transmises à chacun des gouvernements des Etats signataires de la Charte. Le Gouvernement des Etats-Unis d'Amérique remettra l'original de ce document au Secrétaire Administratif, lors de sa nomination.

9. Ce document prendra effet à dater de ce jour et restera ouvert aux signatures des Etats ayant le droit d'être Membres originaires des Nations Unies, jusqu'à la dissolution de la Commission, conformément au paragraphe 7.

EN FOI DE QUOI, les représentants soussignés, dûment autorisés à cet effet, ont signé ce document dans les langues anglaise, française, chinoise, russe et espagnole, chacun de ces textes faisant également foi.

FAIT à San Francisco, le vingt-six juin mil neuf cent quarante cinq.

參加聯合國國際組織會議
各政府所議定之
過渡辦法



公曆一千九百四十五年訂於金山市

參加聯合國國際組織會議各政府 所議定之過渡辦法

參加於金山市舉行之聯合國國際組織會議各國政府，
既已決定設立一國際組織其名稱定為聯合國，且於本日簽訂聯合國憲章，

並經決定在憲章尚未生效及憲章規定之聯合國尚未成立以前，應設立聯合國籌備委員會，以執行某項職務，

茲議定條款如下：

一. 茲設立聯合國籌備委員會，以擬定臨時辦法，籌備大會、安全理事會、經濟暨社會理事會、及託管理事會之首次會議，並籌備秘書處之設立及國際法院之召開。

二. 籌備委員會以聯合國憲章簽字國之政府各派代表一人組織之。籌備委員會應自行制定其議事規則。籌備委員會閉會期間內，其職權應由執行委員會行使之。該執行委員會由現充本會議執行委員會委員之各國政府所派代表組成之。該執行委員會為便利其工作起見，應設立所必需之各種委員會，並利用具有專門學識及經驗之人才。

三. 籌備委員會以執行秘書一人及其他必要辦事人員協助之。執行秘書所應行使之職權由籌備委員會決定之。在可能範圍內，此項辦事人員應經執行秘書之邀請由參加之各國政府為此目的而委派之官員充任之。

四. 籌備委員會應：

(子) 召集大會首次會議。

(丑) 擬定臨時議事日程，以備本組織主要機關首次會議之用，並預備與此項議事日程內各項目有關之公文及建議。

- (寅) 關於國際聯合會之某項職務、工作、及財產、如認為宜由新組織商訂條件而接收者、擬具可能移交之建議案。
- (卯) 研究關於建立政府間專門組織及專門機關與本組織關係之問題。
- (辰) 發出通知書、邀請依照國際法院規約之規定、提出國際法院法官候選人。
- (巳) 擬具關於籌備聯合國秘書處之建議案。
- (午) 關於聯合國永久會所之地點、從事研究並擬具建議案。

五. 籌備委員會所用之經費及召開大會首次會議之必需經費應由大不列顛及北愛爾蘭聯合王國政府墊付、或經籌備委員會請求、由其他各國政府分擔。各國政府所墊付之一切費用、得在其首次所應繳納本組織之款項內扣除之。

六. 籌備委員會應設在倫敦。籌備委員會於聯合國國際組織會議閉會後、即在金山舉行首次會議。執行委員會應於聯合國憲章生效後之儘早期間內、及此後隨時認為合宜時、再行召集籌備委員會會議。

七. 聯合國秘書長選定後、籌備委員會即行解散、屆時其財產及檔案即應移交本組織。

八. 美利堅合衆國政府應為暫時交存機關、保管載有此項過渡辦法以五種文字所作成並經簽字之原本。本文件之正式副本應分送簽字國政府。執行秘書委定後、美利堅合衆國政府即將本文件之原本移交執行秘書保管。

九. 本文件自本日起、發生效力；並至籌備委員會依第七項解散時為止、可隨時由得為聯合國創始會員國之國家簽字。

下列各代表乘其各本國政府正式授予簽字之權、謹簽字於此英、法、中、俄、西、同一作準之五種文字之文件、以昭信守。

公曆一千九百四十五年六月二十六日訂於金山市

ВРЕМЕННОЕ СОГЛАШЕНИЕ
ЗАКЛЮЧЕННОЕ ПРАВИТЕЛЬСТВАМИ ПРЕДСТАВЛЕННЫМИ
НА КОНФЕРЕНЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ
ПО СОЗДАНИЮ
МЕЖДУНАРОДНОЙ ОРГАНИЗАЦИИ



САН-ФРАНЦИСКО • 1945

ВРЕМЕННОЕ СОГЛАШЕНИЕ
ЗАКЛЮЧЕННОЕ ПРАВИТЕЛЬСТВАМИ ПРЕДСТАВЛЕННЫМИ
НА КОНФЕРЕНЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ
ПО СОЗДАНИЮ
МЕЖДУНАРОДНОЙ ОРГАНИЗАЦИИ

ПРАВИТЕЛЬСТВА, представленные на Конференции Объединенных Наций в городе Сан-Франциско по созданию Международной Организации,

Постановив учредить Международную Организацию под названием Объединенные Нации,

Подписав сего числа Устав Организации Объединенных Наций, и

Решив, что впредь до вступления в силу Устава и учреждения Организации Объединенных Наций в соответствии с Уставом, следует учредить Подготовительную Комиссию для выполнения некоторых функций и обязанностей,

СОГЛАШАЮТСЯ О НИЖЕСЛЕДУЮЩЕМ:

1. Настоящим учреждается Подготовительная Комиссия Объединенных Наций с целью проведения временных мероприятий по организации первых сессий Генеральной Ассамблеи, Совета Безопасности, Экономического и Социального Совета и Совета по Опеке, по созданию Секретариата и созыву Международного Суда.

2. Комиссия состоит из представителей Правительств, подписавших Устав, по одному от каждого. Комиссия устанавливает свои собственные правила процедуры. Функции и полномочия Комиссии, в перерывах между сессиями, осуществляются Исполнительным Комитетом, состоящим из представителей тех Правительств, которые в настоящее время представлены в Исполнительном Комитете Конференции. Исполнительный Комитет назначает такие комитеты, которые могут оказаться необходимыми для облегчения его работы, и пользуется услугами лиц, обладающих специальными знаниями и опытом.

3. Комиссия пользуется услугами Исполнительного Секретаря, права и обязанности которого определяются Комиссией, и такого персонала, который может оказаться необходимым. Этот персонал должен состоять, по возможности, из должностных лиц, назначенных для этой цели участвующими правительствами по приглашению Исполнительного Секретаря.

4. Комиссия должна:

- а) Созвать Генеральную Ассамблею на ее первую сессию;
- б) Составить предварительную повестку дня первых сессий главных органов Организации и подготовить документы и рекомендации, относящиеся ко всем вопросам этой повестки дня;
- в) Формулировать рекомендации относительно возможной передачи некото-

рых функций, деятельности и имущества Лиги Наций, которые новая Организация может найти желательным принять на условиях, которые подлежат определению;

д) Изучать вопросы, связанные с установлением отношений специализированных межправительственных учреждений и органов с Организацией;

е) Разослать предложение о выставлении кандидатур в Международный Суд в соответствии с положениями Статута Суда;

ф) Подготовить рекомендации о мерах по созданию Секретариата Организации, и

г) Изучить вопросы и подготовить рекомендации относительно постоянного местонахождения Организации.

5. Расходы, произведенные Комиссией и расходы, связанные с созывом первой сессии Генеральной Ассамблеи, принимаются на себя Правительством Соединенного Королевства Великобритании и Северной Ирландии или, если Комиссия попросит об этом, другие правительства примут участие в этих расходах. Все такие авансы правительств вычитаются из их первых взносов в Организацию.

6. Местопребывание Комиссии находится в Лондоне. Комиссия созывает свое первое заседание в Сан-Франциско немедленно после закрытия Конференции Объединенных Наций по созданию Международной Организации. После вступления Устава Организации в силу, Исполнительный Комитет вновь созывает заседание Комиссии в возможно кратчайший срок, а в дальнейшем созывает таковые по своему усмотрению.

7. Комиссия прекращает свое существование после избрания Генерального Секретаря Организации и в тоже время ее имущество и документы передаются Организации.

8. Правительство Соединенных Штатов Америки действует, как временное доверенное лицо и хранитель подлинного документа, содержащего это временное соглашение на пяти языках, на которых он подписан. Должным образом заверенные копии его передаются правительствам других подписавших документ государств. Правительство Соединенных Штатов Америки передает подлинный документ на хранение Исполнительному Секретарю по его назначению.

9. Настоящий документ вступает в силу сего числа и остается открытым для подписи государствами, имеющими право быть первоначальными Членами Организации Объединенных Наций, до дня роспуска Комиссии, в соответствии с пунктом 7.

В УДОСТОВЕРЕНИЕ ЧЕГО нижеподписавшиеся полномочные представители, будучи на то должным образом уполномочены, подписывают составленные на английском, французском, китайском, русском, и испанском языках тексты настоящего документа, каждый из которых равно аутентичен.

СОСТАВЛЕНО в городе Сан-Франциско, в двадцать шестой день июня тысяча девятьсот сорок пятого года.

ACUERDOS PROVISIONALES
CONCERTADOS POR LOS GOBIERNOS PARTICIPANTES
EN LA CONFERENCIA DE LAS NACIONES UNIDAS
SOBRE ORGANIZACION INTERNACIONAL



SAN FRANCISCO · 1945

**ACUERDOS PROVISIONALES
CONCERTADOS POR LOS GOBIERNOS PARTICIPANTES
EN LA CONFERENCIA DE LAS NACIONES UNIDAS
SOBRE ORGANIZACION INTERNACIONAL**

LOS GOBIERNOS representados en la Conferencia de las Naciones Unidas sobre Organización Internacional celebrada en la ciudad de San Francisco;

Habiendo resuelto que se establezca una organización internacional denominada las Naciones Unidas; y

Habiendo suscrito en este día la Carta de las Naciones Unidas; y

Habiendo decidido que mientras la Carta entra en vigencia y se efectúa la constitución de las Naciones Unidas conforme se estipula en dicha Carta, debe establecerse una Comisión Preparatoria de las Naciones Unidas para que desempeñe determinadas funciones y deberes,

HAN CONVENIDO en lo siguiente:

1. Se establece una Comisión Preparatoria de las Naciones Unidas con el objeto de llevar a cabo arreglos provisionales para las primeras sesiones de la Asamblea General, del Consejo de Seguridad, del Consejo Económico y Social, y del Consejo de Administración Fiduciaria, para el establecimiento de la Secretaría, y para la reunión de la Corte Internacional de Justicia.

2. La Comisión se compondrá de un representante por cada gobierno signatario de la Carta. La Comisión dictará su reglamento. Las funciones y facultades de la Comisión, cuando no esté en sesiones, serán ejercidas por un Comité Ejecutivo compuesto de los representantes de los gobiernos representados actualmente en el Comité Ejecutivo de la Conferencia. El Comité Ejecutivo nombrará los comités que sean necesarios para facilitar sus labores y empleará para ello personas de conocimientos y experiencia especiales.

3. La Comisión contará con los servicios de un Secretario Ejecutivo, quien ejercerá las facultades y funciones que la Comisión determine, y con el personal que sea necesario. Este personal estará compuesto, hasta donde sea posible, por funcionarios designados para este fin por los gobiernos participantes, a invitación del Secretario Ejecutivo.

4. Corresponderá a la Comisión:

- a. Convocar la Asamblea General a su primera reunión;
- b. Preparar la agenda provisional para la primera reunión de los órganos principales de las Naciones Unidas y preparar documentos y recomendaciones relativos a todas las cuestiones consignadas en la agenda;
- c. Formular recomendaciones en lo relativo al posible traspaso de ciertas

funciones, actividades y bienes de la Sociedad de las Naciones que se considere deseable adquirir para la nueva Organización en las condiciones que se acuerden más adelante;

d. Estudiar los problemas que entrañe la vinculación que ha de establecerse entre las agencias y organismos intergubernamentales especializados y las Naciones Unidas;

e. Extender invitaciones para la presentación de candidatos a la Corte Internacional de Justicia de acuerdo con las disposiciones del Estatuto de la Corte;

f. Preparar recomendaciones acerca de los arreglos que sean necesarios para establecer la Secretaría de la Organización; y

g. Hacer estudios y preparar recomendaciones relativos a la ubicación de la sede permanente de la Organización.

5. Los gastos que cause la Comisión y los necesarios para la primera reunión de la Asamblea General serán sufragados por el Gobierno del Reino Unido de la Gran Bretaña e Irlanda del Norte, o, si la Comisión así lo solicita, serán distribuidos entre otros gobiernos. Los adelantos que hagan los gobiernos serán deducibles de su primera cuota para el sostenimiento de la Organización.

6. La sede de la Comisión será Londres. La Comisión celebrará su primera reunión en San Francisco inmediatamente después de la clausura de la Conferencia de las Naciones Unidas sobre Organización Internacional. El Comité Ejecutivo convocará la Comisión a sesiones tan pronto como sea posible después de la entrada en vigencia de la Carta de las Naciones Unidas, y de ahí en adelante cuantas veces lo estime conveniente.

7. La Comisión se disolverá al ser elegido el Secretario General de las Naciones Unidas, y efectuada la elección, los bienes y archivos de la Comisión serán traspasados a la Organización.

8. El Gobierno de los Estados Unidos de América será depositario temporal y tendrá la custodia del documento original que contiene estos acuerdos provisionales, en los cinco idiomas en que se firma. Se transmitirán copias debidamente certificadas del mismo a los gobiernos de los otros Estados signatarios. El Gobierno de los Estados Unidos de América transferirá el original de este documento al Secretario Ejecutivo al ser éste nombrado.

9. El presente documento tendrá efecto desde su fecha, y estará abierto a la firma de los Estados con derecho a ser Miembros originarios de las Naciones Unidas, hasta tanto que la Comisión se disuelva de conformidad con el párrafo 7.

EN FE DE LO CUAL, los infrascritos representantes, debidamente autorizados para el efecto, firman este documento en los idiomas inglés, francés, chino, ruso y español. Cada uno de los textos en estos idiomas tendrá igual autenticidad.

HECHO en la ciudad de San Francisco, a los veintiseis días del mes de junio del año mil novecientos cuarenta y cinco.

FOR CHINA:
 POUR LA CHINE:
 中國:
 За Китаѣ:
 FOR LA CHINA:

顧	維	鈞
王	寵	遠
魏	道	暉
吳	怡	芳
李	君	璜
張	必	勳
董		武
胡		霖

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES RÉPUBLIQUES SOVIÉTIQUES SOCIALISTES:
蘇維埃社會主義共和國聯邦:
За Союз Советских Социалистических Республик:
POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

A. G. G.
A. Lavrentyev
M. G. M.
P. V. V.
S. S. S.
P. K. K.
P. P. P.

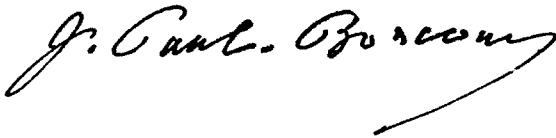
FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
 POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
 大不列顛及北愛爾蘭聯合王國:
 За Соединенное Королевство Великобритании и Северной Ирландии:
 POR EL REINO UNIDO DE LA GRAN BRETAÑA E IRLANDA DEL NORTE:

Halifax.
Cranborne.

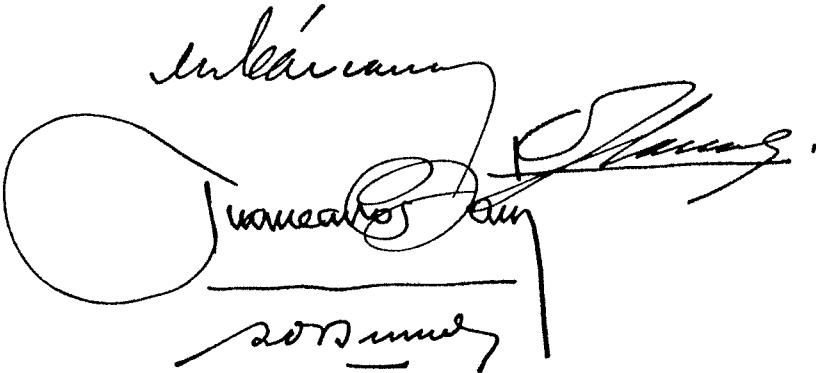
FOR THE UNITED STATES OF AMERICA:
 POUR LES ETATS-UNIS D'AMÉRIQUE:
 美利堅合衆國:
 За Соединенные Штаты Америки:
 POR LOS ESTADOS UNIDOS DE AMÉRICA:

Arthur
Cordell Hull
Tom Connally
Astrandberg
Joe Bloom
Chyree T. Eaton
Harold Estensen
Virginia C. Gildersleeve

FOR FRANCE:
POUR LA FRANCE:
法蘭西:
За Францию:
POR FRANCIA:



FOR ARGENTINA:
POUR L'ARGENTINE:
阿根廷:
За Аргентину:
POR LA ARGENTINA:



FOR AUSTRALIA:

POUR L'AUSTRALIE:

澳大利亞:

За Австралию:

FOR AUSTRALIA:





FOR THE KINGDOM OF BELGIUM:

POUR LE ROYAUME DE BELGIQUE:

比利時王國:

За Королевство Бельгии:

POR EL REINO DE BÉLGICA:



FOR BOLIVIA:

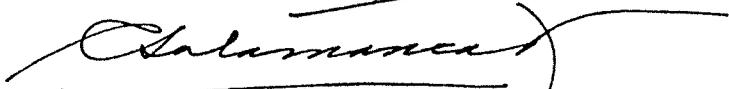
POUR LA BOLIVIE:

玻利維亞:

За Боливию:

FOR BOLIVIA:







FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOVIÉTIQUE SOCIALISTE DE BÉLORUSSIE:

白俄羅斯蘇維埃社會主義共和國:

За Белорусскую Советскую Социалистическую Республику:

POR LA REPÚBLICA SOCIALISTA SOVIÉTICA BIELORRUSA:


 П. Терпенко
 П. Терпенко
 Бацькаво
 О. Шинков

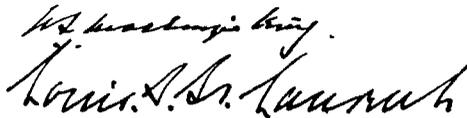
FOR CANADA:

POUR LE CANADA:

加拿大:

За Канаду:

FOR EL CANADÁ:


 Louis St. Laurent

FOR CHILE:

POUR LE CHILI:

智利:

За ЧИЛИ:

FOR CHILE:

Ernesto Frunz
Paris, 1945

in reply
Lucio Cordero
Contreras Fabara
J. Valdivia
J. Alcalde
Amunátegui
Lucio Cordero.

FOR COLOMBIA:

POUR LA COLOMBIE:

哥倫比亞:

За Колумбію:

FOR COLOMBIA:

Alberto Lleras
 Alfonso López Pumarejo
~~Alfonso López Pumarejo~~
 Jimmie Villejo
Jervis M. Yepes.

FOR COSTA RICA:

POUR COSTA-RICA:

哥斯大黎加:

За Коста-Рику:

FOR COSTA RICA:

(Javier Oreamuno)
 Rafael Oreamuno

FOR CUBA:

POUR CUBA:

古巴:

За Кубу:

FOR CUBA:



Ernesto Odio

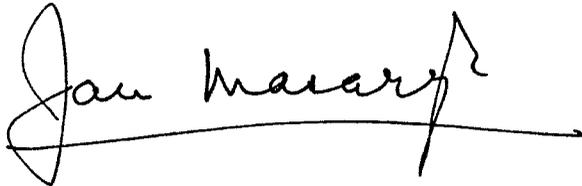
FOR CZECHOSLOVAKIA:

POUR LA TCHÉCOSLOVAQUIE:

捷克斯拉夫:

За Чехословакию:

FOR CZECHOSLOVAKIA:



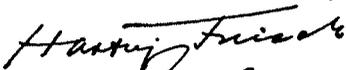
FOR DENMARK:

POUR LE DANEMARK:

丹麥:

За Данию:

FOR DINAMARCA:



FOR THE DOMINICAN REPUBLIC:

POUR LA RÉPUBLIQUE DOMINICAINE:

多明尼加共和國:

За Доминиканскую Республику:

POR LA REPÚBLICA DOMINICANA:

M. Juan Batista
Jennyly Godoy
León Sánchez

Minerva Bernárdez

FOR ECUADOR:

POUR L'ÉQUATEUR:

厄瓜多:

За Эквадор:

POR EL ECUADOR:

P. Jaime Cordero
Plaza Galo Pizarro
P. Hoban Zaldumbide

FOR EGYPT:

POUR L'ÉGYPTE:

埃及:

За Египет:

POR EGIPTO:

A. Rada
A. Hach

FOR EL SALVADOR:

POUR LE SALVADOR:

薩爾瓦多:

За Сальвадор:

FOR EL SALVADOR:

Heitor Daniel Barrios
Carlos King, A.D.

FOR ETHIOPIA:

POUR L'ETHIOPIE:

阿比西尼亞:

За Эфиопию:

FOR ETHIOPIA:

Ambrose
Ambrose
Ephrem I. Medhaz

FOR GREECE:

POUR LA GRÈCE:

希臘:

За Грецию:

FOR GRECIA:



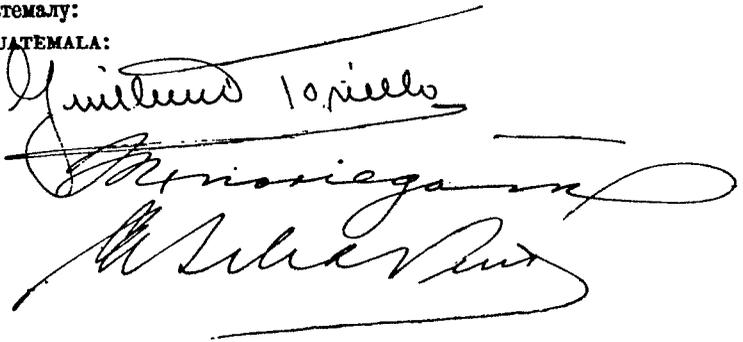
FOR GUATEMALA:

POUR LE GUATEMALA:

瓜地馬拉:

За Гватемалу:

FOR GUATEMALA:



FOR HAITI:

POUR HAÏTI:

海地:

За Гаити:

FOR HAÏTI:



FOR HONDURAS:

POUR LE HONDURAS:

洪都拉斯:

За Гондурас:

FOR HONDURAS:

Julian Alcázar
Marcos Lezcano Reyes
Diego J. J.

FOR INDIA:

POUR L'INDE:

印度:

За Индию:

FOR LA INDIA:

A. Ramaswami Mudaliar
V. T. Krishnamachari

FOR IRAN:

POUR L'IRAN:

伊朗:

За Иран:

FOR IRÁN:

Mostafa Adibi

FOR IRAQ:
POUR L'IRAK:
伊拉克:
За Ирак:
FOR IRAK:

Moh. Fadel jamali

FOR LEBANON:
POUR LE LIBAN:
黎巴嫩:
За Ливан:
FOR EL LIBANO:

W. Kaim
A. Youssef
S. M. M. M.
Charles Maki

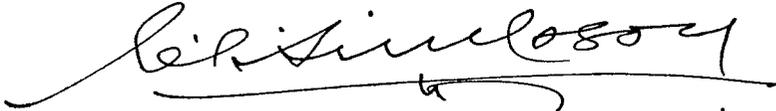
FOR LIBERIA:

POUR LE LIBÉRIA:

利比里亞:

За Либерию:

FOR LIBERIA:


G. S. Dennis
J. Samuel Gibson.
Richard Harris
H. E. ...

FOR THE GRAND DUCHY OF LUXEMBOURG:

POUR LE GRAND DUCHÉ DE LUXEMBOURG:

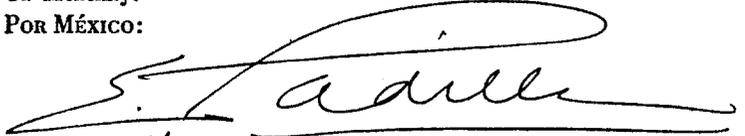
盧森堡大公國:

За Великое Герцогство Люксембург:

FOR EL GRAN DUCADO DE LUXEMBURGO:

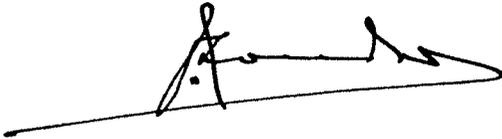


FOR MEXICO:
 POUR LE MEXIQUE:
 墨西哥:
 За Мексику:
 POR MÉXICO:



J. Castillo Nájera
 Manuel Nájera

FOR THE KINGDOM OF THE NETHERLANDS:
 POUR LE ROYAUME DES PAYS-BAS:
 荷蘭王國:
 За Королевство Нидерландов:
 POR EL REINO DE HOLANDA:



FOR NEW ZEALAND:
 POUR LA NOUVELLE-ZÉLANDE:
 紐西蘭:
 За Новую Зеландию:
 POR NUEVA ZELANDIA:



Peter Fraser.
 Peter Fraser

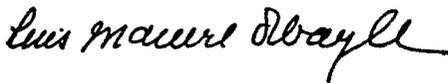
FOR NICARAGUA:

POUR LE NICARAGUA:

尼加拉瓜:

За Никарагуа:

FOR NICARAGUA:



FOR THE KINGDOM OF NORWAY:

POUR LE ROYAUME DE NORVÈGE:

挪威王國:

За Королевство Норвегии:

FOR EL REINO DE NORUEGA:



FOR PANAMA:

POUR LE PANAMA

巴拿馬:

За Панаму:

FOR PANAMÁ:



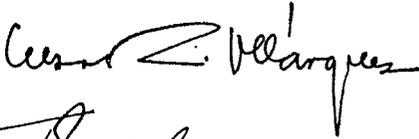
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POUR LE PARAGUAY:

巴拉圭:

За Парагвай:

POR EL PARAGUAY:



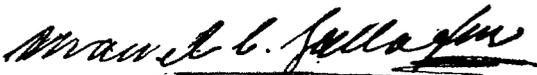

FOR PERU:

POUR LE PÉROU:

秘魯:

За Перу:

POR EL PERÚ:





FOR THE PHILIPPINE COMMONWEALTH:

POUR LE COMMONWEALTH DES PHILIPPINES:

菲律賓共和國:

За Филиппины:

FOR LA MANCOMUNIDAD DE FILIPINAS:

Carlos A. Romulo

Fernando M. Delgado

FOR POLAND:

POUR LA POLOGNE:

波蘭:

За Польшу:

FOR POLONIA:

FOR SAUDI ARABIA:
 POUR L'ARABIE SAOUDITE:
 蘇地亞拉伯:
 За Сауди Арабию:
 FOR ARABIA SAUDITA:

FOR SYRIA:
 POUR LA SYRIE:
 叙利亞:
 За Сирию:
 FOR SIRIA:

F. Al-Khourri

~~B. Arabatzi~~ 

N. Koudsi 

FOR TURKEY:
 POUR LA TURQUIE:
 土耳其:
 За Турцию:
 FOR TURQUIA:

Mehmet Sakay
 Hüseyin Nagip Beydini


FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOVIÉTIQUE SOCIALISTE D'UKRAINE:

烏克蘭蘇維埃社會主義共和國:

За Украинскую Советскую Социалистическую Республику:

FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA UCRAINIANA:

Д. М. Мануйловский

Іван Семін

Александр Галедін

Микола Рєзновський?

FOR THE UNION OF SOUTH AFRICA:

POUR L'UNION SUD-AFRICAINE:

南非聯邦:

За Южноафриканский Союз:

FOR LA UNIÓN SUDAFRICANA:

U. Smitz J.M.

FOR URUGUAY:

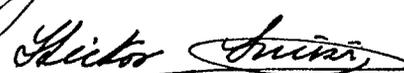
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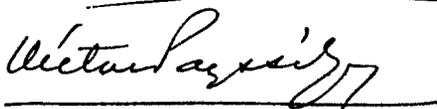
烏拉圭:

За Уругвай:

POR EL URUGUAY:





FOR VENEZUELA:

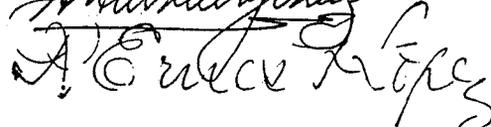
POUR LE VENEZUELA:

委內瑞拉:

За Венесуэлу:

POR VENEZUELA:



FOR YUGOSLAVIA:

POUR LA YOUGOSLAVIE:

南斯拉夫:

За Югославию:

FOR YUGOSLAVIA:

Stanoje Simic'

Note by the Department of State

The following is a romanization of the foregoing facsimile signatures.

FOR CHINA:

VI-KYUIN WELLINGTON KOO
WANG CHUNG-HUI
WEI TAO-MING
WU YI-FANG
LI HWANG
CHUN-MAI CARSON CHANG
TUNG PI-WU
HU LIN

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

A GROMYKO
A LAVRENTIEV
K NOVIKOV
S. TSARAPKIN
S GOLUNSKY
S KRYLOV
RODIONOV

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

HALIFAX.
CRANBORNE.

FOR THE UNITED STATES OF AMERICA:

E R STETTINIUS, JR
CORDELL HULL
TOM CONNALLY
A H VANDENBERG.
SOL BLOOM
CHARLES A. EATON.
HAROLD E STASSEN
VIRGINIA C. GILDERSLEEVE.

FOR FRANCE:

J. PAUL-BONCOUR

FOR ARGENTINA:

M CÁRCANO
O IBARRA G.
JUAN CARLOS BASSI
A D BRUNET

FOR AUSTRALIA:

F. M. FORDE.
H V EVATT.

FOR THE KINGDOM OF BELGIUM:

A E DE SCHRYVER

FOR BOLIVIA:

V ANDRADE
C SALAMANCA F
E ARZE Q.

FOR BRAZIL:

P. LEÃO VELLOSO
C. DE FREITAS VALLE
GEN. ESTEVAO LEITAO DE CARVALHO.
A. CAMILLO DE OLIVEIRA.
DR BERTHA LUTZ

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

K KISELEV
A ZHEBRAK
V. PERTSEV
G BAIDAKOV
F. SHMYGAV

FOR CANADA:

W. L. MACKENZIE KING.
LOUIS. S. ST. LAURENT

FOR CHILE:

JOAQUÍN FERNÁNDEZ F
MARCIAL MORA M
JOSÉ MAZA
GABRIEL GONZÁLEZ.
CONTRERAS LABARCA
F. NIETO DEL RÍO
E ALCALDE C
GERMÁN VERGARA.
JULIO ESCUDERO.

FOR COLOMBIA:

ALBERTO LLERAS
AL GONZÁLEZ FERNÁNDEZ
EDUARDO ZULETA ANGEL
SILVIO VILLEGAS
JESÚS M. YEPES.

FOR COSTA RICA:

JULIO ACOSTA
J RAFAEL OREAMUNO

FOR CUBA:

GMO BELT
ERNESTO DIHIGO

FOR CZECHOSLOVAKIA:

JAN MASARYK.

FOR DENMARK:

HENRIK KAUFFMANN
HARTVIG FRISCH
E. HUSFELDT

FOR THE DOMINICAN REPUBLIC:

M PEÑA BATLLE
EMILIO G GODOY
GILBERTO SÁNCHEZ LUSTRINO
T. FRANCO F
MINERVA BERNARDINO

FOR ECUADOR:

C. PONCE ENRÍQUEZ.
GALO PLAZA
C. TOBAR ZALDUMBIDE

FOR EGYPT:

A. BADAWI.
IB. HADI

FOR EL SALVADOR:

HÉCTOR DAVID CASTRO
CARLOS LEIVA, M. D.

FOR ETHIOPIA:

AKLILU H
AMBAYE W
EPHREM T. MEDHEN

FOR GREECE:

J. A. SOFIANOPOULOS

FOR GUATEMALA:

GUILLERMO TORIELLO
M. NORIEGA M
E SILVA PEÑA

FOR HAITI:

GERARD LESCOT
A. LIAUTAUD

FOR HONDURAS:

JULIÁN R CÁCERES
MARCOS CARÍAS REYES
VIRGILIO R. GALVEZ

FOR INDIA:

A RAMASWAMI MUDALIAR.
V. T. KRISHNAMACHARI

FOR IRAN:

MOSTAFA ADLE

FOR IRAQ:

MOHD. FADHEL JAMALI

FOR LEBANON:

W. NAIM
A. YAFI
SALEM.
CHARLES MALIK

FOR LIBERIA:

C. L. SIMPSON
GABRIEL L. DENNIS
J. LEMUEL GIBSON
RICHARD HENRIES
M. N. GRANT

FOR THE GRAND DUCHY OF LUXEMBOURG:

HUGUES LE GALLAIS

FOR MEXICO:

E. PADILLA
F. CASTILLO NÁJERA
MANUEL TELLO.

FOR THE KINGDOM OF THE NETHERLANDS:

A. LOUDON

FOR NEW ZEALAND:

PETER FRASER.
C A BERENDSEN

FOR NICARAGUA:

MARIANO ARGÜELLO
LUIS MANUEL DE BAYLE

FOR THE KINGDOM OF NORWAY:

WILHELM MUNTHE MORGENSTIERNE

FOR PANAMA:

ROBERTO JIMÉNEZ

FOR PARAGUAY:

CELSO R. VELÁZQUEZ
J. B. AYALA

FOR PERU:

MANUEL C. GALLAGHER
V. A. BELAUNDE
LUIS FERNÁN CISNEROS.

FOR THE PHILIPPINE COMMONWEALTH:

CARLOS P. ROMULO
FRANCISCO A. DELGADO.

FOR POLAND:

FOR SAUDI ARABIA:

FAISAL

FOR SYRIA:

F. AL-KHOUBI
N. ANTAKI
N. KOUDSI

FOR TURKEY:

HASAN SAKA
HUSEYIN RAGIP BAYDUR
FERIDUN CEMAL ERKIN

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

DM. MANUILSKY
IVAN SENIN
ALEXANDER PALLADIN
MIKOLA PETROVSKY

FOR THE UNION OF SOUTH AFRICA:

J. C. SMUTS F. M.

FOR URUGUAY:

JOSÉ SERRATO
JACOBO VARELA
HÉCTOR LUISI
CY GIAMBRUNO
JUAN F. GUICHÓN
HÉCTOR PAYSSÉ REYES

FOR VENEZUELA:

C PARRA PÉREZ
GUSTAVO HERRERA
A MACHADO HNDZ
R ERNESTO LÓPEZ

FOR YUGOSLAVIA:

STANOJE SIMIĆ

December 29, 1944,
and January 8, 1945
[E. A. S. 462]

Agreement between the United States of America and Haiti respecting cooperative rubber plantation investigations. Effected by exchange of notes signed at Port-au-Prince December 29, 1944, and January 8, 1945; effective January 8, 1945.

The American Chargé d'Affaires ad interim to the Haitian Secretary of State for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 213

Port-au-Prince, Haiti, December 29, 1944

EXCELLENCY:

I have the honor to refer to an agreement for cooperative plantation rubber investigations which was effected by the signing of a letter dated January 24, 1941, by the Chief of the Bureau of Plant Industry, United States Department of Agriculture, and the Secretary of State for Agriculture and Labor of the Republic of Haiti, the text of which letter reads in full as follows:

“UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON

“OFFICE OF CHIEF OF BUREAU

“*January 24, 1941.*

“His Excellency

M. EDOUARD VOLEL,

Secrétaire d'Etat de L'Agriculture et du Travail,

Republique d'Haiti,

Port-au-Prince, Haiti.

“MONSIEUR SECRETAIRE:

“In recognition of the common interest of the Haitian Government and the Government of the United States in the development of rubber production in Latin America and the desirability that Haiti participate in this development, both for the purpose of developing new export crops and for developing new sources of national income, it seems possible to provide for mutually advantageous cooperation.

“Discussions between representatives of the Bureau of Plant Industry and representatives of the Haitian Government have developed a basis of understanding, which is presented in the following paragraphs for your consideration. If the statement of the project and provision for carrying out the work meet with your approval, please endorse this letter in the space provided and return it to me. A photostat copy will then be sent to you for your records.

“The object of these cooperative investigations is to develop and propagate high-yielding clones of rubber resistant to the South American leaf disease. Seed, budwood, and other plant materials

resulting from these cooperative investigations will be shared by the cooperating agencies.

“The work will be conducted at one or more stations in Haiti, preferably in the Grand’Anse valley, and at various stations of the U. S. Department of Agriculture in Central America and elsewhere.

Places of work.

“The Haitian Government agrees that seeds from rubber trees growing in Haiti may be collected and planted at testing gardens selected in Haiti and to send supplies of the same seed lots to stations established by the Bureau of Plant Industry of the U. S. Department of Agriculture where the seedlings will be used for tests for resistance to the South American leaf disease and for propagation of high-yielding clones. Budwood from promising seedlings will then be shared, some being sent to Haitian stations for propagation and use in Haiti and some being retained by the U. S. Department of Agriculture.

Testing stations.

“The Haitian Government agrees to furnish land for a propagation nursery, preferably in the Grand’Anse valley, to be selected jointly by the Agricultural Adviser to the Haitian Government and representative of the U. S. Department of Agriculture, which will be used for propagation of budwood that the U. S. Department of Agriculture will furnish from time to time.

Propagation nursery.

“To the extent to which it may be possible with the finances available from time to time, the Haitian Government agrees to cooperate in the expenses, labor, implements, and other necessary materials, facilities and resources in connection with the establishment and maintenance of the experimental plantings.

Expenses, etc., of experimental plantings.

“The Haitian Government agrees to prohibit the redistribution of any strains of the rubber tree furnished or developed under this agreement to cooperators, companies or other governments except to those agencies and governments in the Western Hemisphere which are willing to reciprocate by furnishing such similar material as they may have in their possession; and that this restriction shall be passed on to any other agency or government receiving material to prevent controverting the purpose of this restriction.

Prohibition of redistribution.

“The Bureau of Plant Industry agrees to test the performance of seedlings derived from seeds from Haiti, to furnish the Haitian Government selected and tested budwood from time to time, to give advice and information and to furnish the services of a scientist for planning, conducting and interpreting the results of the work performed under the terms of this agreement.

Testing of seedlings.

“The Bureau of Plant Industry also agrees to contribute to the cost of the labor, implements and other necessary material, facilities and services in connection with the establishment and maintenance of nursery or experimental plantings, to the degree that this may be necessary to implement and make effective the contributions of the Haitian Government. It also agrees to make available records of all results obtained in tests and experiments made under the terms of this agreement.

Cost of labor, etc.

Publication of re-
sults.

"It is mutually agreed that publication of the results of these experiments may be by either party, provided that the cooperative nature of the work is recognized and a copy of the manuscript is furnished the cooperator for review previous to publication. It is understood that the obligations of the Haitian Government and the Bureau of Plant Industry are contingent upon appropriations by the Congresses of the respective countries.

Effective period.

"The Understanding will be effective upon endorsement and will continue in effect for an indefinite period, subject to appropriations being made by the Congresses of Haiti and the United States. It shall be subject to revision by mutual consent of the parties concerned, and either party is at liberty to withdraw upon due notice. Requests for any major changes or notifications of intention of withdrawing shall be submitted to the other party for consideration not less than 90 days in advance of the effective date desired.

"Very truly yours,

E. C. AUCHTER

"Chief of Bureau.

EDOUARD VOLEL

"*Secrétaire d'Etat de L'Agriculture
et du Travail.*"

As a result of practical considerations which have arisen in connection with the operation of the regional field station for rubber experimentation in accordance with the agreement mentioned above, it has been found by the authorities of the United States Department of Agriculture to be desirable that an agreement supplementary to the agreement of January 24, 1941 be entered into for the purpose of defining more clearly certain procedures affecting the sale of products grown on the lands used by the said station and in order to facilitate the continued development of rubber investigations and demonstration plantings in Haiti.

The supplementary agreement as proposed by the United States Department of Agriculture is in terms as follows:

ARTICLE I

In the sale of products, surplus to the needs of the cooperative research and recognized as the property of the Government of the Republic of Haiti, which have been grown and are now on, or which are or may be developed or cultivated as a result of rubber investigations and demonstration plantings on, the lands owned by the Government of the Republic of Haiti and provided by the Government of the Republic of Haiti for the establishment and operation by the Department of Agriculture of the United States of America of a rubber experiment station, in accordance with the letter agreement for cooperative rubber investigations in Haiti, between appropriate authorities of the Government of the United States of America and the Government of the Republic of Haiti, dated January 24,

1941, the following procedures shall be followed with respect to such sales and with respect to accounting and disbursements:

(a) Any such sale shall be made by the Secretary of State for Agriculture and Labor of the Republic of Haiti and the proceeds from any such sale shall be placed in a special account with the understanding that such proceeds shall be used for the improvement and development of the rubber experiment station, the demonstration plantings, and the lands aforesaid.

(b) The system of accounting for farm receipts and disbursements will be formulated and approved by the Secretary of State for Agriculture and Labor of the Republic of Haiti and the local representatives in charge of rubber investigations for the Department of Agriculture of the United States of America.

ARTICLE II

This supplementary agreement shall remain in force as though it were an integral part of the aforesaid letter agreement dated January 24, 1941.

This note, together with a reply from Your Excellency indicating the approval of the Government of the Republic of Haiti, will be considered as constituting an agreement between our two Governments on the subject, it being understood that the letter agreement of January 24, 1941 became effective, in accordance with its own terms, on the date of its endorsement, and that the supplementary agreement as indicated above shall be effective as of the date of Your Excellency's reply note.

Accept, Excellency, the renewed assurances of my highest consideration.

WAINWRIGHT ABBOTT
Chargé d'Affaires ad interim

His Excellency

M. GÉRARD LESCOT,
Secretary of State for Foreign Affairs,
Port-au-Prince.

The Haitian Secretary of State for Foreign Affairs to the American
Chargé d'Affaires ad interim

SECRETAIRERIE D'ETAT
DES
RELATIONS EXTÉRIEURES

E.U. No. 3923

PORT-AU-PRINCE, le 8 Janvier 1945.

MONSIEUR LE CHARGÉ D'AFFAIRES,

J'ai l'avantage d'accuser réception de la note du 29 décembre écoulé, au No. 213, par laquelle, en vous référant à l'Accord par échange de notes, dont vous reproduisez le texte, signé le 24 janvier 1941 et relatif à l'établissement d'une station régionale de plantation expérimentale de caoutchouc, vous soumettez à l'approbation du Gouvernement Haitien le texte, ci-dessous transcrit, d'un Accord

supplémentaire destiné à définir, d'une façon plus précise, certaines procédures relatives à la vente des produits qui ont été cultivés sur les terres de ladite station, et à faciliter le développement continu des études sur le caoutchouc et des plantations expérimentales:

“Article I. – Dans la vente de produits (en excédent des besoins des recherches coopératives et reconnus comme propriété du Gouvernement de la République d’Haiti) qui ont été cultivés et se trouvent actuellement sur les terres appartenant au Gouvernement de la République d’Haiti, ou bien qui sont ou pourront être obtenus à la suite d’études sur le caoutchouc et de plantations expérimentales sur les dites terres fournies par le Gouvernement Haitien pour l’établissement et l’exploitation, par le Département de l’Agriculture des Etats-Unis d’Amérique, d’une station expérimentale de caoutchouc conformément à l’accord par échange de notes pour des recherches coopératives de caoutchouc, signé le 24 janvier 1941 en Haiti, entre les autorités compétentes du Gouvernement des Etats-Unis d’Amérique et le Gouvernement de la République d’Haiti, les procédures suivantes seront adoptées en ce qui a trait aux dites ventes, ainsi qu’à la comptabilité et aux dépenses:

- (a) Toutes ces ventes seront faites par le Secrétaire d’Etat de l’Agriculture et du Travail de la République d’Haiti et le produit en sera placé dans un compte spécial pour être affecté à l’amélioration et au développement de la station expérimentale de caoutchouc, des plantations expérimentales et des terres susmentionnées.
- (b) le système de comptabilité des recettes et dépenses de ferme sera formulé et approuvé par le Secrétaire d’Etat de l’Agriculture et du Travail de la République d’Haiti et par les représentants en Haiti chargés des recherches sur le caoutchouc pour le Département de l’Agriculture des Etats-Unis d’Amérique.

Article II. – Cet accord supplémentaire restera en vigueur comme une partie intégrante de l’échange de notes susmentionné du 24 janvier 1941.”

En réponse, il m’est agréable de porter à votre connaissance que le Gouvernement Haitien donne son entière adhésion à cet Accord supplémentaire. Il est entendu que la susdite note du 29 décembre dernier, au No. 213, de votre Ambassade et la présente note de cette Chancellerie sont considérées comme constituant ledit accord supplémentaire et que celui-ci entrera en vigueur à partir de la date d’aujourd’hui.

Je saisis l’occasion pour vous renouveler, Monsieur le Chargé d’Affaires, les assurances de ma considération la plus distinguée.

GERARD LESCOT

Monsieur WAINWRIGHT ABBOTT,

Chargé d’Affaires a.i. des Etats-Unis d’Amérique

Port-au-Prince.

Translation

DEPARTMENT OF STATE
FOR
FOREIGN AFFAIRS

E.U. No. 3923

PORT-AU-PRINCE, *January 8, 1945.*

MR. CHARGÉ D'AFFAIRES,

I have the honor to acknowledge the receipt of the note of December 29 last, No. 213, in which, referring to the Agreement by exchange of notes, the text of which you reproduce, signed January 24, 1941, relating to the establishment of a regional station for experimental planting of rubber, you submit for approval by the Haitian Government the text, transcribed below, of a supplementary agreement for the purpose of defining more precisely certain procedures affecting the sale of products grown on the lands of the said station and of facilitating the continued development of rubber investigations and plantings:

Ante, p. 1458.

[For translation of the text of Articles I and II see note no. 213 of December 29, 1944 from the American Chargé d'Affaires ad interim to the Haitian Secretary of State for Foreign Affairs.]

In reply, I have the pleasure to inform you that the Haitian Government gives its full adherence to this Supplementary Agreement. It is understood that the above-mentioned note of December 29 last, No. 213, of your Embassy and the present note of this Chancelry are considered as constituting said supplementary agreement and that the latter shall be effective from today's date.

I avail myself of the opportunity to renew to you, Mr. Chargé d'Affaires, the assurances of my most distinguished consideration.

GERARD LESCOT

Mr. WAINWRIGHT ABBOTT,

Chargé d'Affaires ad interim

of the United States of America,

Port-au-Prince.

January 27, 1945
[E. A. S. 463]

Agreement between the United States of America and Iceland respecting air transport services. Effected by exchange of notes signed at Reykjavik January 27, 1945; effective February 1, 1945.

The American Minister to the Icelandic Minister for Foreign Affairs

LEGATION OF THE
UNITED STATES OF AMERICA

Reykjavik, January 27, 1945

No. 154

EXCELLENCY :

I have the honor to refer to our negotiations for the conclusion of a reciprocal air transport agreement between the United States of America and Iceland.

It is my understanding that these negotiations, now terminated, have resulted in the following agreement :

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND
ICELAND RELATING TO AIR TRANSPORT SERVICES

Having in mind the resolution signed under date of December 7, 1944, at the International Civil Aviation Conference in Chicago, Illinois, for the adoption of a standard form of agreement for provisional air routes and services, and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States and Iceland, the two Governments parties to this arrangement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions :

ARTICLE 1

Post, p. 1466.

The contracting parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

ARTICLE 2

Inauguration of air services.

Post, p. 1466.

(a) Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required

to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either contracting party granted commercial rights under this agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

Prevention of discrimination, etc.

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

Certificates of airworthiness, etc.

Post, p. 1466.

ARTICLE 5

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of

Laws and regulations.

such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Withholding or revocation of certificate or permit.

Each contracting party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this agreement.

ARTICLE 7

Registry of agreement, etc.

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Termination.

Either contracting party may terminate the rights for services granted by it under this agreement by giving one year's notice to the other contracting party.

ARTICLE 9

Request for consultation.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND ICELAND

A. Airlines of the United States authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of Iceland, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Keflavik or other suitable airport, on the following route:

The United States to Iceland and points beyond, via intermediate points; in both directions.

B. Airlines of Iceland authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of the United States, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at New York or Chicago, on the following route:

Iceland to New York or Chicago, via intermediate points;
in both directions.

You will, of course, understand that this agreement may be affected by subsequent legislation enacted by the Congress of the United States.

I shall be glad to have you inform me whether it is the understanding of your Government that the terms of the agreement resulting from the negotiations are as above set forth. If so, it is suggested that February 1, 1945 become the effective date. If your government concurs in this suggestion the Government of the United States will regard it as becoming effective at such time.

Effective date.

Accept, Excellency, the renewed assurances of my highest consideration.

LOUIS G. DREYFUS Jr.

His Excellency

OLAFUR THORS,

*Minister for Foreign Affairs,
Reykjavik, Iceland.*

879.6

The Icelandic Minister for Foreign Affairs to the American Minister

UTANRÍKISRÁÐUNEYTIÐ

REYKJAVÍK, *January 27, 1945.*

Db. 65. D. 1
(Óskast tilgreint í svari)

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of Your Excellency's note dated to-day in which you communicated to me the terms of a reciprocal air transport agreement between Iceland and the United States of America, as agreed upon during our negotiations, now terminated:

The terms of this agreement, which you have communicated to me are as follows:

AGREEMENT BETWEEN ICELAND AND THE UNITED STATES OF
AMERICA RELATING TO AIR TRANSPORT SERVICES

Having in mind the resolution signed under date of December 7, 1944, at the International Civil Aviation Conference in Chicago, Illinois, for the adoption of a standard form of agreement for provisional air routes and services, and the desirability of mutually stimulating and promoting the sound economic development of air transportation

between Iceland and the United States, the two Governments parties to this arrangement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

ARTICLE 1

The contracting parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

ARTICLE 2

(a) Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either contracting party granted commercial rights under this agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

ARTICLE 5

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Each contracting party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this agreement.

ARTICLE 7

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Either contracting party may terminate the rights for services granted by it under this agreement by giving one year's notice to the other contracting party.

ARTICLE 9

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN
ICELAND AND THE UNITED STATES OF AMERICA

A. Airlines of the United States authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of Iceland, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Keflavik or other suitable airport, on the following route:

The United States to Iceland and points beyond, via intermediate points; in both directions.

B. Airlines of Iceland authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of the United States, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at New York or Chicago, on the following route: Iceland to New York or Chicago, via intermediate points; in both directions.

In reply, I have the honour to inform Your Excellency, that the terms of the agreement as stated above are acceptable to the Government of Iceland.

It is understood that this agreement may be affected by subsequent legislation enacted by the Congress of the United States.

Furthermore, I wish to inform you that it is agreeable that February 1, 1945 become the effective date of the agreement and that the Government of Iceland will regard it as becoming effective at that date.

I have the honour to renew to Your Excellency the assurances of my highest consideration.

OLAFUR THORS,

His Excellency

LOUIS G. DREXFUS,

Minister of the United States of America,

Reykjavik.

Agreement between the United States of America and Guatemala amending the agreement of July 15, 1944, respecting an agricultural experiment station. Signed at Guatemala March 10, 1945; effective March 10, 1945.

March 10, 1945
[E. A. S. 464]

The Honorable Boaz Long, Ambassador of the United States of America to the Republic of Guatemala, as one party, and the Honorable Pedro Cofiño, Secretary of Agriculture and Mining of the Republic of Guatemala, as the other party, both duly empowered and instructed by their respective Governments, have agreed to subscribe the following

El Excelentísimo señor Pedro Cofiño, Secretario de Estado en el Despacho de Agricultura y Minería de la República de Guatemala, por una parte, y por la otra el Excelentísimo señor Boaz Long, Embajador de los Estados Unidos de América en la República de Guatemala, debidamente facultados e instruidos por sus respectivos Gobiernos, han convenido en suscribir el siguiente

**SUPPLEMENTARY MEMORANDUM
OF UNDERSTANDING**

**MEMORANDUM SUPLEMENTARIO
DE ACUERDO**

1. The present Supplementary Memorandum of Understanding supplements and amends the Memorandum of Understanding signed at Guatemala on July 15, 1944 by the Honorable Carlos Salazar, Minister of Foreign Affairs of the Republic of Guatemala, and the Honorable Boaz Long, Ambassador of the United States of America, providing for cooperation between the two Governments in the establishment and operation of an agricultural experiment station in Guatemala.

1. El presente Memorandum Suplementario de Acuerdo, completa y reforma el Memorandum de Acuerdo firmado en Guatemala el 15 de julio de 1944, entre el Excelentísimo Carlos Salazar, Ministro de Relaciones Exteriores de la República de Guatemala, y el Excelentísimo Boaz Long, Embajador de los Estados Unidos de América, estableciendo la cooperación de los dos Gobiernos en la creación y funcionamiento de una estación experimental agrícola en Guatemala.

2. The Government of the United States of America and the Government of the Republic of Guatemala desire to expand the economies and increase the security of the hemisphere through the cooperative conduct in Guatemala of agricultural investiga-

2. El Gobierno de los Estados Unidos de América y el Gobierno de la República de Guatemala desean desarrollar la economía y acrecentar la seguridad del hemisferio, llevando a cabo cooperativamente investigaciones, demostración y expansión agrícolas, en

tions, demonstration, and extension designed to promote the more efficient production of agricultural products basic to the economy of Guatemala and complementary to the economy of the United States of America through the operation of a central agricultural experiment station provided for in the Memorandum of Understanding of July 15, 1944 between the Government of the Republic of Guatemala and the Government of the United States of America, and the eventual establishment and operation of such branch and substation as may be necessary and for which funds and personnel are available.

58 Stat. 1420.

Supervisory Commission.

3. The Government of the United States of America and the Government of the Republic of Guatemala mutually agree that, in order to provide joint supervision over the cooperative aspect of the project and in order to furnish a ready means for consultation between the two Governments in regard thereto, there shall be established a Supervisory Commission composed of one representative of each of the two Governments. The representative of the Guatemalan Government shall be the Secretary of Agriculture.

Advisory board.

4. A board shall be appointed by the Government of the Republic of Guatemala to guide the Guatemalan member of the Supervisory Commission and to advise the Director of the Station through the Supervisory Commission. This Board shall consist of the Director General de Agricultura de Guatemala, the Jefe del Departamento de Fincas Rusticas Nacionales,

Guatemala, con el designio de fomentar la más eficiente producción de materias agrícolas básicas para la economía de Guatemala y complementarias a la economía de los Estados Unidos de América, por medio del funcionamiento de una estación experimental agrícola central, estipulada en el Memorandum de Acuerdo del 15 de julio de 1944, entre el Gobierno de la República de Guatemala y el Gobierno de los Estados Unidos de América, y el establecimiento y funcionamiento eventuales de las dependencias y subestaciones que pudieren ser necesarias y para las cuales se disponga de fondos y personal.

3. El Gobierno de los Estados Unidos de América y el Gobierno de la República de Guatemala convienen mutuamente en que, para proveer a la supervisión conjunta del aspecto cooperativo del proyecto y a fin de proporcionar un medio expeditivo de consulta entre ambos Gobiernos, con respecto al mismo, deberá establecerse una Comisión Supervisora compuesta de un representante de cada uno de los dos Gobiernos. El representante del Gobierno de Guatemala será el Secretario de Estado en el Despacho de Agricultura y Minería.

4. El Gobierno de la República de Guatemala nombrará una junta para dirigir al miembro guatemalteco de la Comisión Supervisora y para asesorar al Director de la Estación por medio de la Comisión Supervisora. Esta Junta consistirá en el Director General de Agricultura de Guatemala, el Jefe del Departamento de Fincas Rústicas Nacionales, y cuatro agricul-

and four agriculturists to be appointed on the recommendation of the Asociación General de Agricultores de Guatemala. The appointment by the Government of the Republic of Guatemala of agriculturists as members of the Board shall be for two years, excepting that one-half of the original membership shall be appointed for the term of one year. The Commissioner appointed by the Government of the Republic of Guatemala is to be Chairman of the Board and the Director of the Station shall be an *ex officio* member.

5. Working Agreements shall be formulated as a result of the resolutions passed at the formal meetings of the Commissioners representing the two Governments. In formulating such Working Agreements the Commissioners shall take into consideration the advice of the Board. Working Agreements shall be deemed to be definitive instructions by the Commissioners to the Director of the Station on the cooperative aspects of the operation of the station.

6. The Government of the Republic of Guatemala shall provide:

(a) Entry free of customs duties for (1) supplies and equipment for the station, and (2) supplies, clothes, foodstuffs, and personal belongings of the United States members of the station staff whose salaries are paid by the Government of the United States of America; and

(b) Exemption from all taxes in respect of the salaries of United States members of the station staff whose salaries are paid by the

tores nombrados previa recomendación de la Asociación General de Agricultores de Guatemala. El nombramiento de agricultores para miembros de la Junta, por el Gobierno de la República de Guatemala, deberá ser por dos años, exceptuando la mitad de los miembros originales que deberán ser nombrados para el término de un año. El Comisionado nombrado por el Gobierno de la República de Guatemala será Presidente de la Junta y el Director de la Estación será un miembro *extraoficial* de la Junta.

5. Se formulará Convenios de Operación como resultado de las resoluciones adoptadas en las sesiones formales de los Comisionados que representan a los dos Gobiernos. Al formular tales Convenios de Operación, los Comisionados tomarán en consideración el parecer de la Junta. Los Convenios de Operación se reputarán como instrucciones definitivas de los Comisionados al Director de la Estación, en los aspectos cooperativos del funcionamiento de dicha Estación.

6. El Gobierno de la República de Guatemala suministrará:

a) Introducción libre de derechos aduaneros para (1) materiales y equipo para la Estación, y (2) enseres, ropa, alimentos y efectos personales de los miembros estadounidenses del personal de la estación cuyos sueldos sean pagados por el Gobierno de los Estados Unidos de América; y

b) Exención de todo impuesto con respecto a los sueldos de los miembros estadounidenses del personal de la estación cuyos salarios

Working Agreements.

Exemption from customs duties, taxes, etc.

Government of the United States of America.

No supplies or property so brought into Guatemala shall be disposed of within Guatemala except as approved by the appropriate agency of the Government of the Republic of Guatemala.

7. The Government of the Republic of Guatemala agrees not to impose taxes or assessments of any nature on any of the research investigation activities of the cooperative agricultural experiment station or of its sub-stations.

8. The Government of the United States of America, through the United States Department of Agriculture, agrees to provide the services of scientists to perform the function of direction of the station, and to conduct in conjunction with Guatemalan associates, the various production and utilization investigations in the fields of agricultural engineering, animal husbandry, entomology, horticulture or agronomy, chemistry, soils, pathology, and extension.

9. All provisions of the Memorandum of Understanding of July 15, 1944 not specifically mentioned in this amendment shall remain as originally agreed upon by the two Governments.

10. This Supplementary Memorandum of Understanding shall come into force on the day of signature and shall continue in force during the life of the Memorandum of Understanding of July 15, 1944, unless the Congress of

sean pagados por el Gobierno de los Estados Unidos de América.

Ninguno de los materiales o pertenencias introducidos a Guatemala en la forma dicha podrán realizarse en Guatemala, con excepción de lo que autorice la dependencia correspondiente del Gobierno de la República de Guatemala.

7. El Gobierno de la República de Guatemala conviene en no imponer contribuciones o impuestos de cualquier naturaleza sobre ninguna de las actividades de investigación y experimentación de la estación experimental agrícola cooperativa o de sus subestaciones.

8. El Gobierno de los Estados Unidos de América, por el órgano del Departamento de Agricultura de los Estados Unidos, conviene en suministrar servicios de científicos para llenar las funciones de dirección de la estación, y para conducir, conjuntamente con los asociados guatemaltecos, las diversas investigaciones sobre producción y utilización en los campos de ingeniería agrícola, producción pecuaria, entomología, horticultura o agronomía, química, suelos, patología, y extensión.

9. Todas las estipulaciones del Memorandum de Acuerdo del 15 de julio de 1944, no mencionadas específicamente en esta reforma, quedarán en la forma originalmente convenida por ambos Gobiernos.

10. Este Memorandum Suplementario de Acuerdo entrará en vigor en la fecha de su firma y continuará en vigencia durante el término del Memorandum de Acuerdo del 15 de julio de 1944, a menos que el Congreso de uno

Services, etc., to be furnished by U. S.

58 Stat. 1429.

Entry into force; duration.

58 Stat. 1429.

either country shall fail to appropriate the funds necessary for its execution, in which event it may be terminated on written notice by either Government.

u otro país deje de asignar los fondos necesarios para su ejecución, en cuyo caso quedará sin efecto mediante notificación escrita de uno de los Gobiernos.

Signed and sealed at Guatemala, in duplicate, in the English and Spanish languages this tenth day of March, 1945.

Firmado y sellado en Guatemala, por duplicado, en los idiomas español e inglés, hoy, diez de Marzo de 1945.

FOR THE UNITED STATES OF AMERICA:

POR LA REPÚBLICA DE GUATEMALA:

BOAZ LONG

P COFINO

Ambassador Extraordinary and Plenipotentiary.

Secretario de Estado en el Despacho de Agricultura y Minería.

[SEAL]

[SEAL]

February 23, 1945
[E. A. S. 465]

Agreement between the United States of America and Turkey respecting mutual aid. Signed at Ankara February 23, 1945; effective February 23, 1945. And exchanges of notes.

AGREEMENT BETWEEN THE GOVERNMENT OF THE
UNITED STATES OF AMERICA AND THE GOVERN-
MENT OF THE REPUBLIC OF TURKEY ON THE
PRINCIPLES APPLYING TO AID UNDER THE
ACT OF MARCH 11, 1941

Whereas the Government of the Republic of Turkey is desirous of strengthening its national defenses in order that it may be in a position to protect its territorial integrity and sovereign rights in a world at war;

And whereas the President of the United States of America on November 7, 1941 determined, pursuant to the Act of Congress of March 11, 1941, that the defense of the Republic of Turkey is vital to the defense of the United States of America;

And whereas the United States of America has extended and is continuing to extend to the Republic of Turkey aid in the development of its means of defense;

And whereas it is expedient that the final determination of the terms and conditions upon which the Government of the Republic of Turkey receives such aid and of the benefits to be received by the United States of America in return therefor should be deferred until the extent of the aid is known and until the progress of events makes clearer the final terms and conditions and benefits which will be in the mutual interests of the United States of America and the Republic of Turkey and will promote the establishment and maintenance of world peace;

And whereas the Government of the United States of America and the Government of the Republic of Turkey are mutually desirous of concluding now a preliminary agreement in regard to the provision of such aid and in regard to certain considerations which shall be taken into account in determining such terms and conditions; and the making of such an agreement has been in all respects duly authorized, and all acts, conditions and formalities which it may have been necessary to perform, fulfill or execute prior to the making of such an agreement in conformity with the laws either of the United States of America or of the Republic of Turkey have been performed, fulfilled or executed as required;

The undersigned, being duly authorized by their respective Governments for that purpose, have agreed as follows:

ARTICLE I

The Government of the United States of America will continue to supply the Government of the Republic of Turkey with such defense articles, defense services, and defense information as the President

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Amz., p. 52.

Supply of defense
articles, etc., to Tur-
key.

of the United States of America shall authorize to be transferred or provided.

ARTICLE II

The Government of the Republic of Turkey will provide to the United States of America such articles, services, facilities or information as it may be in a position to supply, and may authorize.

Provision of articles, etc., to U. S.

ARTICLE III

The Government of the Republic of Turkey will not without the consent of the President of the United States of America transfer title to, or possession of, any defense article or defense information transferred to it under the Act of March 11, 1941 of the Congress of the United States of America, or under that Act as amended, or permit the use thereof by anyone not an officer, employee, or agent of the Government of the Republic of Turkey.

Use of defense articles.

55 Stat. 31,
22 U. S. C., Supp.
IV, §§ 411-419.
Id., p. 52.

ARTICLE IV

If, as a result of the transfer to the Government of the Republic of Turkey of any defense article or defense information, it becomes necessary for that Government to take any action or make any payment in order fully to protect any of the rights of a citizen of the United States of America who has patent rights in and to any such defense article or information, the Government of the Republic of Turkey will take such action or make such payment when requested to do so by the President of the United States of America.

Patent rights.

ARTICLE V

The Government of the Republic of Turkey will return to the United States of America at the end of the present emergency, as determined by the President of the United States of America, such defense articles transferred under this Agreement as shall not have been destroyed, lost or consumed and as shall be determined by the President of the United States of America to be useful in the defense of the United States of America or of the Western Hemisphere or to be otherwise of use to the United States of America.

Return of useful articles to U. S.

ARTICLE VI

In the final determination of the benefits to be provided to the United States of America by the Government of the Republic of Turkey full cognizance shall be taken of all property, services, information, facilities, or other benefits or considerations provided by the Government of the Republic of Turkey subsequent to March 11, 1941, and accepted or acknowledged by the President of the United States of America on behalf of the United States of America.

Final determination of benefits.

ARTICLE VII

In the final determination of the benefits to be provided to the United States of America by the Government of the Republic of Turkey in return for aid furnished under the Act of Congress of

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Anne, p. 52.

March 11, 1941 and under that Act as amended, the terms and conditions thereof shall be such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations. To that end, they shall include provision for agreed action by the United States of America and the Republic of Turkey, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce; to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 14, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom.

55 Stat. 1600.

At an early convenient date, conversations shall be begun between the two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by their own agreed action and of seeking the agreed action of other like-minded Governments.

ARTICLE VIII

It is understood that in the implementation of the provisions of the agreement each Government will act in accordance with its own constitutional procedures.

ARTICLE IX

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Done in duplicate in the English and Turkish languages, both authentic, at Ankara, this 23 day of February, 1945.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

LAURENCE A. STEINHARDT

Ambassador Extraordinary and Plenipotentiary of the United States of America at Ankara

FOR THE GOVERNMENT OF THE REPUBLIC OF TURKEY:

HASAN SAKA

Minister of Foreign Affairs.

[SEAL]

[SEAL]

Effective date; duration.

11 Mart 1941 Kanununda derpiş edilen yardıma
müteallik esaslara dair Amerika Birleşik
Devletleri Hükûmeti ile Türkiye Cüm-
huriyeti Hükûmeti arasında
A N L A Ş M A .

Türkiye Cümhuriyeti Hükûmetinin, harp halindeki bir dünyada mülkî temamiyetini ve hükümranlılık haklarını koruyabilecek bir durumda bulunmasını teminen millî müdafaa vasıtalarını takviye etmek istemesine;

Ve, Amerika Birleşik Devletleri Reisi Cümhurunun, Kongrece ısdar kılınan 11 Mart 1941 tarihli kanuna tevfikan, Türkiye Cümhuriyeti müdafaasının Amerika Birleşik Devletleri müdafaası için hayatî ehemmiyeti haiz olduğunu 7 Kasım 1941 de tesbit etmiş olmasına;

Ve, Amerika Birleşik Devletlerinin Türkiye Cümhuriyetine müdafaa vasıtalarının tevsi için yardımını teşmil ettiğine ve etmekte devam eylemekte bulunduğuna;

Ve, Türkiye Cümhuriyeti Hükûmetinin bu yardımdan istifade etmesine esas olan kayıt ve şartlarla bilmukabele Amerika Birleşik Devletlerince temin edilecek menfaatlerin nihaî şekilde tayini keyfiyetinin, yardımın şumulü belirinceye kadar ve Amerika Birleşik Devletlerle Türkiye Cümhuriyetinin karşılıklı menfaatlerine uygun ve dünya sulhunun tesis ve idamesine hâdim nihaî kayıt ve şart ve menfaatlerin hadiselerin inkişafı ile daha vazih bir surette belireceği âne değin, tehiri muvafık olacağına;

Ve, Amerika Birleşik Devletleri Hükûmeti ile Türkiye Cümhuriyeti Hükûmetinin, işbu yardımın teminine mütedair ve anifül-beyan kayıt ve şartların tesbitinde nazarı itibare alınacak bazı mülahazalar hakkında şimdiden bir iptidai anlaşma aktini mütekabilen arzu etmeleri üzerine böyle bir anlaşmanın aktine her hususta usulü veqhile selâhiyet verilmiş ve bunun aktine tekaddümen gerek Amerika Birleşik Devletleri gerekse Türkiye Cümhuriyeti kanunlarına tevfikan ifa, istikmal veya icrası muktazi bilcümle icraat şerait ve muamelât usulü dairesinde ifa, istikmal ve irca edilmiş olmasına binaen;

Aşağıda imzası bulunanlar, kendi Hükûmetleri tarafından bu maksatla usulü dairesinde selâhiyetdar kılınmışlar ve âtideki hususları karar altına almışlardır:

Madde 1.

Amerika Birleşik Devletleri Hükûmeti, Türkiye Cümhuriyeti Hükûmetine, Amerika Birleşik Devletleri Reisi Cümhurunun devir veya tedarikine selâhiyet vereceği müdafaa maddelerini, müdafaa hizmetlerini ve müdafaa malûmatını vermeğe devam edecektir.

Madde 2.

Türkiye Cümhuriyeti Hükûmeti, tedarik edebilmek vaziyetinde bulunduğu ve müsaade edebileceği maddeleri, hizmetleri, suhûletleri veya malûmatı Amerika Birleşik Devletlerine temin edecektir.

Madde 3.

Türkiye Cümhuriyeti Hükûmeti, Amerika Birleşik Devletleri Reisi Cümhurunun rızası olmadan, Amerika Birleşik Devletleri Kongresi tarafından ısdar kılınan 11 Mart 1941 tarihli kanun veya bunun muaddelinin hükümlerine tevfikan kendisine devredilen her hangi bir müdafaa maddesi veya müdafaa malûmatının mülkiyet veya zilyetliğini devretmeyecek, veya bunların Türkiye Cümhuriyeti Hükûmetinin memuru, müstahdemi veya ajanı olmayan her hangi bir kimse tarafından kullanılmasına müsaade etmeyecektir.

Madde 4.

Türkiye Cümhuriyeti Hükûmetinin, her hangi bir müdafaa maddesi veya müdafaa malûmatının kendisine devri neticesinde, işbu müdafaa maddesi veya müdafaa malûmatı üzerinde patenta hakkı bulunan Amerika Birleşik Devletleri vatandaşlarından birine ait haklardan her hangi birinin tamamen korunması zımında her hangi bir tediye veya muamelede bulunması icabederse, Türkiye Cümhuriyeti Hükûmeti böyle bir muamele veya tediye Amerika Birleşik Devletleri Reisi Cümhurunun talebi üzerine ifa edecektir.

Madde 5.

Türkiye Cümhuriyeti Hükûmeti, Amerika Birleşik Devletleri Reisi Cümhurunca tayin edileceği veçhile hali hazırdaki fevkalâde hal nihayet bulduğu zaman, işbu anlaşmaya tevfikan kendisine devredilmiş olan müdafaa maddelerinden imha, zayi veya istihlâk edilmemiş bulunacak ve Amerika Birleşik Devletleri Reisi Cümhuru tarafından Amerika Birleşik Devletleri veya Garp yarım küresi müdafaasına elverişli olduğu veya Amerika Birleşik Devletlerinin başka bir şekilde işine yarayacağı tesbit edilecek olanları Amerika Birleşik Devletlerine iade edecektir.

Madde 6.

Türkiye Cümhuriyeti Hükûmeti tarafından Amerika Birleşik Devletlerine temin edilecek olan menfaatlerin nihaî tesbitinde, 11 Mart 1941 tarihinden sonra Türkiye Cümhuriyeti Hükûmetince temin edilen ve Amerika Birleşik Devletleri Reisi Cümhuru tarafından Amerika Birleşik Devletleri namına kabul veya tanınmış olan bilcümle mülkiyet, hizmet, malûmat, tes hilat veya diğer menafi veya hususat bitemamiha nazarı itibare alınacaktır.

Madde 7.

Kongrece ısdar kılınan 11 Mart 1941 tarihli kanuna ve bunun muaddel şekline tevfikan temin edilen yardıma mukabil Amerika Birleşik Devletlerine Türkiye Cümhuriyeti Hükûmetince temin edilecek menfaatlerin nihaî tesbitindeki kayıt ve şartlar, iki memleket arasındaki ticarete yük olmayacak, bilâkis ikisi arasında mütetekabilen

nafi iktisadî münasebatı teşvik eyleyecek ve cihanşumul iktisadî münasebatın ıslahına yarayacak mahiyette olacaktır. Bu maksatla mezkûr kayıt ve şartlar; bütün milletlerin hürriyet ve refahının maddî temelleri olan istihsal, istihdam ve malların mübadele ve istihlâkinin münasip beynelmilel ve dahilî tedbirlerle tevsiine ve beynelmilel ticarete her türlü farklı muamelenin bertaraf edilmesine, gümrük tarifelerinin ve diğer ticarî engellerin tenzil ve tahfifine, umumiyetle 14 Ağustos 1941 Müsterek Beyannamesinde Amerika Birleşik Devletleri Reisi Cümhuri ile Birleşik Kırallık Başvekili tarafından ileri sürülen bilumum iktisadî gayelerin tahakkukuna matuf olmak üzere Amerika Birleşik Devletleri ve Türkiye Cümhuriyeti arasında müştereken kararlaştırılmış tarzı hareketi derpiş eden ve aynı tarzda düşünen biçimle diğer milletlerin de iştirakine açık bulunan hükümleri ihtiva eyleyecektir.

Yukarıda tasrih edilen gayelere, kendi aralarında müştereken kararlaştırdıkları tarzı hareketle, varmak ve aynı tarzda düşünen diğer hükümetlerin de müşterek tarzı hareketlerini temin etmek maksadile, hâkim olan iktisadî şartlara göre en münasip vasıtanın tesbiti zmnında iki hükümet arasında münasip görülecek yakın bir zamanda görüşmelere başlanacaktır.

Madde 8.

Şurası tabii mukarrerdir ki anlaşma ahkâmının icrası hususunda her hükümet kendi ana yasasının usullerine tevfiakan hareket edecektir.

Madde 9.

İşbu anlaşma bu günkü tarihten itibaren mer'î olacaktır. İki hükümet tarafından müştereken tesbit edilecek bir tarihe kadar mer'iyette kalacaktır.

Ankara'da 1945 senesi Şubat ayının 23'üncü günü, her iki metin muteber olmak üzere, İngilizce ve Türkçe ikişer nüsha olarak tanzim edilmiştir.

Amerika Birleşik Devletleri
Hükümeti
namına

Amerika Birleşik Devletleri
Ankara
Büyük Elçisi
LAURENCE A. STEINHARDT
[SEAL]

Türkiye Cümhuriyeti Hükümeti
namına
Hariciye Bakanı

HASAN SAKA
[SEAL]

The American Ambassador to the Turkish Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

Ankara, February 23, 1945.

EXCELLENCY:

Confirming the Aide Memoire which I handed to Your Excellency on October 21, 1944, I have the honor to inform Your Excellency as follows:

"1. Since the Government of the United States cannot foresee its own future needs for material which it has transferred to other Governments under the provisions of the Lend-Lease Act, it would not want to bind itself at this time to relinquishing the right to request the return of such materials as it might find desirable to have returned to the United States for the reasons set forth in Article V. However, the Government of the United States would, at a mutually convenient time after the signing of the agreement, provide the Turkish Government every opportunity to discuss with the Government of the United States the retention of such materials as the Turkish Government might desire to purchase.

"2. In Article VII, the signatories agree to collaborate with all other countries of like mind for the economic objectives described in that article. Since it is recognized, for example, that the reduction of trade barriers is a matter for action by each country in accordance with its own constitutional procedures, provision is made for conversations to determine the best means of attaining the stated objectives of each Government by their own 'agreed' action.

"3. With respect to the inquiry of the Turkish Government as to whether the signature of the agreement would be availed of by Washington to terminate Lend-Lease aid to Turkey, the response is made that it is not the intention of the Government of the United States to use the signing of the agreement as a basis for terminating Lend-Lease aid to Turkey. The amount of aid in the future will naturally depend on the material available and upon the course of the war."

Accept, Excellency, the renewed assurances of my highest consideration.

LAURENCE A. STEINHARDT

His Excellency

HASAN SAKA,

Minister for Foreign Affairs,

Ankara.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

Ante, p. 1477.

Ante, p. 1477.

The American Ambassador to the Turkish Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

Ankara, le 23 février 1945

EXCELLENCE,

En confirmation de l'Aide-Mémoire que j'ai remis à Votre Excellence, le 21 octobre 1944, j'ai l'honneur de porter à la connaissance de Votre Excellence ce qui suit:

"1. Puisque le Gouvernement des Etats-Unis ne peut pas prévoir ses besoins futurs de matériel qu'il a transféré à d'autres Gouvernements selon les termes de la Loi Prêt-et-Bail, il ne désirerait pas s'engager à présent à renoncer au droit de demander le retour de ces matériaux dont le renvoi aux Etats-Unis pourrait être avantageux pour les raisons exposées dans l'Article V. Cependant, le Gouvernement des Etats-Unis offrirait au Gouvernement Turc, à une date qui conviendrait, après la signature de l'accord, toutes les facilités pour délibérer avec le Gouvernement des Etats-Unis dans le but de garder les matériaux que le Gouvernement Turc désirerait acheter.

"2. Par l'Article VII, les signataires s'engagent à collaborer avec tous les autres pays qui sont d'accord pour poursuivre les buts économiques exposés dans cet Article. Puisqu'il est reconnu, par exemple, que la réduction d'obstacles au commerce est une question relative à laquelle chaque pays doit prendre les dispositions qui conviennent, dans le cadre de ses propres procédés constitutionnels, on a pris les mesures nécessaires pour assurer que des conversations aient lieu afin de déterminer les meilleurs moyens d'atteindre les buts énoncés par chaque Gouvernement, en réalisant les desseins sur lesquels ils se sont mis d'accord.

"3. En ce qui concerne la question posée par le Gouvernement Turc, à savoir si Washington profiterait de la signature de l'accord pour terminer l'assistance Prêt-et-Bail à la Turquie, la réponse est la suivante: Ce n'est pas l'intention du Gouvernement des Etats-Unis de se servir de la signature de l'accord comme base pour terminer l'assistance Prêt-et-Bail à la Turquie. Le montant de l'assistance à l'avenir dépendra naturellement du matériel disponible et du développement de la guerre."

Veillez agréer, Excellence, les assurances renouvelées de ma plus haute considération.

LAURENCE A. STEINHARDT

Son Excellence

Monsieur HASAN SAKA,

Ministre des Affaires Etrangères,

Ankara.

*The Turkish Minister for Foreign Affairs to the American Ambassador*TÜRKIYE CÜMHURİYETİ
HARİCİYE VEKÂLETİ

ANKARA, le 23 Février 1945.

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur d'accuser réception à Votre Excellence de la Note qu'Elle a eu l'amabilité de me remettre en date du 23 Février 1945 et ainsi conçue:

"En confirmation de l'Aide-Mémoire que j'ai remis à Votre Excellence, le 21 Octobre 1944, j'ai l'honneur de porter à la connaissance de Votre Excellence ce qui suit:

1. Puisque le Gouvernement des Etats-Unis ne peut pas prévoir ses besoins futurs de matériel qu'il a transféré à d'autres Gouvernements selon les termes de la Loi Prêt-et-Bail, il ne désirerait pas s'engager à présent à renoncer au droit de demander le retour de ces matériaux dont le renvoi aux Etats-Unis pourrait être avantageux pour les raisons exposées dans l'Article 5. Cependant, le Gouvernement des Etats-Unis offrirait au Gouvernement Turc, à une date qui conviendrait, après la signature de l'accord, toutes les facilités pour délibérer avec le Gouvernement des Etats-Unis dans le but de garder les matériaux que le Gouvernement Turc désirerait acheter.

2. Par l'Article 7, les signataires s'engagent à collaborer avec tous les autres pays qui sont d'accord pour poursuivre les buts économiques exposés dans cet Article. Puisqu'il est reconnu, par exemple, que la réduction d'obstacles au commerce est une question relative à laquelle chaque pays doit prendre les dispositions qui conviennent, dans le cadre de ses propres procédés constitutionnels, on a pris les mesures nécessaires pour assurer que des conversations aient lieu afin de déterminer les meilleurs moyens d'atteindre les buts énoncés par chaque Gouvernement, en réalisant les desseins sur lesquels ils se sont mis d'accord.

3. En ce qui concerne la question posée par le Gouvernement Turc, à savoir si Washington profiterait de la signature de l'accord pour terminer l'assistance Prêt-et-Bail à la Turquie, la réponse est la suivante: Ce n'est pas l'intention du Gouvernement des Etats-Unis de se servir de la signature de l'accord comme base pour terminer l'assistance Prêt-et-Bail à la Turquie. Le montant de l'assistance à l'avenir dépendra naturellement du matériel disponible et du développement de la guerre."

J'ai l'honneur de porter à la connaissance de Votre Excellence que le Gouvernement de la République ayant trouvé dans le contenu dudit Aide-Mémoire le sens de l'acceptation qu'il entend donner à l'accord concernant l'aide fournie sous l'acte du 11 Mars 1941, se déclare prêt à procéder à la signature dudit Accord.

Veillez, Monsieur l'Ambassadeur, agréer les assurances de ma très haute considération.

HASAN SAKA

Son Excellence

Monsieur LAURENCE STEINHARDT

*Ambassadeur des Etats-Unis d'Amérique**Ankara.*

Translation

REPUBLIC OF TURKEY
MINISTRY OF FOREIGN AFFAIRS

ANKARA, *February 23, 1945.*

MR. AMBASSADOR:

I have the honor to acknowledge receipt from Your Excellency of the note which you have had the kindness to deliver to me on February 23, 1945 and reading as follows:

[For English translation see note of February 23, 1945 from the American Ambassador to the Turkish Minister for Foreign Affairs.]

Ante, p. 1482.

I have the honor to inform Your Excellency that the Government of the Republic having found in the contents of the said Aide-Memoire the meaning which it intends to give to the agreement concerning aid furnished under the act of March 11, 1941, declares itself ready to proceed to the signature of the said agreement.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

Accept, Mr. Ambassador, the assurances of my very high consideration.

HASAN SAKA

His Excellency

MR. LAURENCE STEINHARDT

Embassy of the United States of America

Ankara.

The Turkish Minister for Foreign Affairs to the American Ambassador

TÜRKİYE CÜMHURİYETİ
HARİCİYE VEKÂLETİ

ANKARA, *le 23 Février 1945.*

MONSIEUR L'AMBASSADEUR,

En procédant aujourd'hui à la signature de l'Arrangement entre le Gouvernement de la République Turque et le Gouvernement des Etats-Unis d'Amérique concernant les principes s'appliquant à l'aide en vertu de la loi du 11 Mars 1941, j'estime utile de faire ressortir à Votre Excellence que l'étendue des livraisons faites en vertu de la loi Prêt et Bail du 11 Mars 1941 avant la date de la signature dudit Arrangement devra faire l'objet d'un examen lors de la détermination finale de l'aide fournie en vertu de la susdite loi Prêt et Bail.

Veillez agréer, Monsieur l'Ambassadeur les assurances de ma très haute considération.

HASAN SAKA

Son Excellence

Monsieur A. LAURENCE STEINHARDT

Ambassadeur des Etats-Unis d'Amérique

Ankara.

Translation

REPUBLIC OF TURKEY
MINISTRY OF FOREIGN AFFAIRS

ANKARA, *February 23, 1945.*

MR. AMBASSADOR:

In connection with the signature today of the agreement between the Government of the Republic of Turkey and the Government of the United States of America on the principles applying to aid under the Act of March 11, 1941, I consider it helpful to point out to Your Excellency that the extent of the deliveries made by virtue of the Lend-Lease Law of March 11, 1941, before the date of the signature of the said agreement is to be the subject of consideration at the time of the final determination of the aid furnished by virtue of the said Lend-Lease Law.

Accept, Mr. Ambassador, the assurances of my very high consideration.

HASAN SAKA

His Excellency

Mr. A. LAURENCE STEINHARDT
Ambassador of the United States of America
Ankara.

The American Ambassador to the Turkish Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
ANKARA, *February 23, 1945.*

EXCELLENCY,

I have the honor to acknowledge receipt of Your Excellency's letter of February 23, 1945, reading as follows:

“En procédant aujourd'hui à la signature de l'Arrangement entre le Gouvernement de la République Turque et le Gouvernement des Etats-Unis d'Amérique concernant les principes s'appliquant à l'aide en vertu de la Loi du 11 mars 1941, j'estime utile de faire ressortir à Votre Excellence que l'étendu des livraisons faites en vertu de la Loi Prêt-et-Bail du 11 mars 1941 avant la date de la signature dudit Arrangement devra faire l'objet d'un examen lors de la détermination finale de l'aide fournie en vertu de la susdite Loi Prêt-et-Bail.

“Veuillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération”,
with the contents of which I state that I am in agreement.

Please accept, Excellency, the renewed assurances of my highest consideration.

LAURENCE A. STEINHARDT

His Excellency,
HASAN SAKA,
Minister for Foreign Affairs,
Ankara.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

The American Ambassador to the Turkish Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
ANKARA, le 23 février 1945.

EXCELLENCE,

J'ai l'honneur d'accuser réception à Votre Excellence de sa lettre datée du 23 février 1945 ainsi conçue:

“En procédant aujourd'hui à la signature de l'Arrangement entre le Gouvernement de la République Turque et le Gouvernement des Etats-Unis d'Amérique concernant les principes s'appliquant à l'aide en vertu de la Loi du 11 mars 1941, j'estime utile de faire ressortir à Votre Excellence que l'étendue des livraisons faites en vertu de la Loi Prêt-et-Bail du 11 mars 1941 avant la date de la signature dudit Arrangement devra faire l'objet d'un examen lors de la détermination finale de l'aide fournie en vertu de la susdite Loi Prêt-et-Bail.

Veillez agréer, Monsieur l'Ambassadeur, les assurances de ma très haute considération”,
avec le contenu de laquelle je me déclare être d'accord.

Veillez agréer, Excellence, les assurances renouvelées de ma plus haute considération.

LAURENCE A. STEINHARDT

Son Excellence

Monsieur HASAN SAKA,

Ministre des Affaires Etrangères,

Ankara.

February 21, 1945
[E. A. S. 466]

Agreement between the United States of America and Guatemala respecting a military aviation mission. Signed at Washington February 21, 1945; effective February 21, 1945.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF GUATEMALA

ACUERDO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA Y EL GOBIERNO DE LA REPÚBLICA DE GUATEMALA

In conformity with the request of the Government of the Republic of Guatemala to the Government of the United States of America, the President of the United States of America has authorized the appointment of officers and enlisted men to constitute a Military Aviation Mission to the Republic of Guatemala under the conditions specified below:

De conformidad con la solicitud del Gobierno de la República de Guatemala al Gobierno de los Estados Unidos de América, el Presidente de los Estados Unidos de América ha autorizado el nombramiento de oficiales y personal subalterno que constituyan una Misión Militar Aérea a la República de Guatemala, de acuerdo con las condiciones estipuladas a continuación:

TITLE I

TÍTULO I

Purpose and Duration

Propósito y Duración

ARTICLE 1. The purpose of this Mission is to cooperate with the Secretary of State for War of the Republic of Guatemala and with the personnel of the Guatemalan Air Force with a view to enhancing the efficiency of the Guatemalan Air Force.

ARTÍCULO 1. El propósito de esta Misión es cooperar con el Ministro de Guerra de la República de Guatemala y con el personal de la Fuerza Aérea Guatemalteca con miras a mejorar la eficiencia de la Fuerza Aérea Guatemalteca.

ARTICLE 2. This Mission shall continue for a period of four years from the date of the signing of this Agreement by the accredited representatives of the Government of the United States of America and the Government of the Republic of Guatemala, unless previously terminated or extended as hereinafter provided. Any member of the Mission may be recalled by the Government of the United

ARTÍCULO 2. Esta Misión durará cuatro años a partir de la fecha de la firma de este Acuerdo por los representantes acreditados del Gobierno de los Estados Unidos de América y del Gobierno de la República de Guatemala, a menos que se dé por terminado antes o que se prorrogue, según se provee más adelante. Cualquier miembro de la Misión podrá ser retirado por el Gobierno de los Estados Unidos

States of America after the expiration of two years of service, in which case another member shall be furnished to replace him.

ARTICLE 3. If the Government of the Republic of Guatemala should desire that the services of the Mission be extended beyond the stipulated period, it shall make a written proposal to that effect six months before the expiration of this Agreement.

ARTICLE 4. This Agreement may be terminated before the expiration of the period of four years prescribed in Article 2, or before the expiration of the extension authorized in Article 3, in the following manner:

(a) By either of the Governments, subject to three months' written notice to the other Government;

(b) By the recall of the entire personnel of the Mission by the Government of the United States of America in the public interest of the United States of America, without necessity of compliance with provision (a) of this Article.

ARTICLE 5. This Agreement is subject to cancellation upon the initiative of either the Government of the United States of America or the Government of the Republic of Guatemala at any time during a period when either Government is involved in domestic or foreign hostilities.

TITLE II

Composition and Personnel

ARTICLE 6. This Mission shall consist of such number of personnel of the United States Army Air Forces as may be agreed upon by the Secretary of State for War of the Republic of Guatemala

de América después de transcurridos dos años de servicio, y en tal caso se nombrará a otro miembro en su lugar.

ARTÍCULO 3. Si el Gobierno de la República de Guatemala deseara que se prorroguen los servicios de la Misión más allá del período estipulado, hará una propuesta por escrito con este objeto, seis meses antes de la expiración de este Acuerdo.

ARTÍCULO 4. Este Acuerdo podrá terminarse antes de la expiración del período de cuatro años prescrito en el Artículo 2, o antes de expirar la prórroga autorizada en el Artículo 3, de la manera siguiente:

(a) Por cualquiera de los dos Gobiernos, siempre que lo notifique por escrito al otro Gobierno con tres meses de anticipación;

(b) Al retirar el Gobierno de los Estados Unidos de América a todo el personal de la Misión, en interés público de los Estados Unidos de América, sin necesidad de cumplir con el inciso (a) de este Artículo.

ARTÍCULO 5. Este Acuerdo está sujeto a cancelación por iniciativa del Gobierno de los Estados Unidos de América o del Gobierno de la República de Guatemala en cualquier tiempo, durante un período en que cualquiera de los dos Gobiernos se vea envuelto en hostilidades internas o externas.

TÍTULO II

Organización y Personal

ARTÍCULO 6. Esta Misión consistirá del personal de la Fuerza Aérea del Ejército de los Estados Unidos que determinen por mutuo acuerdo el Ministro de Guerra de la República de Guatemala, a

Extension of services of Mission.

Termination prior to specified time.

Cancellation in case of hostilities.

through his authorized representative in Washington and by the War Department of the United States of America. The individuals to be assigned shall be those agreed upon by the Secretary of State for War of the Republic of Guatemala or his authorized representative and by the War Department of the United States of America or its authorized representative.

través de su representante autorizado en Washington, y la Secretaría de Guerra de los Estados Unidos de América. Las personas que se asignen serán las que convengan el Ministro de Guerra de la República de Guatemala, o su representante autorizado, y la Secretaría de Guerra de los Estados Unidos de América o su representante autorizado.

TITLE III

Duties, Rank and Precedence

ARTICLE 7. Prior to the inception of operations by the Mission under this contract, a tentative program for the Mission will be informally agreed upon between the Secretary of State for War of the Republic of Guatemala and representatives of the Departments of War and State of the United States of America. Any changes in the program which experience may demonstrate to be desirable shall be similarly agreed upon.

ARTICLE 8. The Mission shall carry out such duties as may be determined in pursuance of Article 7 and such other duties consistent with the purposes of this contract as set forth in Article 1 as may be assigned by the Secretary of State for War of the Republic of Guatemala. The members of the Mission shall be responsible directly to the Secretary of State for War of the Republic of Guatemala, solely through the Chief of the Mission.

ARTICLE 9. Each member of the Mission shall serve on the Mission with the rank he holds in the United States Army Air Forces, and shall wear the uniform of his rank in the United States Army

TÍTULO III

Deberes, Rango y Precedencia

ARTÍCULO 7. Antes que la Misión comience sus funciones de conformidad con este acuerdo, el Ministro de Guerra de la República de Guatemala y representantes de las Secretarías de Guerra y de Estado de los Estados Unidos de América convendrán informalmente en un programa tentativo para la Misión. Cualesquier cambios en el programa que la experiencia demuestre que son deseables se convendrán en forma similar.

ARTÍCULO 8. La Misión cumplirá los deberes que se determinen de conformidad con el Artículo 7, y los otros deberes compatibles con los propósitos de este acuerdo, según se establecen en el Artículo 1, que le asigne el Ministro de Guerra de la República de Guatemala. Los miembros de la Misión serán responsables directamente al Ministro de Guerra de la República de Guatemala, exclusivamente a través del Jefe de la Misión.

ARTÍCULO 9. Cada miembro de la Misión servirá en ella con el rango que tenga en la Fuerza Aérea del Ejército de los Estados Unidos y usará el uniforme de su rango en la Fuerza Aérea del

Duties; accountability.

Ante, p. 1488.

Air Forces, but shall have precedence over all Guatemalan officers of the same rank.

ARTICLE 10. Each member of the Mission shall be entitled to all benefits and privileges which the Regulations of the Guatemalan Air Force provide for Guatemalan officers and subordinate personnel of corresponding rank.

ARTICLE 11. The personnel of the Mission shall be governed by the disciplinary regulations of the United States Army Air Forces.

ARTICLE 12. The Assistant Chief will, in addition to his other duties, give flight instruction, advise on technical matters, and supervise the Aviation Schools of the Civilian Aviation Clubs.

TITLE IV

Compensation and Perquisites

ARTICLE 13. Members of the Mission shall receive from the Government of the Republic of Guatemala such net annual compensation as may be agreed upon between the Government of the United States of America and the Government of the Republic of Guatemala for each member. This compensation shall be paid in twelve (12) equal monthly instalments, each due and payable on the last day of the month. The compensation shall not be subject to any tax, now or hereafter in effect, of the Government of the Republic of Guatemala or of any of its political or administrative subdivisions. Should there, however, at present or while this Agreement is in effect, be any taxes that might affect this compensation, such taxes shall be borne by the

Ejército de los Estados Unidos, pero tendrá precedencia sobre todos los oficiales guatemaltecos de igual rango.

ARTÍCULO 10. Cada miembro de la Misión tendrá derecho a todos los beneficios y privilegios que los Reglamentos de la Fuerza Aérea Guatemalteca proveen para oficiales y personal subalterno guatemaltecos de rango correspondiente.

ARTÍCULO 11. El personal de la Misión se regirá por los reglamentos disciplinarios de la Fuerza Aérea del Ejército de los Estados Unidos.

ARTÍCULO 12. El Subjefe, además de sus otras obligaciones, servirá como instructor de vuelo, asesor técnico y superintendente de las Escuelas de Aviación de los Clubs Civiles de Aviación.

TÍTULO IV

Emolumentos y Otras Remuneraciones

ARTÍCULO 13. Los miembros de la Misión recibirán del Gobierno de la República de Guatemala la remuneración neta anual que convengan el Gobierno de los Estados Unidos de América y el Gobierno de la República de Guatemala para cada miembro. Esta remuneración se abonará en doce (12) mensualidades iguales, que vencen y deben pagarse el día último de cada mes. La remuneración no estará sujeta a impuesto alguno, ahora en vigor o que se imponga en el futuro, del Gobierno de la República de Guatemala ni de ninguna de sus dependencias políticas o administrativas. Sin embargo, si al presente o durante la vigencia de este Acuerdo existieren impuestos que puedan afectar esta remuneración, dichos impuestos los sufragará el Ministro de

Benefits and privileges.

Disciplinary regulations.

Tax exemption.

Secretary of State for War of the Republic of Guatemala in order to comply with the provision of this Article that the compensation agreed upon shall be net.

ARTICLE 14. The compensation agreed upon as indicated in the preceding Article shall commence upon the date of departure from the United States of America of each member of the Mission, and, except as otherwise expressly provided in this Agreement, shall continue, following the termination of duty with the Mission, for the return voyage to the United States of America and thereafter for the period of any accumulated leave which may be due.

ARTICLE 15. The compensation due for the period of the return trip and accumulated leave shall be paid to a detached member of the Mission before his departure from the Republic of Guatemala, and such payment shall be computed for travel by the shortest usually traveled route to the port of entry in the United States of America, regardless of the route and method of travel used by the member of the Mission.

ARTICLE 16. Each member of the Mission and his family shall be furnished by the Government of the Republic of Guatemala with first-class accommodations for travel, via the shortest usually traveled route, required and performed under this Agreement, between the port of embarkation in the United States of America and his official residence in the Republic of Guatemala, both for the outward and for the return voyage. The Government of the Republic of Guatemala shall also pay all

Guerra de la República de Guatemala a fin de cumplir con la estipulación de este Artículo de que la remuneración que se convenga será neta.

ARTÍCULO 14. La remuneración que se convenga según se indica en el Artículo precedente comenzará a devengarse desde la fecha en que cada miembro de la Misión parta de los Estados Unidos de América y, salvo lo que expresamente se dispone en contrario en este Acuerdo, continuará, después de la terminación de sus deberes con la Misión, durante el viaje de regreso a los Estados Unidos de América y por el período que dure la licencia acumulada a que tenga derecho.

ARTÍCULO 15. La remuneración que se adeude por el período que dure el viaje de regreso y por el de la licencia acumulada se le pagará al miembro de la Misión a quien se retire, antes de su partida de la República de Guatemala, y tal pago se calculará como si el viaje se hiciera por la ruta más corta que generalmente se sigue hasta el puerto de entrada a los Estados Unidos de América, no importa qué ruta y qué sistema de transporte utilice el miembro de la Misión.

ARTÍCULO 16. El Gobierno de la República de Guatemala proporcionará a cada miembro de la Misión y su familia pasaje de primera clase por la ruta más corta que generalmente se sigue, para el viaje que se requiera y se efectúe de conformidad con este Acuerdo, entre el puerto de embarque de los Estados Unidos de América y su residencia oficial en la República de Guatemala, tanto para el viaje de ida como para el de regreso. El Gobierno de la República de Guatemala pagará

Travel accommodations.

Shipment of household effects, etc.

expenses of shipment of household effects, baggage, and automobile of each member of the Mission between the port of embarkation in the United States of America and his official residence in the Republic of Guatemala as well as all expenses incidental to the transportation of such household effects, baggage, and automobile from the Republic of Guatemala to the port of entry in the United States of America. Transportation of such household effects, baggage, and automobile shall be effected in one shipment, and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise provided in this Agreement, or when such shipments are necessitated by circumstances beyond their control.

ARTICLE 17. The Government of the Republic of Guatemala shall grant, upon request of the Chief of the Mission, exemption from customs duties on articles imported for the official use of the Mission or the personal use of the members thereof and of members of their families.

ARTICLE 18. Compensation for transportation and traveling expenses in the Republic of Guatemala on official business of the Government of the Republic of Guatemala shall be provided by the Government of the Republic of Guatemala in accordance with the provisions of Article 10.

ARTICLE 19. The Government of the Republic of Guatemala shall provide the Chief of the Mission with a suitable automobile with chauffeur, for use on official business. Suitable motor transportation with chauffeur, and when necessary an airplane prop-

también todos los gastos de embarque de los efectos domésticos, equipaje, y automóvil de cada miembro de la Misión entre el puerto de embarque de los Estados Unidos de América y su residencia oficial en la República de Guatemala, así como todos los gastos inherentes al transporte de dichos efectos domésticos, equipaje, y automóvil desde la República de Guatemala hasta el puerto de entrada de los Estados Unidos de América. El transporte de estos efectos domésticos, equipaje, y automóvil se hará en un solo embarque, y todos los embarques sucesivos serán por cuenta de los respectivos miembros de la Misión, salvo lo que se dispone en contrario en este Acuerdo, o cuando circunstancias ajenas a su voluntad hagan necesarios dichos embarques.

ARTÍCULO 17. A solicitud del Jefe de la Misión, el Gobierno de la República de Guatemala eximirá del pago de derechos de aduana los artículos que se importen para el uso oficial de la Misión o para el uso personal de los miembros de la misma y de sus familiares.

ARTÍCULO 18. El Gobierno de la República de Guatemala proveyerá compensación por gastos de transporte y de viaje en la República de Guatemala cuando se trate de asuntos oficiales del Gobierno de la República de Guatemala, de conformidad con las disposiciones del Artículo 10.

ARTÍCULO 19. El Gobierno de la República de Guatemala proporcionará al Jefe de la Misión un automóvil adecuado con chófer, para la tramitación de asuntos oficiales. El Gobierno de la República de Guatemala, cuando se le solicite, proporcionará también

Exemption from customs duties.

Ante, p. 1491.

Provision of automobile, etc.

Airplane.

erly equipped, shall on call be made available by the Government of the Republic of Guatemala for use by the members of the Mission for the conduct of the official business of the Mission.

Office space.

ARTICLE 20. The Government of the Republic of Guatemala shall provide suitable office space and facilities for the use of the members of the Mission.

Transportation of remains in case of death.

ARTICLE 21. If any member of the Mission, or any of his family, should die in the Republic of Guatemala, the Government of the Republic of Guatemala shall have the body transported to such place in the United States of America as the surviving members of the family may decide, but the cost to the Government of the Republic of Guatemala shall not exceed the cost of transporting the remains from the place of decease to New York City. Should the deceased be a member of the Mission, his services with the Mission shall be considered to have terminated fifteen (15) days after his death. Return transportation to New York City for the family of the deceased member and for their baggage, household effects, and automobile shall be provided as prescribed in Article 16. All compensation due the deceased member, including salary for fifteen (15) days subsequent to his death, and reimbursement for expenses and transportation due the deceased member for travel performed on official business of the Republic of Guatemala, shall be paid to the widow of the deceased member or to any other person who may have been designated in writing by the deceased while serving under the terms of this Agreement; but such widow or other person shall not be compensated for ac-

Return transportation for family.

Ante, p. 1492.

Compensation due deceased member.

transporte adecuado con chófer, y cuando sea necesario un aeroplano debidamente equipado, para el uso de los miembros de la Misión en la tramitación de los asuntos oficiales de la misma.

ARTÍCULO 20. El Gobierno de la República de Guatemala proporcionará una oficina adecuada, equipada debidamente, para el uso de los miembros de la Misión.

ARTÍCULO 21. Si cualquier miembro de la Misión o cualquiera de sus familiares fallecieren en la República de Guatemala, el Gobierno de la República de Guatemala hará trasladar los restos hasta el lugar en los Estados Unidos de América que determinen los familiares sobrevivientes, pero el costo para el Gobierno de la República de Guatemala no excederá del costo del traslado de los restos desde el lugar del fallecimiento hasta la ciudad de Nueva York. Si el fallecido fuere uno de los miembros de la Misión, se considerará que sus servicios en ésta han terminado quince (15) días después de su muerte. Se proporcionará transporte de regreso a la ciudad de Nueva York para la familia del miembro fallecido y para su equipaje, efectos domésticos, y automóvil, de acuerdo con las disposiciones del Artículo 16. Toda remuneración que se adeude al miembro fallecido, incluso su salario por los quince (15) días siguientes a su muerte, y todo reembolso que se le adeude por gastos y transporte en viajes realizados en asuntos oficiales en la República de Guatemala, se pagarán a la viuda del miembro fallecido o a cualquiera otra persona que éste haya designado por escrito mientras prestaba servicio de conformidad con los términos de este

crued leave due and not taken by the deceased. All compensations due the widow, or other person designated by the deceased, under the provisions of this Article, shall be paid within fifteen (15) days of the decease of the said member.

Acuerdo; pero no se pagará a dicha viuda ni a la otra persona por licencias acumuladas a que tuviere derecho el finado y que no hubiere disfrutado. Toda remuneración que de conformidad con las disposiciones de este Artículo se adeude a la viuda o a la otra persona designada por el finado, se pagará dentro de los quince (15) días siguientes a la muerte del miembro de la Misión.

TITLE V

Requisites and Conditions

ARTICLE 22. So long as this Agreement, or any extension thereof, is in effect, the Government of the Republic of Guatemala shall not engage the services of any personnel of any other foreign government for duties of any nature connected with the Guatemalan Air Force, except by mutual agreement between the Government of the United States of America and the Government of the Republic of Guatemala.

ARTICLE 23. Each member of the Mission shall agree not to divulge or in any way disclose to any foreign government or to any person whatsoever any secret or confidential matter of which he may become cognizant in his capacity as a member of the Mission. This requirement shall continue in force after the termination of service with the Mission and after the expiration or cancellation of this Agreement or any extension thereof.

ARTICLE 24. Throughout this Agreement the term "family" is limited to mean wife and dependent children.

TÍTULO V

Requisitos y Condiciones

ARTÍCULO 22. Mientras estén en vigor este Acuerdo o cualquier prórroga del mismo, el Gobierno de la República de Guatemala no contratará personal de ningún gobierno extranjero para prestar servicios de ninguna naturaleza relacionados con la Fuerza Aérea Guatemalteca, excepto por acuerdo mutuo entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de Guatemala.

ARTÍCULO 23. Cada miembro de la Misión se comprometerá a no divulgar, ni a revelar por ningún medio a gobierno extranjero alguno, o a persona alguna, ningún secreto ni asunto confidencial que puedan llegar a su conocimiento en su capacidad de miembro de la Misión. Este requisito continuará siendo obligatorio después de terminar el servicio con la Misión y después de la expiración o cancelación del presente Acuerdo o de cualquier prórroga del mismo.

ARTÍCULO 24. En todo este Acuerdo se entenderá que el término "familia" sólo comprende a la esposa y a los hijos no emancipados.

Services of personnel of other foreign governments, restriction.

Secrecy requirement.

"Family."

Annual leave.

ARTICLE 25. Each member of the Mission shall be entitled to one month's annual leave with pay, or to a proportional part thereof with pay for any fractional part of a year. Unused portions of said leave shall be cumulative from year to year during service as a member of the Mission.

ARTICLE 26. The leave specified in the preceding Article may be spent in the Republic of Guatemala, in the United States of America, or in any other countries, but the expense of travel and transportation not otherwise provided for in this Agreement shall be borne by the member of the Mission taking such leave. All travel time shall count as leave and shall not be in addition to the time authorized in the preceding Article.

ARTICLE 27. The Government of the Republic of Guatemala agrees to grant the leave specified in Article 25 upon receipt of written application, approved by the Chief of the Mission with due consideration for the convenience of the Government of the Republic of Guatemala.

ARTICLE 28. Members of the Mission who may be replaced shall terminate their services on the Mission only upon the arrival of their replacements, except when otherwise mutually agreed upon in advance by the respective Governments.

ARTICLE 29. The Government of the Republic of Guatemala shall provide suitable medical attention to members of the Mission and their families. In case a member of the Mission becomes ill or suffers injury, he shall, at the discretion of the Chief of the Mission, be

ARTÍCULO 25. Cada miembro de la Misión tendrá derecho anualmente a un mes de licencia con goce de sueldo, o a una parte proporcional de dicha licencia con sueldo por cualquier fracción de un año. Las partes de dicha licencia que no se usaren podrán acumularse de año en año mientras la persona preste servicio como miembro de la Misión.

ARTÍCULO 26. La licencia que se estipula en el Artículo anterior podrá disfrutarse en la República de Guatemala, en los Estados Unidos de América, o en otros países, pero los gastos de viaje y de transporte que no sean abonos según las disposiciones de este Acuerdo correrán por cuenta del miembro de la Misión que disfrute la licencia. Todo el tiempo que se emplee en viajar se contrará como parte de la licencia, y no se añadirá al tiempo que se autoriza en el Artículo precedente.

ARTÍCULO 27. El Gobierno de la República de Guatemala conviene en conceder la licencia estipulada en el Artículo 25 al recibir una solicitud por escrito con ese objeto, aprobada por el Jefe de la Misión, con la debida consideración a la conveniencia del Gobierno de la República de Guatemala.

ARTÍCULO 28. Los miembros de la Misión a quienes se reemplace terminarán sus servicios en la Misión solamente cuando lleguen sus reemplazos, excepto cuando los dos Gobiernos convengan de antemano en lo contrario.

ARTÍCULO 29. El Gobierno de la República de Guatemala proporcionará atención médica adecuada a los miembros de la Misión y sus familias. En caso de que un miembro de la Misión se enferme o sufra lesiones se le hospitalizará, a discreción del Jefe de la

Termination of services of replaced members.

Medical attention.

placed in such hospital as the Chief of the Mission deems suitable, after consultation with the Secretary of State for War of the Republic of Guatemala, and all expenses incurred as the result of such illness or injury while the patient is a member of the Mission and remains in the Republic of Guatemala shall be paid by the Government of Guatemala. If the hospitalized member is a commissioned officer he shall pay his cost of subsistence, but if he is an enlisted man the cost of subsistence shall be paid by the Government of the Republic of Guatemala. Families shall enjoy the same privileges agreed upon in this Article for members of the Mission, except that a member of the Mission shall in all cases pay the cost of subsistence incident to hospitalization of a member of his family, except as may be provided under Article 10.

ARTICE 30. Any member of the Mission unable to perform his duties with the Mission by reason of long continued physical disability shall be replaced.

IN WITNESS WHEREOF, the undersigned, Joseph C. Grew, Acting Secretary of State of the United States of America, and Eugenio Silva Peña, Ambassador Extraordinary and Plenipotentiary of the Republic of Guatemala in Washington, duly authorized thereto, have signed this Agreement in duplicate, in the English and Spanish languages, in Washington, this twenty-first day of February, one thousand nine hundred forty-five.

JOSEPH C. GREW
E. SILVA PEÑA

[SEAL]

Misión, en el hospital que el Jefe de la Misión considere adecuado después de consultar con el Ministro de Guerra de la República de Guatemala, y todos los gastos en que se incurra como resultado de dicha enfermedad o lesiones mientras el paciente sea miembro de la Misión y esté en la República de Guatemala correrán por cuenta del Gobierno de Guatemala. Si el miembro de la Misión hospitalizado es un oficial pagará sus gastos de subsistencia, pero si pertenece al personal subalterno el costo de subsistencia lo sufragará el Gobierno de la República de Guatemala. Las familias gozarán de los mismos privilegios estipulados en este Artículo para los miembros de la Misión, salvo que los miembros de la Misión pagarán siempre los gastos de subsistencia relacionados con la hospitalización de los miembros de su familia, excepto lo que se dispone en el Artículo 10.

ARTÍCULO 30. Cualquier miembro de la Misión que no pueda desempeñar sus deberes en la misma por razón de prolongada inhabilidad física será reemplazado.

EN TESTIMONIO DE LO CUAL los infrascritos, Joseph C. Grew, Secretario de Estado Interino de los Estados Unidos de América, y Eugenio Silva Peña, Embajador Extraordinario y Plenipotenciario de la República de Guatemala en Washington, debidamente autorizados para ello, firman este Acuerdo en duplicado, en los idiomas inglés y español, en Washington, hoy día veintiuno de febrero de mil novecientos cuarenta y cinco.

Ante, p. 1491.

Replacement in case of disability.

Agreement between the United States of America and Australia respecting certain problems of marine transportation and litigation. Signed at Canberra March 8, 1945; effective March 8, 1945. And exchange of notes.

March 8, 1945
[E. A. S. 467]

A G R E E M E N T
BETWEEN THE AUSTRALIAN AND UNITED STATES
GOVERNMENTS.

SIGNED AT CANBERRA
MARCH 1945.

AGREEMENT BETWEEN THE GOVERNMENTS OF THE COMMONWEALTH OF AUSTRALIA AND THE UNITED STATES OF AMERICA.

The Government of the Commonwealth of Australia and the Government of the United States of America being desirous of defining, in so far as certain problems of marine transportation and litigation are concerned, the manner in which shall be provided mutual aid in the conduct of the war including the aid contemplated by the Exchange of Notes between the Australian Minister at Washington and the United States of America, Secretary of State, on the 3rd September, 1942, have agreed as follows:-

56 Stat. 1608.

ARTICLE I

Waiver of claims arising from negligent navigation.

(1) Each contracting Government agrees to waive all claims arising out of or in connection with negligent navigation or general average in respect of any cargo or freight owned by such Government and in respect of any vessel (including naval vessel) owned by such Government against the other contracting Government or any cargo, freight or vessel (including naval vessel) owned by such other Government or against any servant or agent of such other Government or in any case where such other Government represents that such claim if made would ultimately be borne by such other Government.

Waiver of claims for salvage services.

(2) Each contracting Government agrees on behalf of itself and of any organisation which is owned or controlled by it and operating for its account or on its behalf to waive all claims for salvage services against the other contracting Government or against any cargo, freight or vessel (including naval vessel) owned by such other Government or in any case where such other Government represents that such salvage claim if made would ultimately be borne by such other Government.

Waiver of claims arising from loss of cargo, etc.

(3) Each contracting Government agrees to waive all claims for loss of or damage to cargo owned by such Government and arising out of the carriage thereof or for loss of or damage to any cargo or vessel owned by one contracting Government and caused by the shipment or carriage of cargo owned by the other contracting Government against such other Government or against any servant or agent of such other Government or against any vessel (including naval vessel) owned by such other Government or in any cases where such other Government represents that the claim if made would ultimately be borne by such other Government.

(4) Each contracting Government undertakes not to make any claim in respect of any vessel or cargo insured by it to which it may be entitled by virtue of any right of subrogation either—

Waiver of insurance claim.

- (a) directly against the other contracting Government; or
- (b) in any case where such other Government represents that such claim if made would ultimately be borne by such other Government.

(5) Each contracting Government agrees to extend the principles of this Agreement to such other maritime claims as may from time to time be agreed between them.

Extension of principles of agreement.

ARTICLE II

Where in any case claims arise which are not required to be waived by this Agreement in addition to or in conjunction with claims which are so required to be waived and it is necessary in any proceedings including proceedings for the limitation of liability that claims be marshalled or for the proper assessment of any salvage or general average that values should be estimated, the provisions of this Agreement shall not apply but claims which would otherwise be required to be waived under this Agreement shall be asserted. Any recoveries, however, shall be waived by the Government entitled to such recoveries as against the other or by mutual arrangements between the two Governments shall be dealt with in such other way as will give effect to the purposes of this Agreement.

Inapplicability in certain cases.

ARTICLE III

(1) For the purpose of this agreement the expression "vessel owned by a contracting Government" includes a vessel on bare boat charter to a contracting Government or requisitioned by a contracting Government on bare boat terms or otherwise in the possession of a contracting Government (except to the extent that the risk of loss or liability is borne by some person other than either contracting Government).

"Vessel owned by a contracting Government."

(2) In order to carry out the full intention of the provisions of Article 1 of this Agreement each contracting Government will so arrange in connection with bare boat charters to it that the owners or persons interested through such owners shall not have or assert any claims of the character specified in Article 1.

Bare boat charters.

ARTICLE IV

Each contracting Government upon the request of the other will provide undertakings for the release of vessels or cargo owned by the other contracting Government from judicial proceedings in Courts in the United States of America or in the Commonwealth of Australia as the case may be where such release will promote the war effort and

Release from judicial proceedings, conditions.

the requesting Government so represents, upon compliance with the following conditions:—

- (a) upon the tender of such request due authority will be conferred by the Government interested in such vessel or cargo upon the law officers of the Government furnishing the undertaking to appear on their behalf and to conduct the defence of such proceedings in so far as such vessel or cargo is concerned, to settle or compromise any such suit, to assert or settle and compromise any claim to which the requesting Government may be entitled in respect of the subject matter of the suit and to make and receive payments in respect thereof; and
- (b) the requesting Government upon tendering such a request will assure the other Government of its full co-operation in making defence to such suit and asserting such claims including the making available of witnesses and evidence and including preparation for trial.

Unless otherwise agreed, each contracting Government will reimburse or account to the other for any payment made or received by the one Government on behalf of the other.

ARTICLE V

Right to assert sovereign immunity.

Nothing in this Agreement shall be construed as a waiver of the right of either contracting Government in appropriate cases to assert sovereign immunity.

ARTICLE VI

Entry into force; application.

(1) This Agreement, which shall come into force on the date of signature, shall apply in respect of all claims arising before the date of this Agreement but remaining unsettled at such date or which may arise during the currency of this Agreement.

Duration.

(2) This Agreement shall remain in force until the expiration of six months from the date upon which either of the contracting Governments shall have given notice in writing of their intention to terminate it.

IN WITNESS whereof the undersigned, duly authorized to that effect by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

DONE in Canberra in duplicate, this 8th day of *March*, 1945.

SIGNED on behalf of the
GOVERNMENT OF THE
UNITED STATES OF
AMERICA.

NELSON TRUSLER JOHNSON

[SEAL]

SIGNED on behalf of the
GOVERNMENT OF THE
COMMONWEALTH OF
AUSTRALIA.

H V EVATT.

[SEAL]

The American Minister to the Australian Minister for External Affairs

LEGATION OF THE
UNITED STATES OF AMERICA
Canberra, Australia,
March 8, 1945.

SIR:

With reference to Article IV of the agreement signed today between the Government of the Commonwealth of Australia and the Government of the United States of America relating to certain problems of maritime transportation and litigation, I have the honor to state that for the present and until further notice it is the intention of my Government that the accounting contemplated by that Article will be accomplished under the Act of Congress of March 11, 1941, to the extent authorized under that Act.

Accordingly, the Government of the United States will in appropriate cases make such payments as are necessary in the course of operations under the agreement according to its procedure in the administration of that Act and will receive any moneys which may accrue in the course of such operations as a benefit under that Act and under the Exchange of Notes between the Australian Minister at Washington and the United States of America Secretary of State on the 3rd September, 1942.

Accept, Sir, the renewed assurances of my highest consideration.

NELSON TRUSLER JOHNSON
American Minister

The Right Honorable
HERBERT VERE EVATT,
Minister for External Affairs,
Canberra, A.C.T.

The Australian Minister for External Affairs to the American Minister

MINISTER OF EXTERNAL AFFAIRS,
CANBERRA.

8th March, 1945.

SIR,

I have the honour to acknowledge receipt of your note of today's date referring to Article IV of the Agreement signed today between our two Governments relating to certain problems of marine transportation and litigation. In reply I wish to state that for the present and until further notice my Government intends that the accounting required by Article IV shall be on the same basis as the payments contemplated in your note and that the Government of the Commonwealth of Australia will make any payments required by the Agreement and receive any moneys accruing under it as reciprocal aid

Ante, p. 1501.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

56 Stat. 1608.

Ante, p. 1501.

according to the terms of the Exchange of Notes between the Australian Minister at Washington and the Secretary of State of the United States of America on the 3rd September, 1942.

56 Stat. 1608.

I have the honour to be,

With the highest consideration, Sir,

Your obedient servant,

H V EVATT
(Minister of State)

The Honourable

NELSON TRUSLER JOHNSON,

*Envoy Extraordinary and Minister Plenipotentiary
of the United States of America,
American Legation,
Canberra. A.C.T.*

Agreement between the United States of America and Chile respecting a naval mission. Signed at Washington May 24, 1945; effective May 24, 1945.

May 24, 1945
[E. A. S. 468]

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF CHILE

ACUERDO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA Y EL GOBIERNO DE LA REPÚBLICA DE CHILE

In conformity with the request of the Government of the Republic of Chile to the Government of the United States of America, the President of the United States of America has authorized the appointment of officers and enlisted men to constitute a Naval Mission to the Republic of Chile under conditions specified below:

De conformidad con la solicitud del Gobierno de la República de Chile al Gobierno de los Estados Unidos de América, el Presidente de los Estados Unidos de América ha autorizado el nombramiento de oficiales y personal subalterno que constituyan una Misión Naval en la República de Chile de acuerdo con las condiciones estipuladas a continuación:

TITLE I

TÍTULO I

Purpose and Duration

Objeto y Duración

ARTICLE 1. The purpose of this Mission is to cooperate with the Ministry of National Defense of the Republic of Chile and with the officers of the Chilean Navy, with a view to enhancing the efficiency of the Chilean Navy.

ARTÍCULO 1. El objeto de esta Misión es cooperar con el Ministerio de Defensa Nacional de la República de Chile y con los oficiales de la Marina de Guerra chilena en el propósito de aumentar la eficiencia de la Marina de Guerra chilena.

ARTICLE 2. This Mission shall continue for a period of three years from the date of the signing of this Agreement by the accredited representatives of the Government of the United States of America and the Government of the Republic of Chile, unless previously terminated or extended as hereinafter provided. Any member of the Mission may be recalled by the Government of the United States of America after the expiration of two years of service, in

ARTÍCULO 2. Esta Misión continuará por un periodo de tres años a partir de la fecha de la firma de este Acuerdo por los representantes acreditados del Gobierno de los Estados Unidos de América y del Gobierno de la República de Chile, a menos que se dé por terminado antes o se prorrogue en la forma que se establece más adelante. Cualquier miembro de la Misión podrá ser retirado por el Gobierno de los Estados Unidos de América

which case another member shall be furnished to replace him.

después de transcurridos dos años de servicio, y en tal caso se nombrará a otro miembro en su lugar.

If, for any reason, it is desirable to recall any member of the Mission before the expiration of a two-years' tour of duty, such recall shall be made by mutual consent of the two countries concerned, and the request for that recall may be initiated by either country.

Si por cualquier razón fuere conveniente retirar a un miembro de la Misión antes de la expiración de dos años de servicio el retiro se hará por acuerdo mutuo de los dos países interesados, y la solicitud de retiro podrá iniciarla cualquiera de los dos países.

Extension.

ARTICLE 3. If the Government of the Republic of Chile should desire that the services of the Mission be extended beyond the stipulated period, it shall make a written proposal to that effect six months before the expiration of this Agreement.

ARTÍCULO 3. Si el Gobierno de la República de Chile deseara que se prorroguen los servicios de la Misión más allá del período estipulado, hará una propuesta por escrito con este objeto seis meses antes de la expiración de este Acuerdo.

ARTICLE 4. This Agreement may be terminated before the expiration of the period of three years prescribed in Article 2, or before the expiration of the extension authorized in Article 3, in the following manner:

ARTÍCULO 4. Este Acuerdo podrá terminarse antes de la expiración del período de tres años prescrito en el Artículo 2 o antes de la expiración de la prórroga autorizada en el Artículo 3, de la manera siguiente:

(a) By either of the Governments, subject to three months' written notice to the other Government;

(a) Por cualquiera de los dos Gobiernos, siempre que lo notifique por escrito al otro Gobierno con tres meses de anticipación;

(b) By the recall of the entire personnel of the Mission by the Government of the United States of America in the public interest of the United States of America, without necessity of compliance with provision (a) of this Article.

(b) Al retirar el Gobierno de los Estados Unidos de América a todo el personal de la Misión en interés público de los Estados Unidos de América, sin necesidad de cumplir con el inciso (a) de este Artículo.

ARTICLE 5. This Agreement is subject to cancellation upon the initiative of either the Government of the United States of America or the Government of the Republic of Chile at any time during a period when either Government is involved in domestic or foreign hostilities.

ARTÍCULO 5. Este Acuerdo está sujeto a cancelación por iniciativa del Gobierno de los Estados Unidos de América o del Gobierno de la República de Chile en cualquier momento, durante un período en que cualquiera de los dos Gobiernos se vea envuelto en hostilidades internas o externas.

Termination pr
to specified time.

Cancellation in case
of hostilities.

TITLE II

Composition and Personnel

ARTICLE 6. This Mission shall consist of such personnel of the United States Navy as may be agreed upon by the Ministry of National Defense of the Republic of Chile through its authorized representative in Washington and by the Navy Department of the United States of America.

TÍTULO II

Composición y Personal

ARTÍCULO 6. Esta Misión consistirá del personal de la Marina de Guerra de los Estados Unidos que determinen por mutuo acuerdo el Ministerio de Defensa Nacional de la República de Chile a través de su representante autorizado en Washington, y la Secretaría de Marina de los Estados Unidos de América.

TITLE III

Duties, Rank, and Precedence

ARTICLE 7. The personnel of the Mission shall perform such duties as may be agreed upon between the Ministry of National Defense of the Republic of Chile and the Chief of the Mission.

ARTICLE 8. The members of the Mission shall be responsible solely to the Ministry of National Defense of the Republic of Chile through the Chief of the Mission.

ARTICLE 9. Each member of the Mission shall serve on the Mission with the rank he holds in the United States Navy, and wear the uniform thereof. The precedence of the officers who compose the Mission, with respect to Chilean officers, shall be determined by their respective ranks and seniority.

ARTICLE 10. Each member of the Mission shall be entitled to all the benefits and privileges which the regulations for the Chilean Navy provide for Chilean officers and subordinate personnel of corresponding rank.

ARTICLE 11. The personnel of the Mission shall be governed by the disciplinary regulations of the United States Navy.

TÍTULO III

Deberes, Rango, y Precedencia

ARTÍCULO 7. El personal de la Misión cumplirá los deberes en que convengan el Ministerio de Defensa Nacional de la República de Chile y el Jefe de la Misión.

ARTÍCULO 8. Los miembros de la Misión serán responsables únicamente ante el Ministerio de Defensa Nacional de la República de Chile, a través del Jefe de la Misión.

ARTÍCULO 9. Cada miembro de la Misión servirá en ella con el rango que tenga en la Marina de Guerra de los Estados Unidos y usará el uniforme de la misma. La precedencia de los oficiales que integran la Misión respecto a los oficiales chilenos será determinada por su respectivo grado y antigüedad en el mismo.

ARTÍCULO 10. Cada miembro de la Misión tendrá derecho a todos los beneficios y privilegios que los reglamentos de la Marina de Guerra chilena proveen para oficiales chilenos y personal subalterno de rango correspondiente.

ARTÍCULO 11. El personal de la Misión se regirá por los reglamentos disciplinarios de la Marina de Guerra de los Estados Unidos.

Responsibility.

Benefits and privileges.

Disciplinary regulations.

Suspension in case
of war.

ARTICLE 12. In case of war between Chile and any other nation, the duties of the members of the Mission shall be immediately suspended and the Mission shall terminate within thirty days. In the case of other hostilities involving the Government of the Republic of Chile, the duties of the members of the Mission shall be immediately suspended, and at the option of the Government of the United States of America the Mission may be withdrawn immediately.

ARTÍCULO 12. En caso de guerra entre Chile y cualquiera otra nación, se suspenderán inmediatamente los deberes de los miembros de la Misión, y ésta cesará dentro de treinta días. En los casos de otras hostilidades en que se vea envuelto el Gobierno de la República de Chile, se suspenderán inmediatamente los deberes de los miembros de la Misión, y a discreción del Gobierno de los Estados Unidos de América podrá retirarse la Misión inmediatamente.

TITLE IV

Compensation and Perquisites

ARTICLE 13. Members of the Mission shall receive from the Government of the Republic of Chile such net annual compensation expressed in United States currency as may be agreed upon between the Government of the United States of America and the Government of the Republic of Chile for each member. This compensation shall be paid in twelve (12) equal monthly instalments, each due and payable on the last day of the month. The compensation shall not be subject to any tax, now or hereafter in effect, of the Government of the Republic of Chile or of any of its political or administrative subdivisions. Should there, however, at present or while this Agreement is in effect, be any taxes that might affect this compensation, such taxes shall be borne by the Ministry of National Defense of the Republic of Chile in order to comply with the provision of this Article that the compensation agreed upon shall be net.

Tax exemption.

Compensation.

TÍTULO IV

Remuneración y Obvenciones

ARTÍCULO 13. Los miembros de la Misión recibirán del Gobierno de la República de Chile la remuneración neta anual, en moneda de los Estados Unidos, que para cada miembro convengan el Gobierno de los Estados Unidos de América y el Gobierno de la República de Chile. Esta remuneración se abonará en doce (12) mensualidades iguales, que vencen y deben pagarse el último día de cada mes. La remuneración no estará sujeta a impuesto alguno, ahora en vigor o que se imponga en el futuro, del Gobierno de la República de Chile ni de ninguna de sus dependencias políticas o administrativas. Sin embargo, si al presente o durante la vigencia de este Acuerdo existieren impuestos que puedan afectar esta remuneración, dichos impuestos los sufragará el Ministerio de Defensa Nacional de la República de Chile, a fin de cumplir con la estipulación de este Artículo de que la remuneración que se convenga será neta.

ARTICLE 14. The compensation agreed upon as indicated in the preceding Article shall commence

ARTÍCULO 14. La remuneración que se convenga según se indica en el Artículo anterior comenzará a

upon the date of departure from the United States of America of each member of the Mission, and, except as otherwise expressly provided in this Agreement, shall continue, following the termination of duty with the Mission, for the return voyage to the United States of America and thereafter for the period of any accumulated leave which may be due.

ARTICLE 15. The compensation due for the period of the return trip and accumulated leave shall be paid to a detached member of the Mission before his departure from the Republic of Chile, and such payment shall be computed for travel by the shortest usually traveled route to the port of entry in the United States of America, regardless of the route and method of travel used by the member of the Mission.

ARTICLE 16. Each member of the Mission and his family shall be furnished by the Government of the Republic of Chile with first-class accommodations for travel, via the shortest usually traveled route, required and performed under this Agreement, between the port of embarkation in the United States of America and his official residence in the Republic of Chile, both for the outward and for the return voyage. The Government of the Republic of Chile shall also pay all expenses of shipment of household effects, baggage, and automobile of each member of the Mission between the port of embarkation in the United States of America and his official residence in the Republic of Chile, as well as all expenses incidental

devengarse desde la fecha en que cada miembro de la Misión parta de los Estados Unidos de América y, salvo lo que expresamente se dispone en contrario en este Acuerdo, continuará, después de la terminación de sus servicios con la Misión, durante el viaje de regreso a los Estados Unidos de América y por el período que dure la licencia acumulada a que tenga derecho.

ARTÍCULO 15. La remuneración que se adeude por el período que dure el viaje de regreso y por el de la licencia acumulada se le pagará al miembro de la Misión a quien se retire, antes de su partida de la República de Chile, y el pago se calculará a base de viajes por la ruta regular más corta hasta el puerto de entrada a los Estados Unidos de América, no importa qué ruta o qué sistema de transporte utilice el miembro de la Misión.

ARTÍCULO 16. El Gobierno de la República de Chile proporcionará a cada miembro de la Misión y a su familia pasaje de primera clase por la ruta regular más corta, para el viaje que se requiera y se efectúe de conformidad con este Acuerdo, entre el puerto de embarque de los Estados Unidos de América y su residencia oficial en la República de Chile, tanto para el viaje de ida como para el de regreso. El Gobierno de la República de Chile pagará también todos los gastos de transporte de los efectos domésticos, equipaje, y automóvil de cada miembro de la Misión entre el puerto de embarque de los Estados Unidos de América y su residencia oficial en la República de Chile, así como todos los gastos inherentes al transporte de dichos

Time of payment;
computation.

Travel accommodations.

Shipment of household effects, etc.

to the transportation of such household effects, baggage, and automobile from the Republic of Chile to the port of entry in the United States of America. Transportation of such household effects, baggage, and automobile shall be effected in one shipment, and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise provided in this Agreement, or when such shipments are necessitated by circumstances beyond their control. Payment of expenses for the transportation of families, household effects, and automobiles, in the case of personnel who may join the Mission for temporary duty at the request of the Ministry of National Defense of the Republic of Chile, shall not be required under this Agreement, but shall be determined by negotiations between the Navy Department of the United States of America and the authorized representative of the Ministry of National Defense of the Republic of Chile in Washington at such time as the detail of personnel for such temporary duty may be agreed upon.

In case any member of the Mission is recalled, as indicated in Article 2, before two years of service have been completed, the above-mentioned costs of travel for the member and his family, and the transportation costs for his household effects, baggage, and automobile, shall be borne by the Government of the United States of America for the return voyage.

ARTICLE 17. The Government of the Republic of Chile shall grant, upon request of the Chief of the Mission, exemption from customs

efectos domésticos, equipaje, y automóvil desde la República de Chile hasta el puerto de entrada de los Estados Unidos de América. El transporte de dichos efectos domésticos, equipaje, y automóvil se hará en un solo embarque, y todos los embarques subsiguientes correrán por cuenta de los respectivos miembros de la Misión, salvo lo que se dispone en contrario en este Acuerdo o cuando circunstancias ajenas a su voluntad hagan necesarios dichos embarques. Las disposiciones de este Acuerdo no incluyen el pago de los gastos de transporte de las familias, efectos domésticos, y automóviles del personal que pueda unirse a la Misión para servicio temporal a solicitud del Ministerio de Defensa Nacional de la República de Chile; dicho pago se determinará mediante negociaciones entre la Secretaría de Marina de los Estados Unidos de América y el representante autorizado del Ministerio de Defensa Nacional de la República de Chile en Washington, cuando se convenga en el nombramiento del personal para dicho servicio temporal.

En caso de que se retire a un miembro de la Misión, según se indica en el Artículo 2, antes de terminar dos años de servicio, los antedichos gastos de viaje del miembro de la Misión y de su familia, y el costo del transporte de sus efectos domésticos, equipaje, y automóvil para el viaje de regreso, correrán por cuenta del Gobierno de los Estados Unidos de América.

ARTÍCULO 17. A solicitud del Jefe de la Misión, el Gobierno de la República de Chile eximirá del pago de derechos de aduana los

Ante, p. 1505.

Exemption from customs duties.

duties on articles imported by the members of the Mission for their personal use and for the use of members of their families.

ARTICLE 18. Compensation for transportation and traveling expenses in the Republic of Chile on official business of the Government of the Republic of Chile shall be provided by the Government of the Republic of Chile in accordance with the provisions of Article 10.

ARTICLE 19. The Government of the Republic of Chile shall provide the Chief of the Mission with a suitable automobile with chauffeur, for use on official business. Suitable motor transportation with chauffeur, and when necessary an airplane, or a launch, properly equipped, shall on call be made available by the Government of the Republic of Chile for use by the members of the Mission for the conduct of the official business of the Mission.

ARTICLE 20. The Government of the Republic of Chile shall provide suitable office space and facilities for the use of the members of the Mission.

ARTICLE 21. If any member of the Mission, or any of his family, should die in the Republic of Chile, the Government of the Republic of Chile shall have the body transported to such place in the United States of America as the surviving members of the family may decide, but the cost to the Government of the Republic of Chile shall not exceed the cost of transporting the remains from the place of decease to New York City. Should the deceased be a member of the Mission, his services with the Mission shall be considered to have terminated fifteen (15) days after his

artículos que importen los miembros de la Misión para su uso personal y para el uso de sus familiares.

ARTÍCULO 18. El Gobierno de la República de Chile proveerá compensación por gastos de transporte y de viaje en la República de Chile, cuando se trate de asuntos oficiales del Gobierno de la República de Chile, de conformidad con las disposiciones del Artículo 10.

ARTÍCULO 19. El Gobierno de la República de Chile proporcionará al Jefe de la Misión un automóvil adecuado, con chófer, para su uso en asuntos oficiales. El Gobierno de la República de Chile, cuando se le solicite, proporcionará también transporte adecuado en automóvil con chófer, y cuando sea necesario un aeroplano o una lancha de motor, debidamente equipados, para uso de los miembros de la Misión en la tramitación de los asuntos oficiales de la misma.

ARTÍCULO 20. El Gobierno de la República de Chile proporcionará una oficina adecuada, debidamente equipada, para uso de los miembros de la Misión.

ARTÍCULO 21. Si cualquier miembro de la Misión, o cualquier miembro de su familia, fallecieren en la República de Chile, el Gobierno de la República de Chile hará trasladar los restos hasta el lugar en los Estados Unidos de América que determinen los miembros sobrevivientes de la familia, pero el costo para el Gobierno de la República de Chile no excederá del costo del traslado de los restos desde el lugar del fallecimiento a la ciudad de Nueva York. Si el fallecido fuere uno de los miembros de la Misión, se considerará que sus servicios en ésta han terminado quince (15)

Provision of automobile, etc.

Airplane or launch.

Office space.

Transportation of remains in case of death.

Return transportation for family.

Compensation due deceased member.

death. Return transportation to the port of embarkation for the family of the deceased member and for their household effects, baggage, and automobile shall be provided as prescribed in Article 16. All compensation due the deceased member, including salary for fifteen (15) days subsequent to his death, and reimbursement for expenses and transportation due the deceased member for travel performed on official business of the Republic of Chile, shall be paid to the widow of the deceased member or to any other person who may have been designated in writing by the deceased while serving under the terms of this Agreement; but such widow or other person shall not be compensated for accrued leave due and not taken by the deceased. All compensations due the widow, or other person designated by the deceased, under the provisions of this Article, shall be paid within fifteen (15) days of the decease of the said member.

días después de su muerte. Se proporcionará transporte de regreso al puerto de embarque para la familia del miembro fallecido y para sus efectos domésticos, equipaje, y automóvil, de acuerdo con las disposiciones del Artículo 16. Toda remuneración que se adeude al miembro fallecido, incluso su salario por los quince (15) días siguientes a su muerte, y todo reembolso que se le adeude por gastos y transporte en viajes realizados en asuntos oficiales de la República de Chile, se pagarán a la viuda del miembro fallecido o a cualquiera otra persona que éste haya designado por escrito mientras prestaba servicio de conformidad con los términos de este Acuerdo; pero no se compensará a la viuda ni a la otra persona por licencias acumuladas a que tuviere derecho el finado y que no hubiere usado. Toda remuneración que de conformidad con las disposiciones de este Artículo se adeude a la viuda o a la otra persona designada por el finado, se pagará dentro de los quince (15) días siguientes a la muerte del miembro de la Misión.

TITLE V

Requisites and Conditions

ARTICLE 22. It is stipulated and agreed that so long as the Mission is in the discharge of its duties in conformity with this Agreement, or any extension thereof, the Government of the Republic of Chile shall not engage the services of another Mission or naval personnel of any other government for the duties and purposes provided for in this Agreement, except by mutual agreement between the Government of the

TÍTULO V

Requisitos y Condiciones

ARTÍCULO 22. Se estipula y conviene que mientras la Misión desempeñe sus funciones de conformidad con este Acuerdo, o por prórroga del mismo, el Gobierno de la República de Chile no contratará los servicios de otra Misión o personal naval de otro gobierno extranjero para las funciones y los fines a que se contrae este Acuerdo salvo que se convenga lo contrario entre el Gobierno de los Estados Unidos

Services of personnel of other foreign governments, restriction.

United States of America and the Government of the Republic of Chile.
de América y el Gobierno de la República de Chile.

ARTICLE 23. Each member of the Mission shall agree not to divulge or in any way disclose to any foreign government or to any person whatsoever any secret or confidential matter of which he may become cognizant in his capacity as a member of the Mission. This requirement shall continue in force after the termination of service with the Mission and after the expiration or cancellation of this Agreement or any extension thereof.

ARTICLE 24. Throughout this Agreement the term "family" is limited to mean wife and dependent children.

ARTICLE 25. Each member of the Mission shall be entitled to one month's annual leave with pay, or to a proportional part thereof with pay for any fractional part of a year. Unused portions of said leave shall be cumulative from year to year during service as a member of the Mission.

ARTICLE 26. The leave specified in the preceding Article may be spent in the Republic of Chile, in the United States of America, or in other countries, but the expense of travel and transportation not otherwise provided for in this Agreement shall be borne by the member of the Mission taking such leave. All travel time shall count as leave and shall not be in addition to the time authorized in the preceding Article.

ARTÍCULO 23. Cada miembro de la Misión se comprometerá a no divulgar ni revelar por ningún medio a gobierno extranjero alguno, o a persona alguna, ningún secreto ni asunto confidencial que puedan llegar a su conocimiento en su capacidad de miembro de la Misión. Este requisito continuará siendo obligatorio después de terminar su servicio con la Misión y después de la expiración o cancelación de este Acuerdo o cualquier prórroga del mismo.

ARTÍCULO 24. En todo este Acuerdo se entenderá que el término "familia" sólo comprende a la esposa y a los hijos no emancipados.

ARTÍCULO 25. Cada miembro de la Misión tendrá derecho anualmente a un mes de licencia con goce de sueldo, o a una parte proporcional de dicha licencia con sueldo por cualquier fracción de un año. Las partes de dicha licencia que no se usaren podrán acumularse de año en año mientras el interesado preste servicio como miembro de la Misión.

ARTÍCULO 26. La licencia que se estipula en el Artículo anterior podrá disfrutarse en la República de Chile, en los Estados Unidos de América, o en otros países, pero los gastos de viaje y de transporte que no sean abonables de conformidad con las disposiciones de este Acuerdo correrán por cuenta del miembro de la Misión que disfrute de la licencia. Todo el tiempo que se emplee en viajar se contará como parte de la licencia y no se añadirá al tiempo que se autoriza en el Artículo anterior.

Secrecy requirement.

"Family."

Annual leave.

ARTICLE 27. The Government of the Republic of Chile agrees to grant the leave specified in Article 25 upon receipt of written application, approved by the Chief of the Mission with due consideration for the convenience of the Government of the Republic of Chile.

ARTÍCULO 27. El Gobierno de la República de Chile conviene en conceder la licencia estipulada en el Artículo 25, al recibir una solicitud por escrito aprobada por el Jefe de la Misión, después de prestar la debida consideración a la conveniencia del Gobierno de la República de Chile.

Replacements.

ARTICLE 28. Members of the Mission who may be replaced shall terminate their services on the Mission only upon the arrival of their replacements, except when otherwise mutually agreed upon in advance by the respective Governments.

ARTÍCULO 28. Los miembros de la Misión a quienes se reemplace terminarán sus servicios en la Misión sólo cuando lleguen sus reemplazos, excepto cuando los dos Gobiernos convengan de antemano en lo contrario.

Medical attention.

ARTICLE 29. The Government of the Republic of Chile shall provide suitable medical attention to members of the Mission and their families. In case a member of the Mission becomes ill or suffers injury, he shall, at the discretion of the Chief of the Mission, be placed in such hospital as the Chief of the Mission deems suitable, after consultation with the Ministry of National Defense of the Republic of Chile, and all expenses incurred as the result of such illness or injury while the patient is a member of the Mission and remains in the Republic of Chile shall be paid by the Government of the Republic of Chile. If the hospitalized member is a commissioned officer he shall pay his cost of subsistence, but if he is an enlisted man the cost of subsistence shall be paid by the Government of the Republic of Chile. Families shall enjoy the same privileges agreed upon in this Article for the members of the Mission, except that a member of the Mission shall in all cases pay the cost of subsistence incident to hospitalization of a member of his family,

ARTÍCULO 29. El Gobierno de la República de Chile proporcionará atención médica adecuada a los miembros de la Misión y a los miembros de su familia. En caso de que un miembro de la Misión se enferme o sufra lesiones, se le recluirá, a discreción del Jefe de la Misión, en el hospital que el Jefe de la Misión considere adecuado después de consultar con el Ministerio de Defensa Nacional de la República de Chile, y todos los gastos en que se incurra como resultado de dicha enfermedad o dichas lesiones mientras el paciente sea miembro de la Misión y permanezca en la República de Chile correrán por cuenta del Gobierno de la República de Chile. Si el miembro de la Misión hospitalizado es un oficial, pagará sus gastos de subsistencia; pero si pertenece al personal subalterno, los gastos de subsistencia los sufragará el Gobierno de la República de Chile. Las familias gozarán de los mismos privilegios estipulados en este Artículo para los miembros de la Misión, salvo que los miembros de la Misión pagarán siempre los gastos de subsistencia relacionados con la

except as may be provided under Article 10. The Government of the Republic of Chile shall not be responsible for any indemnity in case of permanent disability to a member of the Mission.

hospitalización de los miembros de su familia, excepto lo que se dispone en el Artículo 10. No podrá exigirse indemnización alguna al Gobierno de la República de Chile en caso de inhabilidad permanente de un miembro de la Misión.

Ante, p. 1507.

ARTICLE 30. Any member of the Mission unable to perform his duties with the Mission by reason of long-continued physical disability shall be replaced within three months.

ARTÍCULO 30. Cualquier miembro de la Misión que no pueda desempeñar sus deberes en la misma por razón de prolongada inhabilidad física será reemplazado dentro de los tres meses.

Replacement in case of disability.

ARTICLE 31. The members of this Mission are permitted and may be authorized to represent the United States of America on any commission and in any other capacity having to do with military cooperation or hemispheric defense without prejudice to this contract.

ARTÍCULO 31. Este Acuerdo no impide el que se permita o se autorice a los miembros de esta Misión a representar a los Estados Unidos de América en cualquier comisión o en cualquier capacidad que concierna a la cooperación militar o a la defensa del hemisferio.

Service in other capacity.

IN WITNESS WHEREOF, the undersigned, duly authorized, have signed this agreement in duplicate, in the English and Spanish languages, at Washington, this twenty-fourth day of May, one thousand nine hundred forty-five.

EN TESTIMONIO DE LO CUAL, los infrascritos, debidamente autorizados, firman este acuerdo en duplicado, en los idiomas inglés y español, en Wáshington, hoy día veinticuatro de mayo de mil novecientos cuarenta y cinco.

FOR THE UNITED STATES OF AMERICA:

JOSEPH C. GREW [SEAL]

FOR THE REPUBLIC OF CHILE:

ARTURO BASCUÑÁN [SEAL]

December 7, 1944
[E. A. S. 469]

Interim agreement between the United States of America and other powers respecting international civil aviation. Opened for signature at Chicago December 7, 1944; signed for the United States of America December 7, 1944; accepted by the United States of America February 8, 1945, with an understanding; effective June 6, 1945.

INTERIM AGREEMENT ON INTERNATIONAL CIVIL AVIATION

The undersigned, on behalf of their respective governments, agree to the following:

ARTICLE I

THE PROVISIONAL ORGANIZATION

Section 1

Provisional
international
organization

The signatory States hereby establish a provisional international organization of a technical and advisory nature of sovereign States for the purpose of collaboration in the field of international civil aviation. The organization shall be known as the Provisional International Civil Aviation Organization.

Section 2

Structure of
Provisional
Organization

The Organization shall consist of an Interim Assembly and an Interim Council, and it shall have its seat in Canada.

Section 3

Duration
of interim
period

The Organization is established for an interim period which shall last until a new permanent convention on international civil aviation shall have come into force or another conference on international civil aviation shall have agreed upon other arrangements: provided, however, that the interim period shall in no event exceed three years from the coming into force of the present Agreement.

Section 4

Legal
capacity

The Organization shall enjoy in the territory of each member State such legal capacity as may be necessary for the performance of its functions. Full juridical personality shall be granted wherever compatible with the constitution and laws of the State concerned.

ARTICLE II

THE INTERIM ASSEMBLY

Section 1

The Assembly shall meet annually and shall be convened by the Council at a suitable time and place. Extraordinary meetings of the Assembly may be held at any time upon call of the Council or at the request of any ten member States of the Organization addressed to the Secretary General.

Meetings of
Assembly

All member States shall have equal right to be represented at the meetings of the Assembly and each member State shall be entitled to one vote. Delegates representing member States may be assisted by technical advisers who may participate in the meetings but shall have no vote.

Representa-
tion and voting
power in
Assembly

A majority of the member States is required to constitute a quorum for the meetings of the Assembly. Unless otherwise provided herein, voting of the Assembly shall be by a simple majority of the member States present.

Quorum of
Assembly

Section 2

The powers and duties of the Assembly shall be to:

Powers and
duties of
Assembly

1. Elect at each meeting its President and other officers.
2. Elect the member States to be represented on the Council, as provided in Article III, Section 1.
3. Examine, and take appropriate action upon, the reports of the Council and decide upon any matter referred to it by the Council.
4. Determine its own rules of procedure and establish such subsidiary commissions and committees as may be necessary or advisable.
5. Approve an annual budget and determine the financial arrangements of the Organization.
6. At its discretion, refer to the Council any specific matter for its consideration and report.
7. Delegate to the Council all the powers and authority that may be considered necessary or advisable for the discharge of the duties of the Organization. Such delegations of authority may be revoked or modified at any time by the Assembly.
8. Deal with any matter within the sphere of action of the Organization not specifically assigned to the Council.

ARTICLE III

THE INTERIM COUNCIL

*Section 1*Composition
of Council

The Council shall be composed of not more than 21 member States elected by the Assembly for a period of two years. In electing the members of the Council, the Assembly shall give adequate representation (1) to those member States of chief importance in air transport, (2) to those member States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation, and (3) to those member States not otherwise included whose election will insure that all major geographical areas of the world are represented. Any vacancy on the Council shall be filled by the Assembly at its next meeting. Any member State of the Council so elected shall hold office for the remainder of its predecessor's term of office.

Filling
vacancies on
Council*Section 2*

No representative of a member State on the Council shall be actively associated with the operation of an international air service or financially interested in such a service.

*Section 3*Officers
of Council

The Council shall elect, and determine the emoluments of, a President, for a term not to exceed the interim period. The President shall have no vote. The Council shall also elect from among its members one or more Vice Presidents, who shall retain their right to vote when serving as Acting President. The President need not be selected from the members of the Council but if a member is elected, his seat shall be deemed vacant and it shall be filled by the State which he represented. The President shall convene, and preside at, the meetings of the Council; he shall act as the Council's representative; and he shall carry out such functions on behalf of the Council as may be assigned to him.

Duties of the
PresidentDecisions
of Council

Decisions by the Council will be deemed valid only when approved by a majority of all the members of the Council.

*Section 4*Participation
in matters
before Council

Any member State not a member of the Council may participate in the deliberations of the Council whenever any decision is to be taken which especially concerns such member State. Such member State, however, shall not have the right to vote; provided that, in any case in which there is a dispute between one or more member States

who are not members of the Council and one or more member States who are members of the Council, any State within the second category which is a party to the dispute shall have no right to vote on that dispute.

Section 5

The powers and duties of the Council shall be to :

Powers and
duties of
Council

1. Carry out the directives of the Assembly.
2. Determine its own organization and rules of procedure.
3. Determine the method of appointment, emoluments, and conditions of service of the employees of the Organization.
4. Appoint a Secretary General.
5. Provide for the establishment of any subsidiary working groups which may be considered desirable, among which there shall be the following interim committees:
 - a. A Committee on Air Transport,
 - b. A Committee on Air Navigation, and
 - c. A Committee on International Convention on Civil Aviation.

If a member State so desires, it shall have the right to appoint a representative on any such interim committee or working group.

6. Prepare and submit to the Assembly budget estimates of the Organization, and statements of accounts of all receipts and expenditures and to authorize its own expenditures.
7. Enter into agreements with other international bodies when it deems advisable for the maintenance of common services and for common arrangements concerning personnel and, with the approval of the Assembly, enter into such other arrangements as may facilitate the work of the Organization.

Section 6

In addition to the powers and authority which the Assembly may delegate to it, the functions of the Council shall be to :

Functions
of Council

1. Maintain liaison with the member States of the Organization, calling upon them for such pertinent data and information as may be required in giving consideration to recommendations made by them.
2. Receive, register, and hold open to inspection by member States all existing contracts and agreements

relating to routes, services, landing rights, airport facilities, or other international air matters to which any member State or any airline of a member State is a party.

3. Supervise and coordinate the work of:

a. The Committee on Air Transport, whose functions shall be to:

(1) Observe, correlate, and continuously report upon the facts concerning the origin and volume of international air traffic and the relation of such traffic, or the demand therefor, to the facilities actually provided.

(2) Request, collect, analyze and report on information with respect to subsidies, tariffs, and costs of operation.

(3) Study any matters affecting the organization and operation of international air services, including the international ownership and operation of international trunk lines.

(4) Study and report with recommendations to the Assembly as soon as practicable on the matters on which it has not been possible to reach agreement among the nations represented at the International Civil Aviation Conference, convened in Chicago, November 1, 1944, in particular the matters comprehended within the headings of Articles II, X, XI, and XII of Conference Document 422, together with Conference Documents 384, 385, 400, 407, and 429, and all other documentation relating thereto.

b. The Committee on Air Navigation, whose functions shall be to:

(1) Study, interpret and advise on standards and procedures with respect to communications systems and air navigation aids, including ground marks; rules of the air and air traffic control practices; standards governing the licensing of operating and mechanical personnel; airworthiness of aircraft; registration and identification of aircraft; meteorological protection of international aeronautics; log books and manifests; aeronautical maps and charts; airports; customs, immigration, and quarantine procedure; accident investigation, including search and salvage; and the further unification of numbering and systems of dimensioning and specification of dimensions used in connection with international air navigation.

(2) Recommend the adoption, and take all possible steps to secure the application, of minimum

requirements and standard procedures with respect to the subjects in the preceding paragraph.

(3) Continue the preparation of technical documents, in accordance with the recommendations of the International Civil Aviation Conference approved at Chicago on December 7, 1944, and with the resulting suggestions of the member States, for attachment to the Convention on International Civil Aviation, signed at Chicago on December 7, 1944. [1]

c. The Committee on International Convention on Civil Aviation, whose functions shall be to continue the study of an international convention on civil aviation.

4. Receive and consider the reports of the committees and working groups.

5. Transmit to each member State the reports of these committees and working groups and the findings of the Council thereon.

6. Make recommendations with respect to technical matters to the member States of the Assembly individually or collectively.

7. Submit an annual report to the Assembly.

8. When expressly requested by all the parties concerned, act as an arbitral body on any differences arising among member States relating to international civil aviation matters which may be submitted to it. The Council may render an advisory report or, if the parties concerned so expressly decide, they may obligate themselves in advance to accept the decision of the Council. The procedure to govern the arbitral proceedings shall be determined in agreement between the Council and all the interested parties.

9. On direction of the Assembly, convene another conference on international civil aviation; or at such time as the Convention is ratified, convene the first Assembly under the Convention.

ARTICLE IV

THE SECRETARY GENERAL

The Secretary General shall be the chief executive and administrative officer of the Organization. The Secretary General shall be responsible to the Council as a whole and, following established policies of the Council, shall

Functions of
Secretary
General

¹ [International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents, pp. 59-86.]

have full power and authority to carry out the duties assigned to him by the Council. The Secretary General shall make periodic reports to the Council covering the progress of the Secretariat's activities. The Secretary General shall appoint the staff of the Secretariat. He shall likewise appoint the secretariat and staff necessary to the functioning of the Assembly, of the Council, and of Committees or such working groups as are mentioned in the present Agreement or may be constituted pursuant thereto.

ARTICLE V

FINANCES

Each member State shall bear the expenses of its own delegation to the Assembly and the salary, travel and other expenses of its own delegate on the Council and of its representatives on committees or subsidiary working groups.

Contributions

The expenses of the organization shall be borne by the member States in proportions to be decided by the Assembly. Funds shall be advanced by each member State to cover the initial expenses of the Organization.

Suspension
for financial
delinquency

The Assembly may suspend the voting power of any member State that fails to discharge, within a reasonable period, its financial obligations to the Organization.

ARTICLE VI

SPECIAL DUTIES

The Organization shall also carry out the functions placed upon it by the International Air Services Transit Agreement and by the International Air Transport Agreement drawn up at Chicago on December 7, 1944, in accordance with the terms and conditions therein set forth.

Members of the Assembly and the Council who have not accepted the International Air Services Transit Agreement [2] or the International Air Transport Agreement [3] drawn up at Chicago on December 7, 1944 shall not have the right to vote on any questions referred to the Assembly or Council under the provisions of the relevant Agreements.

ARTICLE VII

TRANSFER OF FUNCTIONS, RECORDS, AND PROPERTY

The exercise of any functions which shall have been herein assigned to the Provisional Organization shall

² [International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents, pp. 87-90.]

³ [Ibid., pp. 91-95.]

cease at any time that those particular functions have been completed or transferred to another international organization. At the time of the coming into force of the Convention on International Civil Aviation signed at Chicago, December 7, 1944, the records and property of the Provisional Organization shall be transferred to the International Civil Aviation Organization established under the above-mentioned Convention.

ARTICLE VIII

FLIGHT OVER TERRITORY OF MEMBER STATES

Section 1

The member States recognize that every State has complete and exclusive sovereignty over the airspace above its territory. Sovereignty

Section 2

For the purposes of this Agreement the territory of a State shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection or mandate of such State. Territory

Section 3

This Agreement shall be applicable only to civil aircraft, and shall not be applicable to state aircraft. Aircraft used in military, customs and police services shall be deemed to be state aircraft. Civil and state aircraft

Section 4

Except in a case where, under the terms of an agreement or of a special authorization, aircraft are permitted to cross the territory of a member State without landing, every aircraft which enters the territory of a member State shall, if the regulations of that State so require, land at an airport designated by that State for the purpose of customs and other examination. On departure from the territory of a member State, such aircraft shall depart from a similarly designated customs airport. Particulars of all designated customs airports shall be published by the State and transmitted to the Provisional International Civil Aviation Organization for communication to all other member States. Landing at customs airport

Section 5

Subject to the provisions of this Agreement, the laws and regulations of a member State relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation Applicability of air regulations

and navigation of such aircraft while within its territory, shall be applied to the aircraft of all member States without distinction as to nationality, and shall be complied with by such aircraft upon entering or departing from or while within the territory of that State.

Section 6

Rules of the
air, et cetera

Each member State undertakes to adopt measures to insure that every aircraft flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, wherever it may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force. Each member State undertakes to insure the prosecution of all persons violating the regulations applicable.

Section 7

Entry and
clearance
regulations

The laws and regulations of a member State as to the admission to or departure from its territory of passengers, crew or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo upon entrance into or departure from, or while within the territory of that State.

Section 8

Prevention
of spread
of disease

The member States agree to take effective measures to prevent the spread by means of air navigation of cholera, typhus (epidemic), smallpox, yellow fever, and plague, and such other communicable diseases as the member States shall from time to time decide to designate, and to that end member States will keep in close consultation with the agencies concerned with international regulations relating to sanitary measures applicable to aircraft. Such consultation shall be without prejudice to the application of any existing international convention on this subject to which the member States may be parties.

Section 9

Each member State may, subject to the provisions of this Agreement,

Designation of
routes and
airports

1. Designate the route to be followed within its territory by any international air service and the airports which any such service may use;

Charges for use
of airports and
facilities

2. Impose or permit to be imposed on any such service just and reasonable charges for the use of such airports and other facilities; these charges shall not be higher

than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services;

provided that, upon representation by an interested member State, the charges imposed for the use of airports and other facilities shall be subject to review by the Council, which shall report and make recommendations thereon for the consideration of the State or States concerned.

Section 10

The appropriate authorities of each of the member States shall have the right, without unreasonable delay, to search aircraft of the other member States on landing or departure, and to inspect the certificates and other documents prescribed by this Agreement.

Search of
aircraft

ARTICLE IX

MEASURES TO FACILITATE AIR NAVIGATION

Section 1

Each member State undertakes, so far as it may find practicable, to make available such radio facilities, such meteorological services, and such other air navigation facilities as may from time to time be required for the operation of safe and efficient scheduled international air services under the provisions of this Agreement.

Air navigation
facilities

Section 2

Each member State undertakes to provide such measures of assistance to aircraft in distress in its territory as it may find practicable, and to permit, subject to the control of its own authorities, the owners or authorities of the State in which the aircraft is registered to provide such measures of assistance as may be necessitated by the circumstances.

Aircraft in
distress

Section 3

In the event of an accident to an aircraft of a member State occurring in the territory of another member State, and involving death or serious injury, or indicating serious technical defect, in the aircraft or air navigation facilities, the State in which the accident occurs will institute an inquiry into the circumstances of the accident. The State in which the aircraft is registered shall be given the opportunity to appoint observers to be present at the inquiry and the State holding the inquiry shall communicate the report and findings in the matter to that State.

Investigation
of accidents

ARTICLE X

CONDITIONS TO BE FULFILLED WITH RESPECT TO AIRCRAFT

*Section 1*Documents
carried in
aircraft

Every aircraft of a member State, engaged in international navigation, shall carry the following documents:

- (a) Its certificate of registration.
- (b) Its certificate of airworthiness.
- (c) The appropriate licenses for each member of the crew.
- (d) Its journey log book.
- (e) If it is equipped with radio apparatus, the aircraft radio station license.
- (f) If it carries passengers, a list of their names and places of embarkation and destination.
- (g) If it carries cargo, a manifest and detailed declarations of the cargo.

*Section 2*Aircraft radio
equipment

(a) Aircraft of each member State may, in or over the territory of other member States, carry radio transmitting apparatus only if a license to install and operate such apparatus has been issued by the appropriate authorities of the State in which the aircraft is registered. The use of radio transmitting apparatus in the territory of the member State whose territory is flown over shall be in accordance with the regulations prescribed by that State.

(b) Radio transmitting apparatus may be used only by members of the flight crew who are provided with a special license for the purpose, issued by the appropriate authorities of the State in which the aircraft is registered.

*Section 3*Certificates of
airworthiness

Every aircraft engaged in international navigation shall be provided with a certificate of airworthiness issued or rendered valid by the State in which it is registered.

*Section 4*Licenses
of personnel

(a) The pilot of every aircraft and the other members of the operating crew of every aircraft engaged in international navigation shall be provided with certificates of competency and licenses issued or rendered valid by the State in which the aircraft is registered.

(b) Each member State reserves the right to refuse to recognize, for the purpose of flight above its own

territory, certificates of competency and licenses granted to any of its nationals by another member State.

Section 5

Subject to the provisions of Section 4(b), certificates of airworthiness and certificates of competency and licenses issued or rendered valid by the member State in which the aircraft is registered, shall be recognized as valid by the other member State.

Recognition of
certificates and
licenses

• *Section 6*

There shall be maintained in respect of every aircraft engaged in international navigation a journey log book in which shall be entered particulars of the aircraft, its crew and each journey.

Journey
log books

Section 7

Each member State may prohibit or regulate the use of photographic apparatus in aircraft over its territory.

Photographic
apparatus

ARTICLE XI

AIRPORTS AND AIR NAVIGATION FACILITIES

Where a member State desires assistance in the provision of airports or air navigation facilities in its territory, the Council may make arrangements for the provision of such assistance so far as may be practicable in accordance with the provisions of Chapter XV of the Convention on International Civil Aviation signed at Chicago, December 7, 1944.

Airports and
air navigation
facilities

ARTICLE XII

JOINT OPERATING ORGANIZATIONS AND ARRANGEMENTS

Section 1

Nothing in this Agreement shall prevent two or more member States from constituting joint air transport operating organizations or international operating agencies and from pooling their air services on any routes or in any regions, but such organizations or agencies and such pooled services shall be subject to all the provisions of this Agreement, including those relating to the registration of agreements with the Council.

Constituting
joint organi-
zations

Section 2

The Council may suggest to member States concerned that they form joint organizations to operate air services on any routes or in any regions.

*Section 3*Participation
in operating
organizations

A State may participate in joint operating organizations or in pooling arrangements, either through its government or through an airline company or companies designated by its government. The companies may, at the sole discretion of the State concerned, be State-owned or partly State-owned or privately owned.

ARTICLE XIII

UNDERTAKINGS OF MEMBER STATES

*Section 1*Filing
contracts

Each member State undertakes to transmit to the Council copies of all existing and future contracts and agreements relating to routes, services, landing rights, airport facilities, or other international air matters to which any member State or any airline of a member State is a party, as described in Article III, Section 6, Subsection 2.

*Section 2*Filing
statistics

Each member State undertakes to require its international airlines to file with the Council, in accordance with requirements laid down by the Council, traffic reports, cost statistics, and financial statements as described in Article III, Section 6, Subsection 3, a (1) and (2), showing, among other things, all receipts and the sources thereof.

*Section 3*Application
of aviation
practices

The member States undertake, with respect to the matters set forth in Article III, Section 6, Subsection 3, b (1), to apply, as rapidly as possible, in their national civil aviation practices, the general recommendations of the International Civil Aviation Conference, convened in Chicago, November 1, 1944, and such recommendations as will be made through the continuing study of the Council.

ARTICLE XIV

WITHDRAWAL

Any member State, a party to the present Agreement, may withdraw therefrom on six months' notice given by it to the Secretary General, who shall at once inform all the member States of the Organization of such notice of withdrawal.

ARTICLE XV

DEFINITIONS

For the purpose of this Agreement the expression:

(a) "Air service" means any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo.

(b) "International air service" means an air service which passes through the airspace over the territory of more than one State.

(c) "Airline" means any air transport enterprise offering or operating an international air service.

ARTICLE XVI

ELECTION OF FIRST INTERIM COUNCIL

The first Interim Council shall be composed of the States elected for that purpose by the International Civil Aviation Conference convened in Chicago on November 1, 1944, provided that no State thus elected shall become a member of the Council until it has accepted the present Agreement and unless such acceptance has taken place within six months after December 7, 1944. In no case shall the term of office of a State as a member of the first Interim Council begin before or go beyond the period of two years, starting from the coming into force of the present Agreement.

Composition of
first Council

Each State so elected to the Interim Council shall take its seat in the Council upon acceptance by that State of this Agreement or upon the entry into force of this Agreement, whichever is the later date, and it shall hold its seat until the end of the two years following the coming into force of this Agreement: provided, that any State so elected to the Council which does not accept this Agreement within six months after the above-mentioned election shall not become a member of the Council and the seat shall remain vacant until the next meeting of the Assembly.

Taking seat
on Council

ARTICLE XVII

SIGNATURES AND ACCEPTANCES OF AGREEMENT

The undersigned delegates to the International Civil Aviation Conference, convened in Chicago on November 1, 1944, have affixed their signatures to the present Interim Agreement with the understanding that the Government of the United States of America shall be informed at the earliest possible date by each of the governments on

Signing the
Agreement

whose behalf the Agreement has been signed whether signature on its behalf shall constitute an acceptance of the Agreement by that government and an obligation binding upon it.

Acceptance
of Agreement

Any State, a member of the United Nations and any State associated with them, as well as any State which remained neutral during the present world conflict, not a signatory to this Agreement, may accept the present Agreement as an obligation binding upon it by notification of its acceptance to the Government of the United States, and such acceptance shall become effective upon the date of the receipt of such notification by that Government.

Coming into
force

The present Interim Agreement shall come into force when it has been accepted by twenty-six States. [4] Thereafter it will become binding as to each other State indicating its acceptance to the Government of the United States on the date of the receipt of the acceptance by that Government.

The Government of the United States shall inform all governments represented at the International Civil Aviation Conference referred to of the date on which the present Interim Agreement comes into force and shall likewise notify them of all acceptances of the Agreement.

IN WITNESS WHEREOF, the undersigned, having been duly authorized sign this Agreement on behalf of their respective governments on the dates appearing opposite their signatures.

DONE at Chicago the seventh day of December 1944,

[The agreement came into force on June 6, 1945, the date on which the twenty-sixth acceptance of the agreement was received by the Department of State. Acceptances of the agreement by the following countries were received by the Department of State on or before June 6, 1945: Afghanistan, Australia, Belgium, Brazil, Canada, Chile, China, Colombia, Czechoslovakia, Egypt, El Salvador, Ethiopia, France, Haiti, Iceland, India, Iraq, Ireland, Lebanon, Liberia, Mexico, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Turkey, the United Kingdom, and the United States of America. The United States of America accepted with the understanding "that the provisions of the second paragraph of Article V of the Interim Agreement on International Civil Aviation are, in respect of the United States of America, subject to the requirements of its constitutional processes." Afghanistan and Egypt each accepted with a statement to the effect that the expenses stipulated in paragraph 2 of Article V must be authorized by law before payment can be effected. India, New Zealand, and the United Kingdom of Great Britain and Northern Ireland accepted with the reservation that they do not consider Denmark and Thailand as being parties to the agreement nor themselves as in treaty relations with either of the two countries in respect of the agreement.]

in the English language.[⁸] A text drawn up in the English, French, and Spanish languages, each of which shall be of equal authenticity, shall be opened for signature at Washington, D.C. Both texts shall be deposited in the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the governments of all the States which may sign and accept this Agreement.

FOR AFGHANISTAN:

A. HOSAYN AZIZ

FOR THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA:

Subject to confirmation by Australian Government

ARTHUR S. DRAKEFORD

FOR BELGIUM: [⁹]

FOR BOLIVIA:

TENL. A. PACHECO

FOR BRAZIL: [¹⁰]

FOR CANADA:

H. J. SYMINGTON

FOR CHILE:

R SAENZ

G. BISQUERT. R MAGALLANES B.

FOR CHINA:

CHANG KIA NGAU

FOR COLOMBIA: [¹¹]

FOR COSTA RICA: [¹²]

FOR CUBA: [¹³]

FOR CZECHOSLOVAKIA: [¹⁴]

FOR THE DOMINICAN REPUBLIC:

C. A. McLAUGHLIN

⁸ [The present publication was printed from a lithographed certified copy of the signed original, prepared by the Department of State under date of Jan. 22, 1945. Signatures affixed to the original document subsequent to that date do not appear herein, but the dates of those signatures have been indicated in footnotes.]

⁹ [Signed for Belgium Apr. 9, 1945.]

¹⁰ [Signed for Brazil May 29, 1945.]

¹¹ [Signed for Colombia May 24, 1945.]

¹² [Signed for Costa Rica Mar. 10, 1945.]

¹³ [Signed for Cuba Apr. 20, 1945.]

¹⁴ [Signed for Czechoslovakia Apr. 18, 1945.]

FOR ECUADOR:

J. A. CORREA

FOR EGYPT:

M. HASSAN

M. ROUSHDY

M. A. KHALIFA

FOR EL SALVADOR: [12]

FOR ETHIOPIA: [13]

FOR FRANCE:

M. HYMANS

C. LEBEL

P. LOCUSSOL

BOURGES

FOR GREECE:

D. NOTI BOTZARIZ A. J. ARGYROPOULOS.

FOR GUATEMALA: [14]

FOR HAITI:

EDOUARD ROY

FOR HONDURAS:

E. P. LEFEBVRE

FOR ICELAND:

THOR THORS

FOR INDIA:

G. BEWOOR

FOR IRAN:

M. SHAYESTEH

FOR IRAQ:

ALI JAWDAT

FOR IRELAND:

ROBT. BRENNAN

JOHN LEYDON

JOHN J. HEARNE

T. J. O'DRISCOLL

FOR LEBANON:

C. CHAMOUN

F. EL-HOSS

¹² [Signed for El Salvador May 9, 1945.]

¹³ [Signed for Ethiopia Mar. 22, 1945.]

¹⁴ [Signed for Guatemala Jan. 30, 1945.]

FOR LIBERIA:

WALTER F WALKER

FOR LUXEMBOURG: [¹⁵]

FOR MEXICO:

PEDRO A CHAPA

FOR THE NETHERLANDS:

M. STEENBERGHE

COPES.

F. E. ARONSTEIN.

FOR THE GOVERNMENT OF NEW ZEALAND:

DANIEL GILES SULLIVAN

FOR NICARAGUA:

R. E. FRIZELL

FOR NORWAY: [¹⁶]FOR PANAMA: [¹⁷]FOR PARAGUAY: [¹⁸]

FOR PERU:

A REVOREDO

J. S. KOECHLIN

LUIS ALVARADO

F ELGUERA.

GUILLERMO VAN OORDT.

FOR THE PHILIPPINE COMMONWEALTH:

J HERNANDEZ

URBANO A. ZAFRA

J H FOLEY

FOR POLAND:

ZBYSLAW CIOLKOSZ

DR. H. J. GORECKI.

STEFAN J. KONORSKI

WITOLD A. URBANOWICZ

LUDWIK H. GOTTLIEB

FOR PORTUGAL:

MÁRIO DE FIGUEIREDO

ALFREDO DELESQUE DOS SANTOS CINTRA

DUARTE DE GUSMÃO

VASCO VIEIRA GARIN

¹⁵ [Signed for Luxembourg July 9, 1945.]¹⁶ [Signed for Norway Jan. 30, 1945.]¹⁷ [Signed for Panama May 14, 1945.]¹⁸ [Signed for Paraguay July 27, 1945.]

FOR SPAIN:

E. TERRADAS.
GERMÁN BARAIBAR

FOR SWEDEN:

R. KUMLIN

FOR SWITZERLAND:

CHARLES BRUGGMANN

FOR SYRIA:

KAHALE

FOR TURKEY:

S. KOCAK
F. SAHINBAS
ORHAN H. EROL

FOR THE UNION OF SOUTH AFRICA: [19]

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND:

SWINTON

FOR THE UNITED STATES OF AMERICA:

ADOLF A. BERLE JR.
ALFRED L. BULWINKLE
CHAS. A. WOLVERTON
F. LA GUARDIA
EDWARD WARNER
L. WELCH POGUE
WILLIAM A. M. BURDEN

FOR URUGUAY:

CARL CARBAJAL
Col. MEDARDO R. FARIAS

FOR VENEZUELA:

La Delegación de Venezuela firma *ad referendum* y deja constancia de que la aprobación de este documento por su Gobierno está sujeta a las disposiciones constitucionales de los Estados Unidos de Venezuela.

F J SUCRE J BLANCO USTÁRIZ

FOR YUGOSLAVIA:

FOR DENMARK:

HENRIK KAUFFMANN

FOR THAILAND:

M. R. SENI PRAMOJ

¹⁹ [Signed for the Union of South Africa June 4, 1945.]

Agreement between the United States of America and Iraq respecting mutual aid. Signed at Washington July 31, 1945; effective July 31, 1945. And exchange of notes.

July 31, 1945
[E. A. S. 470]

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND THE KINGDOM OF IRAQ ON THE PRINCIPLES APPLYING TO AID FOR DEFENSE

Whereas the Governments of the United States of America and the Kingdom of Iraq declare that they are engaged in a cooperative undertaking, together with every other nation or people of like mind, to the end of laying the bases of a just and enduring world peace securing order under law to themselves and all nations;

And whereas the Governments of the United States of America and the Kingdom of Iraq, as signatories of the Declaration by United Nations of January 1, 1942, have subscribed to a common program of purposes and principles embodied in the Joint Declaration made on August 14, 1941 by the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland, known as the Atlantic Charter;

55 Stat. 1600.

55 Stat. 1603.

And whereas the President of the United States of America has determined, pursuant to the Lend-Lease Act, that the defense of the Kingdom of Iraq against aggression is vital to the defense of the United States of America;

55 Stat. 31,
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

And whereas the United States of America has extended and is continuing to extend to the Kingdom of Iraq aid in resisting aggression;

And whereas it is expedient that the final determination of the terms and conditions upon which the Government of Iraq receives such aid and of the benefits to be received by the United States of America in return therefor should be deferred until the extent of the defense aid is known and until the progress of events makes clearer the final terms and conditions and benefits which will be in the mutual interests of the United States of America and the Kingdom of Iraq and will promote the establishment and maintenance of world peace;

And whereas the Governments of the United States of America and the Kingdom of Iraq are mutually desirous of concluding now a preliminary agreement in regard to the provision of defense aid and in regard to certain considerations which shall be taken into account in determining such terms and conditions and the making of such an agreement has been in all respects duly authorized, and all acts, conditions and formalities which it may have been necessary to perform, fulfill or execute prior to the making of such an agreement in conformity with the laws either of the United States of America or of

the Kingdom of Iraq have been performed, fulfilled or executed as required;

The undersigned, being duly authorized by their respective Governments for that purpose, have agreed as follows:

ARTICLE I

U. S. aid to Iraq.

The Government of the United States of America will continue to supply the Government of Iraq with such defense articles, defense services, and defense information as the President of the United States of America shall authorize to be transferred or provided.

ARTICLE II

Iraqi aid to U. S.

The Government of Iraq will continue to contribute to the defense of the United States of America and the strengthening thereof and will provide such articles, services, facilities or information as it may be in a position to supply.

ARTICLE III

Restrictions on transfer of defense articles, etc.

The Government of Iraq will not without the consent of the President of the United States of America transfer title to, or possession of, any defense article or defense information transferred to it under the Lend-Lease Act or permit the use thereof by anyone not an officer, employee, or agent of the Government of Iraq.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

ARTICLE IV

Patent rights.

If, as a result of the transfer to the Government of Iraq of any defense article or defense information, it becomes necessary for that Government to take any action or make any payment in order fully to protect any of the rights of a citizen of the United States of America who has patent rights in and to any such defense article or information, the Government of Iraq will take such action or make such payment when requested to do so by the President of the United States of America.

ARTICLE V

Return of defense articles to U. S.

The Government of Iraq will return to the United States of America at the end of the present emergency, as determined by the President of the United States of America, such defense articles transferred under this Agreement as shall not have been destroyed, lost or consumed and as shall be determined by the President to be useful in the defense of the United States of America or of the Western Hemisphere or to be otherwise of use to the United States of America.

ARTICLE VI

Full cognizance of Iraqi aid to U. S.

In the final determination of the benefits to be provided to the United States of America by the Government of Iraq full cognizance shall be taken of all property, services, information, facilities, or other benefits or considerations provided by the Government of Iraq subsequent to March 11, 1941, and accepted or acknowledged by the President on behalf of the United States of America.

ARTICLE VII

In the final determination of the benefits to be provided to the United States of America by the Government of Iraq in return for aid furnished under the Lend-Lease Act, the terms and conditions thereof shall be such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations. To that end, they shall include provision for agreed action by the United States of America and the Kingdom of Iraq, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce; to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 14, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom.

Terms and conditions of benefits.

55 Stat. 1603.

At an early convenient date, conversations shall be begun between the two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by their own agreed action and of seeking the agreed action of other like-minded Governments.

ARTICLE VIII

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Effective date; duration.

Signed and sealed at Washington in duplicate this thirty-first day of July, 1945.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

[SEAL] JOSEPH C. GREW

Acting Secretary of State of the United States of America

FOR THE GOVERNMENT OF THE KINGDOM OF IRAQ:

[SEAL] ALI JAWDAT

Envoy Extraordinary and Minister Plenipotentiary of the Kingdom of Iraq in Washington

The Acting Secretary of State to the Iraqi Envoy Extraordinary and Minister Plenipotentiary

DEPARTMENT OF STATE

WASHINGTON

July 31, 1945.

SIR:

I have the honor to refer to the conversations that have occurred between the representatives of our two Governments in connection

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

with the agreement signed at Washington on this day, between the Government of the United States of America and the Government of Iraq on the principles applying to aid under the Lend-Lease Act, and to set forth my understanding of the accord reached as to the application of certain provisions of the said agreement, as follows:

1. In general, foodstuffs and other supplies for the civilian population of Iraq shall continue to be furnished through regular commercial channels. However, such foodstuffs and other supplies as may be provided for the civilian population of Iraq under the Lend-Lease Act shall be furnished on the basis of current payment by the Iraqi Government, and other goods and services may be furnished on that basis by agreement from time to time. In the absence of special agreement, such payment shall be in United States dollars; however, by agreement between the two Governments prior to delivery payment may be made in Iraqi dinars or in goods or services. Articles obtained by the Iraqi Government in accordance with the provisions of this paragraph become the property of that Government and are therefore excluded from the provisions of Article V of the agreement.

Ante, p. 1536.

2. Such payments as may be made in Iraqi dinars shall be deposited to the credit of the Government of the United States of America in a depository in Iraq to be selected by the United States Government. These deposits may be freely drawn upon and used by the Government of the United States of America. The Government of Iraq will permit the exportation to any destination desired by the United States of America of any materials and products purchased by the United States of America with such deposits. In any transactions envisaged in this paragraph the United States Government would, of course, conform to Iraqi laws and regulations in force with respect to internal price or supply programs which are not by their nature inconsistent with the assurances of this paragraph.

Ante, pp. 1536, 1537.

3. With particular reference to Articles V and VII of the agreement, it is agreed that if substantial amounts of materials or assistance furnished or to be furnished under the Lend-Lease Act or otherwise, by any Agency of the United States Government without current payment by the Government of Iraq have been or shall be employed by either of our two Governments, during the present war, in the construction of any installations on Iraqi territory, the disposition of such installations remaining on Iraqi territory after the present war shall be governed by an agreement or agreements to which both our Governments shall be parties. Such agreement or agreements shall make appropriate provision for the future ownership and operation of the installation or installations in question, and for the payments or other benefits to be received by the Government of the United States of America on account of its contribution to their cost. The governing purpose of such agreement or agreements shall be to carry out in practice, in whatever way may then appear to be the most effective, the principles of the Joint Declaration of August 14, 1941, known as the Atlantic Charter, and in particular point Fourth thereof relating to the enjoyment by all States of access on equal terms to the trade and to the raw materials of the world. If such agreement in the

55 Stat. 1603.

case of any installation is not reached within a reasonable time after the end of the present emergency, as determined by the President of the United States of America, the Government of the United States of America may withdraw that installation, or the parts thereof which it shall have contributed, whether located on private or on public land, doing no unnecessary damage in the process, and leaving the land involved in a safe condition.

4. The other obligations of our two Governments in respect of mutual aid will be satisfied in accordance with the provisions of the agreement signed this day. It is, of course, understood that in the implementation of the agreement each Government will act in accordance with its own constitutional procedures.

Accept, Sir, the renewed assurances of my highest consideration.

JOSEPH C. GREW
Acting Secretary of State

The Honorable

ALI JAWDAT,
Minister of Iraq.

*The Iraqi Envoy Extraordinary and Minister Plenipotentiary to the
Acting Secretary of State*

ROYAL IRAQI LEGATION
WASHINGTON, D.C.

July 31, 1945.

SIR:

I have the honor to refer to the conversations that have occurred between the representatives of our two Governments in connection with the agreement signed at Washington on this day, between the Government of Iraq and the Government of the United States of America on the principles applying to aid under the Lend-Lease Act, and to set forth my understanding of the accord reached as to the application of certain provisions of the said agreement, as follows:

1. In general, foodstuffs and other supplies for the civilian population of Iraq shall continue to be furnished through regular commercial channels. However, such foodstuffs and other supplies as may be provided for the civilian population of Iraq under the Lend-Lease Act shall be furnished on the basis of current payment by the Iraqi Government, and other goods and services may be furnished on that basis by agreement from time to time. In the absence of special agreement, such payment shall be in United States dollars; however, by agreement between the two Governments prior to delivery payment may be made in Iraqi dinars or in goods or services. Articles obtained by the Iraqi Government in accordance with the provisions of this paragraph become the property of that Government and are therefore excluded from the provisions of Article V of the agreement.

2. Such payments as may be made in Iraqi dinars shall be deposited to the credit of the Government of the United States of America in a depositary in Iraq to be selected by the United States Government. These deposits may be freely drawn upon and used by the Government of the United States of America. The Government of Iraq will

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

permit the exportation to any destination desired by the United States of America of any materials and products purchased by the United States of America with such deposits. In any transactions envisaged in this paragraph the United States Government would, of course, conform to Iraqi laws and regulations in force with respect to internal price or supply programs which are not by their nature inconsistent with the assurances of this paragraph.

Ante, pp. 1536, 1537.

3. With particular reference to Articles V and VII of the agreement, it is agreed that if substantial amounts of materials or assistance furnished or to be furnished under the Lend-Lease Act or otherwise, by any Agency of the United States Government without current payment by the Government of Iraq have been or shall be employed by either of our two Governments, during the present war, in the construction of any installations on Iraqi territory, the disposition of such installations remaining on Iraqi territory after the present war shall be governed by an agreement or agreements to which both our Governments shall be parties. Such agreement or agreements shall make appropriate provision for the future ownership and operation of the installation or installations in question, and for the payments or other benefits to be received by the Government of the United States of America on account of its contribution to their cost. The governing purpose of such agreement or agreements shall be to carry out in practice, in whatever way may then appear to be the most effective, the principles of the Joint Declaration of August 14, 1941, known as the Atlantic Charter, and in particular point Fourth thereof relating to the enjoyment by all States of access on equal terms to the trade and to the raw materials of the world. If such agreement in the case of any installation is not reached within a reasonable time after the end of the present emergency, as determined by the President of the United States of America, the Government of the United States of America may withdraw that installation, or the parts thereof which it shall have contributed, whether located on private or on public land, doing no unnecessary damage in the process, and leaving the land involved in a safe condition.

55 Stat. 1603.

4. The other obligations of our two Governments in respect of mutual aid will be satisfied in accordance with the provisions of the agreement signed this day. It is, of course, understood that in the implementation of the agreement each Government will act in accordance with its own constitutional procedures.

Accept, Sir, the renewed assurances of my highest consideration.

ALI JAWDAT

*Envoy Extraordinary and Minister
Plenipotentiary*

The Honorable

JOSEPH C. GREW,

Acting Secretary of State,

Washington, D. C.

Agreement between the United States of America and Norway respecting certain problems of marine transportation and litigation. Effected by exchange of notes signed at Washington May 29, 1945; effective May 29, 1945.

May 29, 1945
[E. A. S. 471]

The Acting Secretary of State to the Norwegian Ambassador

DEPARTMENT OF STATE
WASHINGTON

May 29, 1945

EXCELLENCY:

With reference to recent communications and conversations between the Government of the United States of America and the Government of Norway in relation to the making of an agreement between the two Governments relating to certain problems of marine transportation and litigation, I have the honor to inform you that the Government of the United States of America is prepared to give effect to an agreement in the following terms:

ARTICLE 1 (1) Each contracting Government agrees to waive all claims arising out of or in connection with negligent navigation or general average in respect of any cargo or freight owned by such Government and in respect of any vessel (including naval vessel) owned by such Government against the other contracting Government or any cargo freight or vessel (including naval vessel) owned by such other Government or against any servant or agent of such other Government or in any case where such other Government represents that such claim if made would ultimately be borne by such other Government.

Waiver of claims arising from negligent navigation.

(2) Each contracting Government agrees on behalf of itself and of any organization which is owned or controlled by it and operating for its account or on its behalf to waive all claims for salvage services against the other contracting Government or against any cargo freight or vessel (including naval vessel) owned by such other Government or in any case where such other Government represents that such salvage claim if made would ultimately be borne by such other Government.

Claims for salvage services.

(3) Each contracting Government agrees to waive all claims for loss of or damage to cargo owned by such Government and arising out of the carriage thereof or for loss of or damage to any cargo or vessel owned by one contracting Government and caused by the shipment or carriage of cargo owned by the other contracting Government against such other Government or against any servant or agent of such other Government or against any vessel (including naval vessel) owned by such other Government or in any case where such other Government represents

Claims arising from loss of cargo, etc.

that the claim if made would ultimately be borne by such other Government.

Insurance claim.

(4) Each contracting Government undertakes not to make any claim in respect of any vessel or cargo insured by it to which it may be entitled by virtue of any right of subrogation either—

- (a) Directly against the other contracting Government; or
- (b) In any case where such other Government represents that such claim if made would ultimately be borne by such other Government.

Other maritime claims.

(5) Each contracting Government agrees to extend the principles of this Agreement to such other Maritime claims as may from time to time be agreed between them.

Inapplicability in certain cases.

ARTICLE 2. Where in any case claims arise which are not required to be waived by this Agreement in addition to or in conjunction with claims which are so required to be waived and it is necessary in any proceedings including proceedings for the limitation of liability that claims be marshalled or for the proper assessment of any salvage or general average that values should be estimated, the provisions of this Agreement shall not apply but claims which would otherwise be required to be waived under this Agreement shall be asserted. Any recoveries, however, shall be waived by the Government entitled to such recoveries or at the option of such Government shall be dealt with in such other way as will give effect to the purposes of this Agreement.

“Vessel owned by a contracting Government.”

ARTICLE 3 (1) For the purpose of this Agreement the expression “vessel owned by a contracting Government” includes a vessel on bareboat charter to a contracting Government or requisitioned by a contracting Government on bareboat terms or time chartered to or otherwise operated by or for, a contracting Government on terms which authorize such Government to make this Agreement effective with respect to such vessel.

Bare boat charters.

(2) In order to carry out the full intention of the provisions of Article 1 of this Agreement each contracting Government will so arrange in connection with bareboat charters to it that the owners or persons interested through such owners shall not have or assert any claims of the character specified in Article 1.

(3) Each Government represents that in no case in which a claim arises under any insurance that has been or will be effected on any ship or cargo owned by such Government, or by any wholly-owned agency or instrumentality of such Government, shall any rights that can be exercised against the other Government be subrogated to the insurers concerned insofar as the insurer's liability relates to claims which are required to be waived by this Agreement.

Right to assert sovereign immunity.

ARTICLE 4. Nothing in this Agreement shall be construed as a waiver of the right of either contracting Government in appropriate cases to assert sovereign immunity.

ARTICLE 5 (1) This Agreement shall apply in respect of all claims arising before the effective date of this Agreement but remaining unsettled at such date or which may arise during the currency of this Agreement.

Applicability.

(2) This Agreement shall remain in force until the expiration of one month from the date upon which either of the contracting Governments shall have given notice in writing of their intention to terminate it.

Duration.

I have the honor to inform you that if an Agreement in accordance with the foregoing terms is acceptable to the Government of Norway, the Agreement shall be considered by the Government of the United States of America to have been concluded and to be in effect as of the date of a corresponding note from you indicating that the Government of Norway is prepared to give effect to the Agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

JOSEPH C. GREW
Acting Secretary of State

His Excellency

WILHELM MUNTHE DE MORGENSTIERNE,
Ambassador of Norway.

The Norwegian Ambassador to the Acting Secretary of State

NORWEGIAN EMBASSY
WASHINGTON 7, D.C.

May 29, 1945.

SIR;

I have the honor to refer to your note of May 29th, 1945, proposing an agreement which the Government of the United States of America is prepared to make with the Government of Norway relating to certain problems of marine transportation and litigation.

Ante, p. 1541.

Under instructions from my Government I have the honor to inform you in reply that the Government of Norway undertakes to give effect to the agreement set forth in your note and understands that the agreement will come into force as of the date of this note, namely, May 29, 1945.

Accept, Sir, the assurances of my highest consideration.

W. MORGENSTIERNE

His Excellency

JOSEPH C. GREW,
Acting Secretary of State,
Washington, D.C.

August 8 and
October 6, 1945
[E. A. S. 472]

Agreement between the United States of America and the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics respecting the prosecution and punishment of the major war criminals of the European Axis. Signed at London August 8, 1945; effective August 8, 1945. And protocol signed at Berlin October 6, 1945.

AGREEMENT BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA, THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC, THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS FOR THE PROSECUTION AND PUNISHMENT OF THE MAJOR WAR CRIMINALS OF THE EUROPEAN AXIS.

WHEREAS the United Nations have from time to time made declarations of their intention that War Criminals shall be brought to justice;

AND WHEREAS the Moscow Declaration of the 30th October 1943 on German atrocities in Occupied Europe stated that those German Officers and men and members of the Nazi Party who have been responsible for or have taken a consenting part in atrocities and crimes will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the free Governments that will be created therein:

AND WHEREAS this Declaration was stated to be without prejudice to the case of major criminals whose offenses have no particular geographical location and who will be punished by the joint decision of the Governments of the Allies;

NOW THEREFORE the Government of the United States of America, the Provisional Government of the French Republic, the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Union of Soviet Socialist Republics (hereinafter called "the Signatories") acting in the interests of all the United Nations and by their representatives duly authorized thereto have concluded this Agreement.

Article 1.

There shall be established after consultation with the Control Council for Germany an International Military Tribunal for the trial of war criminals whose offenses have no particular geographical location whether they be accused individually or in their capacity as members of organizations or groups or in both capacities.

Article 2.

The constitution, jurisdiction and functions of the International Military Tribunal shall be those set out in the Charter annexed to this

International Military Tribunal.

Constitution, Jurisdiction, functions.

Agreement, which Charter shall form an integral part of this Agreement.

Article 3.

Each of the Signatories shall take the necessary steps to make available for the investigation of the charges and trial the major war criminals detained by them who are to be tried by the International Military Tribunal. The Signatories shall also use their best endeavors to make available for investigation of the charges against and the trial before the International Military Tribunal such of the major war criminals as are not in the territories of any of the Signatories.

Investigation.

Article 4.

Nothing in this Agreement shall prejudice the provisions established by the Moscow Declaration concerning the return of war criminals to the countries where they committed their crimes.

Article 5.

Any Government of the United Nations may adhere to this Agreement by notice given through the diplomatic channel to the Government of the United Kingdom, who shall inform the other signatory and adhering Governments of each such adherence.

Adherence to Agreement.

Article 6.

Nothing in this Agreement shall prejudice the jurisdiction or the powers of any national or occupation court established or to be established in any allied territory or in Germany for the trial of war criminals.

Article 7.

This Agreement shall come into force on the day of signature and shall remain in force for the period of one year and shall continue thereafter, subject to the right of any Signatory to give, through the diplomatic channel, one month's notice of intention to terminate it. Such termination shall not prejudice any proceedings already taken or any findings already made in pursuance of this Agreement.

Entry into force:
duration.

IN WITNESS WHEREOF the Undersigned have signed the present Agreement.

DONE in quadruplicate in London this 8th day of August 1945 each in English, French and Russian, and each text to have equal authenticity.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

ROBERT H. JACKSON

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

ROBERT FALCO

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND

JOWITT C.

FOR THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST
REPUBLICS

И. Никитченко

А. Трайнин

CHARTER OF THE INTERNATIONAL MILITARY TRIBUNAL

I. CONSTITUTION OF THE INTERNATIONAL MILITARY TRIBUNAL

Article 1.

Establishment.

In pursuance of the Agreement signed on the 8th day of August 1945 by the Government of the United States of America, the Provisional Government of the French Republic, the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Union of Soviet Socialist Republics, there shall be established an International Military Tribunal (hereinafter called "the Tribunal") for the just and prompt trial and punishment of the major war criminals of the European Axis.

Article 2.

Members.

The Tribunal shall consist of four members, each with an alternate. One member and one alternate shall be appointed by each of the Signatories. The alternates shall, so far as they are able, be present at all sessions of the Tribunal. In case of illness of any member of the Tribunal or his incapacity for some other reason to fulfill his functions, his alternate shall take his place.

Article 3.

Replacements.

Neither the Tribunal, its members nor their alternates can be challenged by the prosecution, or by the Defendants or their Counsel. Each Signatory may replace its member of the Tribunal or his alternate for reasons of health or for other good reasons, except that no replacement may take place during a Trial, other than by an alternate.

Article 4.

Quorum.

(a) The presence of all four members of the Tribunal or the alternate for any absent member shall be necessary to constitute the quorum.

Selection of President.

(b) The members of the Tribunal shall, before any trial begins, agree among themselves upon the selection from their number of a President, and the President shall hold office during that trial, or as may otherwise be agreed by a vote of not less than three members. The principle of rotation of presidency for successive trials is agreed. If, however, a session of the Tribunal takes place on the territory of one of the four Signatories, the representative of that Signatory on the Tribunal shall preside.

Majority vote.

(c) Save as aforesaid the Tribunal shall take decisions by a majority vote and in case the votes are evenly divided, the vote of the President shall be decisive: provided always that convictions and sentences shall only be imposed by affirmative votes of at least three members of the Tribunal.

Article 5.

In case of need and depending on the number of the matters to be tried, other Tribunals may be set up; and the establishment, functions, and procedure of each Tribunal shall be identical, and shall be governed by this Charter.

Other Tribunals.

II. JURISDICTION AND GENERAL PRINCIPLES

Article 6.

The Tribunal established by the Agreement referred to in Article 1 hereof for the trial and punishment of the major war criminals of the European Axis countries shall have the power to try and punish persons who, acting in the interests of the European Axis countries, whether as individuals or as members of organizations, committed any of the following crimes.

Powers of Tribunal.

The following acts, or any of them, are crimes coming within the jurisdiction of the Tribunal for which there shall be individual responsibility:

Crimes.

- (a) **CRIMES AGAINST PEACE:** namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing;
- (b) **WAR CRIMES:** namely, violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labor or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity;
- (c) **CRIMES AGAINST HUMANITY:** namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war; [1] or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated.

Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any persons in execution of such plan.

Responsibility of
leaders, organizers,
etc.

¹[The contracting governments signed a protocol at Berlin on Oct. 6, 1945 (*post*, p. 1586) which provides that this semicolon in the English text should be changed to a comma.]

Article 7.

Official position of
defendants.

The official position of defendants, whether as Heads of State or responsible officials in Government Departments, shall not be considered as freeing them from responsibility or mitigating punishment.

Article 8.

Action under orders.

The fact that the Defendant acted pursuant to order of his Government or of a superior shall not free him from responsibility, but may be considered in mitigation of punishment if the Tribunal determines that justice so requires.

Article 9.

Criminal organiza-
tions.

At the trial of any individual member of any group or organization the Tribunal may declare (in connection with any act of which the individual may be convicted) that the group or organization of which the individual was a member was a criminal organization.

After receipt of the Indictment the Tribunal shall give such notice as it thinks fit that the prosecution intends to ask the Tribunal to make such declaration and any member of the organization will be entitled to apply to the Tribunal for leave to be heard by the Tribunal upon the question of the criminal character of the organization. The Tribunal shall have power to allow or reject the application. If the application is allowed, the Tribunal may direct in what manner the applicants shall be represented and heard.

Article 10.

Individuals.

In cases where a group or organization is declared criminal by the Tribunal, the competent national authority of any Signatory shall have the right to bring individuals to trial for membership therein before national, military or occupation courts. In any such case the criminal nature of the group or organization is considered proved and shall not be questioned.

Article 11.

Punishment.

Any person convicted by the Tribunal may be charged before a national, military or occupation court, referred to in Article 10 of this Charter, with a crime other than of membership in a criminal group or organization and such court may, after convicting him, impose upon him punishment independent of and additional to the punishment imposed by the Tribunal for participation in the criminal activities of such group or organization.

Article 12.

Proceedings in ab-
sence of person.

The Tribunal shall have the right to take proceedings against a person charged with crimes set out in Article 6 of this Charter in his absence, if he has not been found or if the Tribunal, for any reason, finds it necessary, in the interests of justice, to conduct the hearing in his absence.

Article 13.

Rules of Tribunal.

The Tribunal shall draw up rules for its procedure. These rules shall not be inconsistent with the provisions of this Charter.

III. COMMITTEE FOR THE INVESTIGATION AND PROSECUTION OF
MAJOR WAR CRIMINALS*Article 14.*

Each Signatory shall appoint a Chief Prosecutor for the investigation of the charges against and the prosecution of major war criminals.

Chief Prosecutors.

The Chief Prosecutors shall act as a committee for the following purposes:

Duties of committee.

- (a) to agree upon a plan of the individual work of each of the Chief Prosecutors and his staff,
- (b) to settle the final designation of major war criminals to be tried by the Tribunal,
- (c) to approve the Indictment and the documents to be submitted therewith,
- (d) to lodge the Indictment and the accompanying documents with the Tribunal,
- (e) to draw up and recommend to the Tribunal for its approval draft rules of procedure, contemplated by Article 13 of this Charter. The Tribunal shall have power to accept, with or without amendments, or to reject, the rules so recommended.

The Committee shall act in all the above matters by a majority vote and shall appoint a Chairman as may be convenient and in accordance with the principle of rotation: provided that if there is an equal division of vote concerning the designation of a Defendant to be tried by the Tribunal, or the crimes with which he shall be charged, that proposal will be adopted which was made by the party which proposed that the particular Defendant be tried, or the particular charges be preferred against him.

Article 15.

The Chief Prosecutors shall individually, and acting in collaboration with one another, also undertake the following duties:

Duties.

- (a) investigation, collection and production before or at the Trial of all necessary evidence,
- (b) the preparation of the Indictment for approval by the Committee in accordance with paragraph (c) of Article 14 hereof,
- (c) the preliminary examination of all necessary witnesses and of the Defendants,
- (d) to act as prosecutor at the Trial,
- (e) to appoint representatives to carry out such duties as may be assigned to them,
- (f) to undertake such other matters as may appear necessary to them for the purposes of the preparation for and conduct of the Trial.

It is understood that no witness or Defendant detained by any Signatory shall be taken out of the possession of that Signatory without its assent.

IV. FAIR TRIAL FOR DEFENDANTS

Article 16.

Procedure.

In order to ensure fair trial for the Defendants, the following procedure shall be followed:

- (a) The Indictment shall include full particulars specifying in detail the charges against the Defendants. A copy of the Indictment and of all the documents lodged with the Indictment, translated into a language which he understands, shall be furnished to the Defendant at a reasonable time before the Trial.
- (b) During any preliminary examination or trial of a Defendant he shall have the right to give any explanation relevant to the charges made against him.
- (c) A preliminary examination of a Defendant and his Trial shall be conducted in, or translated into, a language which the Defendant understands.
- (d) A defendant shall have the right to conduct his own defense before the Tribunal or to have the assistance of Counsel.
- (e) A defendant shall have the right through himself or through his Counsel to present evidence at the Trial in support of his defense, and to cross-examine any witness called by the Prosecution.

V. POWERS OF THE TRIBUNAL AND CONDUCT OF THE TRIAL

Article 17.

Powers.

The Tribunal shall have the power

- (a) to summon witnesses to the Trial and to require their attendance and testimony and to put questions to them,
- (b) to interrogate any Defendant,
- (c) to require the production of documents and other evidentiary material,
- (d) to administer oaths to witnesses,
- (e) to appoint officers for the carrying out of any task designated by the Tribunal including the power to have evidence taken on commission.

Article 18.

Duties.

The Tribunal shall

- (a) confine the Trial strictly to an expeditious hearing of the issues raised by the charges,
- (b) take strict measures to prevent any action which will cause unreasonable delay, and rule out irrelevant issues and statements of any kind whatsoever,
- (c) deal summarily with any contumacy, imposing appropriate punishment, including exclusion of any Defendant or his Counsel from some or all further proceedings, but without prejudice to the determination of the charges.

Article 19.

The Tribunal shall not be bound by technical rules of evidence. It shall adopt and apply to the greatest possible extent expeditious and non-technical procedure, and shall admit any evidence which it deems to have probative value.

Evidence.

Article 20.

The Tribunal may require to be informed of the nature of any evidence before it is offered so that it may rule upon the relevance thereof.

Article 21.

The Tribunal shall not require proof of facts of common knowledge but shall take judicial notice thereof. It shall also take judicial notice of official governmental documents and reports of the United Nations, including the acts and documents of the committees set up in the various allied countries for the investigation of war crimes, and the records and findings of military or other Tribunals of any of the United Nations.

Article 22.

The permanent seat of the Tribunal shall be in Berlin. The first meetings of the members of the Tribunal and of the Chief Prosecutors shall be held at Berlin in a place to be designated by the Control Council for Germany. The first trial shall be held at Nuremberg, and any subsequent trials shall be held at such places as the Tribunal may decide.

Seat of Tribunal.

Article 23.

One or more of the Chief Prosecutors may take part in the prosecution at each Trial. The function of any Chief Prosecutor may be discharged by him personally, or by any person or persons authorized by him.

Prosecution.

The function of Counsel for a Defendant may be discharged at the Defendant's request by any Counsel professionally qualified to conduct cases before the Courts of his own country, or by any other person who may be specially authorized thereto by the Tribunal.

Article 24.

The proceedings at the Trial shall take the following course:

Trial proceedings.

- (a) The Indictment shall be read in court.
- (b) The Tribunal shall ask each Defendant whether he pleads "guilty" or "not guilty".
- (c) The prosecution shall make an opening statement.
- (d) The Tribunal shall ask the prosecution and the defense what evidence (if any) they wish to submit to the Tribunal, and the Tribunal shall rule upon the admissibility of any such evidence.
- (e) The witnesses for the Prosecution shall be examined and after that the witnesses for the Defense. Thereafter such rebutting evidence as may be held by the Tribunal to be admissible shall be called by either the Prosecution or the Defense.

- (f) The Tribunal may put any question to any witness and to any Defendant, at any time.
- (g) The Prosecution and the Defense shall interrogate and may cross-examine any witnesses and any Defendant who gives testimony.
- (h) The Defense shall address the court.
- (i) The Prosecution shall address the court.
- (j) Each Defendant may make a statement to the Tribunal.
- (k) The Tribunal shall deliver judgment and pronounce sentence.

Article 25.

Languages.

All official documents shall be produced, and all court proceedings conducted, in English, French and Russian, and in the language of the Defendant. So much of the record and of the proceedings may also be translated into the language of any country in which the Tribunal is sitting, as the Tribunal considers desirable in the interests of justice and public opinion.

VI. JUDGMENT AND SENTENCE

Article 26.

Judgment.

The judgment of the Tribunal as to the guilt or the innocence of any Defendant shall give the reasons on which it is based, and shall be final and not subject to review.

Article 27.

Punishment.

The Tribunal shall have the right to impose upon a Defendant, on conviction, death or such other punishment as shall be determined by it to be just.

Article 28.

Stolen property.

In addition to any punishment imposed by it, the Tribunal shall have the right to deprive the convicted person of any stolen property and order its delivery to the Control Council for Germany.

Article 29.

Sentences.

In case of guilt, sentences shall be carried out in accordance with the orders of the Control Council for Germany, which may at any time reduce or otherwise alter the sentences, but may not increase the severity thereof. If the Control Council for Germany, after any Defendant has been convicted and sentenced, discovers fresh evidence which, in its opinion, would found a fresh charge against him, the Council shall report accordingly to the Committee established under Article 14 hereof, for such action as they may consider proper, having regard to the interests of justice.

VII. EXPENSES

Article 30.

Expenses.

The expenses of the Tribunal and of the Trials, shall be charged by the Signatories against the funds allotted for maintenance of the Control Council for Germany.

AGREEMENT BY THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE GOVERNMENT OF THE UNITED STATES OF AMERICA, THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS FOR THE PROSECUTION AND PUNISHMENT OF THE MAJOR WAR CRIMINALS OF THE EUROPEAN AXIS.

WHEREAS the United Nations have from time to time made declarations of their intention that War Criminals shall be brought to justice;

AND WHEREAS the Moscow Declaration of the 30th October 1943 on German atrocities in Occupied Europe stated that those German officers and men and members of the Nazi Party who have been responsible for or have taken a consenting part in atrocities and crimes will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the free Governments that will be created therein;

AND WHEREAS this Declaration was stated to be without prejudice to the case of major criminals whose offences have no particular geographical location and who will be punished by the joint decision of the Governments of the Allies;

NOW THEREFORE the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America, the Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics (hereinafter called "the Signatories") acting in the interests of all the United Nations and by their representatives duly authorised thereto have concluded this Agreement.

Article 1.

There shall be established after consultation with the Control Council for Germany an International Military Tribunal for the trial of war criminals whose offences have no particular geographical location whether they be accused individually or in their capacity as members of organisations or groups or in both capacities.

Article 2.

The constitution, jurisdiction and functions of the International Military Tribunal shall be those set out in the Charter annexed to this Agreement, which Charter shall form an integral part of this Agreement.

Article 3.

Each of the Signatories shall take the necessary steps to make available for the investigation of the charges and trial the major war

criminals detained by them who are to be tried by the International Military Tribunal. The Signatories shall also use their best endeavours to make available for investigation of the charges against and the trial before the International Military Tribunal such of the major war criminals as are not in the territories of any of the Signatories.

Article 4.

Nothing in this Agreement shall prejudice the provisions established by the Moscow Declaration concerning the return of war criminals to the countries where they committed their crimes.

Article 5.

Any Government of the United Nations may adhere to this Agreement by notice given through the diplomatic channel to the Government of the United Kingdom, who shall inform the other signatory and adhering Governments of each such adherence.

Article 6.

Nothing in this Agreement shall prejudice the jurisdiction or the powers of any national or occupation court established or to be established in any allied territory or in Germany for the trial of war criminals.

Article 7.

This Agreement shall come into force on the day of signature and shall remain in force for the period of one year and shall continue thereafter, subject to the right of any Signatory to give, through the diplomatic channel, one month's notice of intention to terminate it. Such termination shall not prejudice any proceedings already taken or any findings already made in pursuance of this Agreement.

IN WITNESS WHEREOF the Undersigned have signed the present Agreement.

DONE in quadruplicate in London this 8th day of August, 1945, each in English, French and Russian, and each text to have equal authenticity.

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND

JOWITT C.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA
ROBERT H JACKSON

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC
ROBERT FALCO

FOR THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST
REPUBLICS

И. НИКИТЧЕНКО

А. ТРАЙНИН

CHARTER OF THE INTERNATIONAL MILITARY TRIBUNAL.**I. CONSTITUTION OF THE INTERNATIONAL MILITARY TRIBUNAL.***Article 1.*

In pursuance of the Agreement signed on the 8 August, 1945, by the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America, the Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics, there shall be established an International Military Tribunal (hereinafter called "the Tribunal") for the just and prompt trial and punishment of the major war criminals of the European Axis.

Article 2.

The Tribunal shall consist of four members, each with an alternate. One member and one alternate shall be appointed by each of the Signatories. The alternates shall, so far as they are able, be present at all sessions of the Tribunal. In case of illness of any member of the Tribunal or his incapacity for some other reason to fulfil his functions, his alternate shall take his place.

Article 3.

Neither the Tribunal, its members nor their alternates can be challenged by the prosecution, or by the Defendants or their Counsel. Each Signatory may replace its member of the Tribunal or his alternate for reasons of health or for other good reasons, except that no replacement may take place during a Trial, other than by an alternate.

Article 4.

- (a) The presence of all four members of the Tribunal or the alternate for any absent member shall be necessary to constitute the quorum.
- (b) The members of the Tribunal shall, before any trial begins, agree among themselves upon the selection from their number of a President, and the President shall hold office during that trial, or as may otherwise be agreed by a vote of not less than three members. The principle of rotation of presidency for successive trials is agreed. If, however, a session of the Tribunal takes place on the territory of one of the four Signatories, the representative of that Signatory on the Tribunal shall preside.
- (c) Save as aforesaid the Tribunal shall take decisions by a majority vote and in case the votes are evenly divided, the vote of the President shall be decisive: provided always that convictions and sentences shall only be imposed by affirmative votes of at least three members of the Tribunal.

Article 5.

In case of need and depending on the number of the matters to be tried, other Tribunals may be set up; and the establishment, functions, and procedure of each Tribunal shall be identical, and shall be governed by this Charter.

II. JURISDICTION AND GENERAL PRINCIPLES.

Article 6.

The Tribunal established by the Agreement referred to in Article 1 hereof for the trial and punishment of the major war criminals of the European Axis countries shall have the power to try and punish persons who, acting in the interests of the European Axis countries, whether as individuals or as members of organisations, committed any of the following crimes.

The following acts, or any of them, are crimes coming within the jurisdiction of the Tribunal for which there shall be individual responsibility:

- (a) **CRIMES AGAINST PEACE:** namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing;
- (b) **WAR CRIMES:** namely, violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity;
- (c) **CRIMES AGAINST HUMANITY:** namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war; [1] or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated.

Leaders, organisers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any persons in execution of such plan.

Article 7.

The official position of defendants, whether as Heads of State or responsible officials in Government Departments, shall not be considered as freeing them from responsibility or mitigating punishment.

¹[The contracting governments signed a protocol at Berlin on Oct. 6, 1945 (*post*, p. 1586) which provides that this semicolon in the English text should be changed to a comma.]

Article 8.

The fact that the Defendant acted pursuant to order of his Government or of a superior shall not free him from responsibility, but may be considered in mitigation of punishment if the Tribunal determines that justice so requires.

Article 9.

At the trial of any individual member of any group or organisation the Tribunal may declare (in connection with any act of which the individual may be convicted) that the group or organisation of which the individual was a member was a criminal organisation.

After receipt of the Indictment the Tribunal shall give such notice as it thinks fit that the prosecution intends to ask the Tribunal to make such declaration and any member of the organisation will be entitled to apply to the Tribunal for leave to be heard by the Tribunal upon the question of the criminal character of the organisation. The Tribunal shall have power to allow or reject the application. If the application is allowed, the Tribunal may direct in what manner the applicants shall be represented and heard.

Article 10.

In cases where a group or organisation is declared criminal by the Tribunal, the competent national authority of any Signatory shall have the right to bring individuals to trial for membership therein before national, military or occupation courts. In any such case the criminal nature of the group or organisation is considered proved and shall not be questioned.

Article 11.

Any person convicted by the Tribunal may be charged before a national, military or occupation court, referred to in Article 10 of this Charter, with a crime other than of membership in a criminal group or organisation and such court may, after convicting him, impose upon him punishment independent of and additional to the punishment imposed by the Tribunal for participation in the criminal activities of such group or organisation.

Article 12.

The Tribunal shall have the right to take proceedings against a person charged with crimes set out in Article 6 of this Charter in his absence, if he has not been found or if the Tribunal, for any reason, finds it necessary, in the interests of justice, to conduct the hearing in his absence.

Article 13.

The Tribunal shall draw up rules for its procedure. These rules shall not be inconsistent with the provisions of this Charter.

III. COMMITTEE FOR THE INVESTIGATION AND PROSECUTION OF MAJOR WAR CRIMINALS.

Article 14.

Each Signatory shall appoint a Chief Prosecutor for the investigation of the charges against and the prosecution of major war criminals.

The Chief Prosecutors shall act as a committee for the following purposes:

- (a) to agree upon a plan of the individual work of each of the Chief Prosecutors and his staff,
- (b) to settle the final designation of major war criminals to be tried by the Tribunal,
- (c) to approve the Indictment and the documents to be submitted therewith,
- (d) to lodge the Indictment and the accompanying documents with the Tribunal,
- (e) to draw up and recommend to the Tribunal for its approval draft rules of procedure, contemplated by Article 13 of this Charter. The Tribunal shall have power to accept, with or without amendments, or to reject, the rules so recommended.

The Committee shall act in all the above matters by a majority vote and shall appoint a Chairman as may be convenient and in accordance with the principle of rotation: provided that if there is an equal division of vote concerning the designation of a Defendant to be tried by the Tribunal, or the crimes with which he shall be charged, that proposal will be adopted which was made by the party which proposed that the particular Defendant be tried, or the particular charges be preferred against him.

Article 15.

The Chief Prosecutors shall individually, and acting in collaboration with one another, also undertake the following duties:

- (a) investigation collection and production before or at the Trial of all necessary evidence,
- (b) the preparation of the Indictment for approval by the Committee in accordance with paragraph (c) of Article 14 hereof,
- (c) the preliminary examination of all necessary witnesses and of the Defendants,
- (d) to act as prosecutor at the Trial,
- (e) to appoint representatives to carry out such duties as may be assigned to them,
- (f) to undertake such other matters as may appear necessary to them for the purposes of the preparation for and conduct of the Trial.

It is understood that no witness or Defendant detained by any Signatory shall be taken out of the possession of that Signatory without its assent.

IV. FAIR TRIAL FOR DEFENDANTS.

Article 16.

In order to ensure fair trial for the Defendants, the following procedure shall be followed:

- (a) The Indictment shall include full particulars specifying in detail the charges against the Defendants. A copy of the Indictment and of all the documents lodged with the Indictment, translated into a language which he understands, shall be furnished to the Defendant at a reasonable time before the Trial.
- (b) During any preliminary examination or trial of a Defendant he shall have the right to give any explanation relevant to the charges made against him.
- (c) A preliminary examination of a Defendant and his Trial shall be conducted in, or translated into, a language which the Defendant understands.
- (d) A defendant shall have the right to conduct his own defence before the Tribunal or to have the assistance of Council.
- (e) A defendant shall have the right through himself or through his Council to present evidence at the Trial in support of his defence, and to cross-examine any witness called by the Prosecution.

V. POWERS OF THE TRIBUNAL AND CONDUCT OF THE TRIAL.

Article 17.

The Tribunal shall have the power

- (a) to summon witnesses to the Trial and to require their attendance and testimony and to put questions to them,
- (b) to interrogate any Defendant,
- (c) to require the production of documents and other evidentiary material,
- (d) to administer oaths to witnesses;
- (e) to appoint officers for the carrying out of any task designated by the Tribunal including the power to have evidence taken on commission.

Article 18.

The Tribunal shall

- (a) confine the Trial strictly to an expeditious hearing of the issues raised by the charges,
- (b) take strict measures to prevent any action which will cause unreasonable delay, and rule out irrelevant issues and statements of any kind whatsoever,
- (c) deal summarily with any contumacy, imposing appropriate punishment, including exclusion of any Defendant or his Counsel from some or all further proceedings, but without prejudice to the determination of the charges.

Article 19.

The Tribunal shall not be bound by technical rules of evidence. It shall adopt and apply to the greatest possible extent expeditious and non-technical procedure, and shall admit any evidence which it deems to have probative value.

Article 20.

The Tribunal may require to be informed of the nature of any evidence before it is offered so that it may rule upon the relevance thereof.

Article 21.

The Tribunal shall not require proof of facts of common knowledge but shall take judicial notice thereof. It shall also take judicial notice of official governmental documents and reports of the United Nations, including the acts and documents of the committees set up in the various allied countries for the investigation of war crimes, and the records and findings of military or other Tribunals of any of the United Nations.

Article 22.

The permanent seat of the Tribunal shall be in Berlin. The first meetings of the members of the Tribunal and of the Chief Prosecutors shall be held at Berlin in a place to be designated by the Control Council for Germany. The first trial shall be held at Nuremberg, and any subsequent trials shall be held at such places as the Tribunal may decide.

Article 23.

One or more of the Chief Prosecutors may take part in the prosecution at each Trial. The function of any Chief Prosecutor may be discharged by him personally, or by any person or persons authorised by him.

The function of Counsel for a Defendant may be discharged at the Defendant's request by any Counsel professionally qualified to conduct cases before the Courts of his own country, or by any other person who may be specially authorised thereto by the Tribunal.

Article 24.

The proceedings at the Trial shall take the following course:

- (a) The Indictment shall be read in court.
- (b) The Tribunal shall ask each Defendant whether he pleads "guilty" or "not guilty".
- (c) The prosecution shall make an opening statement.
- (d) The Tribunal shall ask the prosecution and the defence what evidence (if any) they wish to submit to the Tribunal, and the Tribunal shall rule upon the admissibility of any such evidence.
- (e) The witnesses for the Prosecution shall be examined and after that the witnesses for the Defence. Thereafter such rebutting evidence as may be held by the Tribunal to be admissible shall be called by either the Prosecution or the Defence.
- (f) The Tribunal may put any question to any witness and to any Defendant, at any time.
- (g) The Prosecution and the Defence shall interrogate and may cross-examine any witnesses and any Defendant who gives testimony.

- (h) The Defence shall address the court.
- (i) The Prosecution shall address the court.
- (j) Each Defendant may make a statement to the Tribunal.
- (k) The Tribunal shall deliver judgment and pronounce sentence.

Article 25.

All official documents shall be produced, and all court proceedings conducted, in English, French and Russian, and in the language of the Defendant. So much of the record and of the proceedings may also be translated into the language of any country in which the Tribunal is sitting, as the Tribunal considers desirable in the interests of justice and public opinion.

VI. JUDGMENT AND SENTENCE.

Article 26.

The judgment of the Tribunal as to the guilt or the innocence of any Defendant shall give the reasons on which it is based, and shall be final and not subject to review.

Article 27.

The Tribunal shall have the right to impose upon a Defendant, on conviction, death or such other punishment as shall be determined by it to be just.

Article 28.

In addition to any punishment imposed by it, the Tribunal shall have the right to deprive the convicted person of any stolen property and order its delivery to the Control Council for Germany.

Article 29.

In case of guilt, sentences shall be carried out in accordance with the orders of the Control Council for Germany, which may at any time reduce or otherwise alter the sentences, but may not increase the severity thereof. If the Control Council for Germany, after any Defendant has been convicted and sentenced, discovers fresh evidence which, in its opinion, would found a fresh charge against him, the Council shall report accordingly to the Committee established under Article 14 hereof for such action as they may consider proper, having regard to the interests of justice.

VII. EXPENSES.

Article 30.

The expenses of the Tribunal and of the Trials, shall be charged by the Signatories against the funds allotted for maintenance of the Control Council for Germany.

ACCORD entre le Gouvernement Provisoire de la République Française et les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni de Grande Bretagne et de l'Irlande du Nord, et de l'Union des Républiques Socialistes Soviétiques concernant la poursuite et le châtement des grands criminels de guerre des Puissances Européennes de l'Axe.

CONSIDERANT que les Nations Unies ont, à diverses reprises, proclamé leur intention de traduire en justice les criminels de guerre,

CONSIDERANT que la Déclaration publiée à Moscou le 30 octobre 1943 sur les atrocités allemandes en Europe occupée a spécifié que les officiers et soldats allemands et les membres du parti nazi qui sont responsables d'atrocités et de crimes, ou qui ont pris volontairement part à leur accomplissement, seront renvoyés dans les pays où leurs forfaits abominables ont été perpétrés, afin qu'ils puissent être jugés et punis conformément aux lois de ces pays libérés et des Gouvernements libres qui y seront établis;

CONSIDERANT que cette Déclaration était faite sous réserve du cas des grands criminels, dont les crimes sont sans localisation géographique précise et qui seront punis par une décision commune des gouvernements alliés;

EN CONSEQUENCE, le Gouvernement Provisoire de la République Française et les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni de Grande Bretagne et de l'Irlande du Nord, et de l'Union des Républiques Socialistes Soviétiques (dénommés ci-après "les Signataires"), agissant dans l'intérêt de toutes les Nations Unies, ont, par leurs Représentants dûment autorisés, conclu le présent Accord:

1. Un Tribunal Militaire International sera établi, après consultation avec le Conseil de Contrôle en Allemagne, pour juger les criminels de guerre dont les crimes sont sans localisation géographique précise, qu'ils soient accusés individuellement, ou à titre de membres d'organisations ou de groupes, ou à ce double titre.

2. La constitution, la juridiction et les fonctions du Tribunal Militaire International sont prévus dans le statut annexé au présent Accord, ce statut formant partie intégrale de l'Accord.

3. Chaque Signataire prendra les mesures nécessaires pour assurer la présence aux enquêtes, et au procès, des grands criminels de guerre qu'il détient et qui devront être jugés par le Tribunal Militaire International. Les Signataires devront également employer tous leurs efforts pour assurer la présence aux enquêtes et au procès devant le Tribunal Militaire International de ceux des grands criminels qui ne se trouvent pas sur le territoire de l'un des Signataires.

4. Aucune disposition du présent Accord ne porte atteinte aux principes fixés par la Déclaration de Moscou en ce qui concerne le

renvoi des criminels de guerre dans les pays où ils ont commis leurs crimes.

5. Tous les Gouvernements des Nations Unies peuvent adhérer à cet Accord par avis donné par voie diplomatique au Gouvernement du Royaume-Uni, lequel notifiera chaque adhésion aux autres gouvernements signataires et adhérents.

6. Aucune disposition du présent Accord ne porte atteinte à la juridiction ou à la compétence des tribunaux nationaux ou des tribunaux d'occupation déjà établis, ou qui seront créés, dans les territoires alliés ou en Allemagne pour juger les criminels de guerre.

7. Cet Accord entrera en vigueur au jour de la signature; il restera en vigueur pendant une période d'un an et portera ensuite effet, sous réserve du droit de tout Signataire d'indiquer par la voie diplomatique, avec un préavis d'un mois, son intention d'y mettre fin. Cette résiliation ne portera pas atteinte aux mesures déjà prises ni aux décisions déjà rendues, en exécution du présent Accord.

EN FOI DE QUOI les Soussignés ont signé le présent Accord.

ETABLI en quatre exemplaires à Londres ce 8^{ème} jour du mois d'août 1945 en français, anglais et russe, chacun des textes étant un texte authentique.

POUR LE GOUVERNEMENT PROVISOIRE DE LA RÉPUBLIQUE
FRANÇAISE

ROBERT FALCO

POUR LE GOUVERNEMENT DES ETATS-UNIS D'AMÉRIQUE

ROBERT H JACKSON

POUR LE GOUVERNEMENT DU ROYAUME-UNI DE GRANDE-BRE-
TAGNE ET DE L'IRLANDE DU NORD

JOWITT C.

POUR LE GOUVERNEMENT DE L'UNION DES RÉPUBLIQUES SO-
CIALISTES SOVIÉTIQUES

И. Никитченко

А. Трайнин

STATUT
du Tribunal Militaire International.

I. CONSTITUTION DU TRIBUNAL MILITAIRE INTERNATIONAL.

Article 1.

En exécution de l'accord signé le 8 Août 1945 par le Gouvernement Provisoire de la République Française et les Gouvernements des Etats-Unis d'Amérique, du Royaume Uni de Grande Bretagne et de l'Irlande du Nord, et de l'Union des Républiques Socialistes Soviétiques, un Tribunal Militaire International (dénommé ci-après "le Tribunal") sera créé pour juger et punir, de façon appropriée et sans délai, les grands criminels de guerre des pays européens de l'Axe.

Article 2.

Le Tribunal sera composé de quatre juges, assistés chacun d'un suppléant. Chacune des puissances signataires désignera un juge et un juge suppléant. Les suppléants devront, dans la mesure du possible, assister à toutes les séances du Tribunal. En cas de maladie d'un membre du Tribunal, ou si, pour toute autre raison, il n'est pas en mesure de remplir ses fonctions, son suppléant siégera à sa place.

Article 3.

Ni le Tribunal, ni ses membres, ni leurs suppléants ne pourront être récusés par le Ministère Public, par les accusés, ou par les défenseurs. Chaque puissance signataire pourra remplacer le juge ou le suppléant désignés par elle, pour raisons de santé ou pour tout autre motif valable, mais aucun remplacement, autre que par un suppléant, ne devra être effectué pendant le cours d'un procès.

Article 4.

a) La présence des quatre membres du Tribunal ou, en l'absence de l'un d'eux, de son suppléant, sera nécessaire pour constituer le quorum.

b) Avant l'ouverture de tout procès, les membres du Tribunal s'entendront pour désigner l'un d'entre eux comme président, et le président remplira ses fonctions pendant toute la durée du procès, à moins qu'il n'en soit décidé autrement par un vote réunissant au moins trois voix. La présidence sera assurée à tour de rôle par chaque membre du Tribunal pour les procès successifs. Cependant, au cas où le Tribunal siégerait sur le territoire de l'une des quatre puissances signataires, le représentant de cette puissance assumera la présidence.

c) Sous réserve des dispositions précédentes, le Tribunal prendra ses décisions à la majorité des voix, en cas de partage égal des voix, celle du Président sera prépondérante: étant entendu toutefois que les jugements et les peines ne seront prononcés que par un vote d'au moins trois membres du Tribunal.

Article 5.

En cas de nécessité et selon le nombre de procès à juger, d'autres Tribunaux pourront être créés; la composition, la compétence et la procédure de chacun de ces tribunaux seront identiques et seront réglées par le présent Statut.

II. JURIDICTION ET PRINCIPES GÉNÉRAUX.

Article 6.

Le Tribunal établi par l'Accord mentionné à l'article 1. ci-dessus pour le jugement et le châtement des grands criminels de guerre des pays européens de l'Axe sera compétent pour juger et punir toutes personnes qui, agissant pour le compte des pays européens de l'Axe, auront commis, individuellement ou à titre de membres d'organisations, l'un quelconque des crimes suivants.

Les actes suivants, ou l'un quelconque d'entre eux, sont des crimes soumis à la juridiction du Tribunal et entraînent une responsabilité individuelle:

- a) LES CRIMES CONTRE LA PAIX: c'est à dire la direction, la préparation, le déclenchement ou la poursuite d'une guerre d'agression, ou d'une guerre en violation des traités, assurances ou accords internationaux, ou la participation à un plan concerté ou à un complot pour l'accomplissement de l'un quelconque des actes qui précèdent;
- b) LES CRIMES DE GUERRE: c'est à dire les violations des lois et coutumes de la guerre. Ces violations comprennent, sans y être limitées, l'assassinat, les mauvais traitements et la déportation pour des travaux forcés, ou pour tout autre but, des populations civiles dans les territoires occupés, l'assassinat ou les mauvais traitements de prisonniers de guerre ou des personnes en mer, l'exécution des otages, le pillage des biens publics ou privés, la destruction sans motif des villes et des villages, ou la dévastation que ne justifient pas les exigences militaires;
- c) LES CRIMES CONTRE L'HUMANITE: c'est à dire l'assassinat, l'extermination, la réduction en esclavage, la déportation, et tout autre acte inhumain commis contre toutes populations civiles, avant ou pendant la guerre; ou bien les persécutions pour des motifs politiques, raciaux ou religieux, commises à la suite de tout crime rentrant dans la compétence du Tribunal International ou s'y rattachant, que ces persécutions aient constitué ou non une violation du droit interne du pays où elles ont été perpétrées. [1]

¹[The contracting governments signed a protocol at Berlin on Oct. 6, 1945 (*post*, p. 1586) which provides that this part of the French text should be amended to read as follows:

(c) LES CRIMES CONTRE L'HUMANITE: c'est à dire l'assassinat, l'extermination, la réduction en esclavage, la déportation, et tout autre acte inhumain commis contre toutes populations civiles, avant ou pendant la guerre, ou bien les persécutions pour des motifs politiques raciaux ou religieux, lorsque ces actes ou persécutions, qu'ils aient constitué ou non une violation du droit interne du pays où ils ont été perpétrés, ont été commis à la suite de tout crime rentrant dans la compétence du Tribunal, ou en liaison avec ce crime.]

Les dirigeants, organisateurs, provocateurs ou complices qui ont pris part à l'élaboration ou à l'exécution d'un plan concerté ou d'un complot pour commettre l'un quelconque des crimes ci-dessus définis sont responsables de tous les actes accomplis par toutes personnes, en exécution de ce plan.

Article 7.

La situation officielle des accusés, soit comme chefs d'Etat, soit comme hauts fonctionnaires, ne sera considérée ni comme une excuse absolutoire ni comme un motif de diminution de la peine.

Article 8.

Le fait que l'accusé a agi conformément aux instructions de son gouvernement ou d'un supérieur hiérarchique ne le dégagera pas de sa responsabilité, mais pourra être considéré comme un motif de diminution de la peine, si le Tribunal décide que la justice l'exige.

Article 9.

Lors d'un procès intenté contre tout membre d'un groupe ou d'une organisation quelconques, le Tribunal pourra déclarer (à l'occasion de tout acte dont cet individu pourrait être reconnu coupable) que le groupe, ou l'organisation à laquelle il appartenait était une organisation criminelle.

Après avoir reçu l'acte d'accusation, le Tribunal devra faire connaître, de la manière qu'il jugera opportune, que le Ministère Public a l'intention de demander au Tribunal de faire une déclaration en ce sens et tout membre de l'organisation aura le droit de demander au Tribunal à être entendu par celui-ci sur la question du caractère criminel de l'organisation. Le Tribunal aura compétence pour accéder à cette demande ou la rejeter. En cas d'admission de la demande, le Tribunal pourra fixer le mode selon lequel les requérants seront représentés et entendus.

Article 10.

Dans tous les cas où le Tribunal aura proclamé le caractère criminel d'un groupe ou d'une organisation, les autorités compétentes de chaque signataire auront le droit de traduire tout individu devant les tribunaux nationaux, militaires, ou d'occupation, en raison de son affiliation à ce groupe ou à cette organisation. Dans cette hypothèse, le caractère criminel du groupe ou de l'organisation sera considéré comme établi et ne pourra plus être contesté.

Article 11.

Toute personne condamnée par le Tribunal International pourra être inculpée devant un Tribunal national, militaire, ou d'occupation, mentionnés à l'article 10 ci-dessus, d'un crime autre que son affiliation à une organisation ou à un groupe criminels, et le Tribunal saisi pourra, après l'avoir reconnu coupable, lui infliger une peine supplémentaire et indépendante de celle déjà imposée par le Tribunal International pour sa participation aux activités criminelles de ce groupe ou de cette organisation.

Article 12.

Le Tribunal sera compétent pour juger en son absence tout accusé, ayant à répondre des crimes prévus par l'article 6 du présent Statut, soit que cet accusé n'ait pu être découvert, soit que le Tribunal l'estime nécessaire pour toute autre raison dans l'intérêt de la justice.

Article 13.

Le Tribunal établira les règles de sa procédure. Ces règles ne devront en aucun cas être incompatibles avec les dispositions du présent Statut.

III. COMMISSION D'INSTRUCTION ET DE POURSUITE DES GRANDS CRIMINELS DE GUERRE.

Article 14.

Chaque signataire nommera un représentant du Ministère Public, en vue de recueillir les charges et d'exercer la poursuite contre les grands criminels de guerre.

Les représentants du Ministère Public formeront une commission aux fins suivantes:

- a) décider d'un plan de travail individuel de chaque représentant du Ministère Public et de son personnel;
 - b) désigner en dernier ressort les grands criminels de guerre qui devront être traduits devant le Tribunal;
 - c) approuver l'acte d'accusation et les documents annexes;
 - d) saisir le Tribunal de l'acte d'accusation et des documents joints;
 - e) rédiger et recommander à l'approbation du Tribunal les projets de règles de procédure prévus par l'article 13 du présent Statut.
- Le Tribunal sera compétent pour accepter, avec ou sans amendements, ou pour rejeter les règles qui lui seront proposées.

La Commission devra se prononcer sur tous les points ci-dessus spécifiés par un vote émis à la majorité et désignera un président en cas de besoin, en observant le principe du roulement; il est entendu que, en cas de partage égal de voix en ce qui concerne la désignation d'un accusé à traduire devant le Tribunal ou les crimes dont il sera accusé, sera adoptée la proposition du Ministère Public qui a demandé que cet accusé soit traduit devant le Tribunal ou qui a soumis les chefs d'accusation contre lui.

Article 15.

Les membres du Ministère Public, agissant individuellement et en collaboration les uns avec les autres, auront également les fonctions suivantes:

- a) recherche, réunion et présentation de toutes les preuves nécessaires, avant et au cours du procès;
- b) préparation de l'acte d'accusation en vue de son approbation par la Commission, conformément au paragraphe (c) de l'article 14;
- c) interrogatoire préliminaire de tous les témoins jugés nécessaires et des accusés;

- d) exercice des fonctions du Ministère Public au procès;
- d) désignation de représentants pour exercer telles fonctions qui pourront leur être assignées;
- f) poursuite de toute autre activité qui pourra leur apparaître nécessaire en vue de la préparation et de la conduite du procès.

Il est entendu qu'aucun témoin ou accusé détenu par l'un des signataires ne pourra être retiré de sa garde sans son consentement.

IV. PROCÈS ÉQUITABLE DES ACCUSÉS.

Article 16.

Afin d'assurer que les accusés soient jugés avec équité, la procédure suivante sera adoptée:

- a) l'acte d'accusation comportera les éléments complets spécifiant en détail les charges relevées à l'encontre des accusés. Une copie de l'acte d'accusation et de tous les documents annexes, traduits dans une langue qu'il comprend, sera remise à l'accusé dans un délai raisonnable avant le jugement;
- b) au cours de tout interrogatoire préliminaire ou du procès d'un accusé, celui-ci aura le droit de donner toutes explications se rapportant aux charges relevées contre lui;
- c) les interrogatoires préliminaires et le procès des accusés devront être conduits dans une langue que l'accusé comprend ou traduits dans cette langue;
- d) les accusés auront le droit d'assurer eux-mêmes leur défense devant le Tribunal, ou de se faire assister d'un avocat.
- e) les accusés auront le droit d'apporter, au cours du procès, soit personnellement, soit par l'intermédiaire de leur avocat, toutes preuves à l'appui de leur défense, et de poser des questions à tous les témoins produits par l'accusation.

V. COMPÉTENCE DU TRIBUNAL ET CONDUITE DES DÉBATS.

Article 17.

Le Tribunal sera compétent:

- a) pour convoquer les témoins au procès, requérir leur présence et leur témoignage, et les interroger;
- b) pour interroger les accusés;
- c) pour requérir la production de documents et d'autres moyens de preuve;
- d) pour faire prêter serment aux témoins;
- e) pour nommer des mandataires officiels pour remplir toute mission qui sera fixée par le Tribunal, et notamment pour faire recueillir des preuves par délégation

Article 18.

Le Tribunal devra:

- a) limiter strictement le procès à un examen rapide des questions soulevées par les charges;

- b) prendre des mesures strictes pour éviter toute action qui entraînerait un retard non justifié, et écarter toutes questions et déclarations étrangères au procès de quelque nature qu'elles soient;
- c) agir sommairement en ce qui concerne les perturbateurs en leur infligeant une juste sanction, y compris l'exclusion d'un accusé ou de son défenseur de certaines phases de la procédure ou de toutes les phases ultérieures, mais sans que cela empêche de décider sur les charges.

Article 19.

Le Tribunal ne sera pas lié par les règles techniques relatives à l'administration des preuves. Il adoptera et appliquera autant que possible une procédure rapide et non formaliste et admettra tout moyen qu'il estimera avoir une valeur probante.

Article 20.

Le Tribunal pourra exiger d'être informé du caractère de tout moyen de preuve avant qu'il ne soit présenté, afin de pouvoir statuer sur sa pertinence.

Article 21.

Le Tribunal n'exigera pas que soit rapportée la preuve de faits de notoriété publique mais les tiendra pour acquis. Il considérera également comme preuves authentiques les documents et rapports officiels des Gouvernements des Nations Unies y compris ceux dressés par les Commissions établies dans les divers pays alliés pour les enquêtes sur les crimes de guerre, ainsi que les procès-verbaux des audiences et les décisions des tribunaux militaires ou autres tribunaux de l'une quelconque des Nations Unies.

Article 22.

Le siège permanent du Tribunal sera à Berlin. La première réunion des membres du Tribunal, ainsi que celle des représentants du Ministère Public, se tiendra à Berlin, en un lieu qui sera fixé par le Conseil de Contrôle en Allemagne. Le premier procès se déroulera à Nuremberg et tous procès ultérieurs auront lieu aux endroits choisis par le Tribunal.

Article 23.

Un ou plusieurs représentants du Ministère Public pourront soutenir l'accusation dans chaque procès. Chaque représentant du Ministère Public pourra remplir ses fonctions personnellement ou autoriser toute personne à les remplir.

Les fonctions de défenseur peuvent être remplies sur la demande de l'accusé par tout avocat régulièrement qualifié pour plaider dans son propre pays ou par toute autre personne spécialement autorisée à cet effet par le Tribunal.

Article 24.

Le procès se déroulera dans l'ordre suivant:

- a) l'acte d'accusation sera lu à l'audience;
- b) le Tribunal demandera à chaque accusé s'il plaide "coupable" ou non;
- c) Le Ministère Public fera une déclaration préliminaire;
- d) le Tribunal demandera à l'accusation et à la défense quelles preuves elles entendent soumettre au Tribunal et se prononcera sur l'admissibilité de ces preuves;
- e) les témoins produits par l'accusation seront entendus et il sera procédé ensuite à l'audition des témoins de la défense. Après quoi, tout moyen de réfutation qui sera admis par le Tribunal sera produit par l'accusation ou par la défense;
- f) le Tribunal pourra poser toute question qu'il jugera utile, à tout témoin, à tout accusé, et à tout moment;
- g) l'accusation et la défense pourront interroger tout témoin et tout accusé qui porte témoignage;
- h) la défense plaidera;
- i) le Ministère Public soutiendra l'accusation;
- j) chaque accusé pourra faire une déclaration au Tribunal;
- k) le Tribunal rendra son jugement et fixera la peine.

Article 25.

Tous les documents officiels seront produits et toute la procédure sera conduite devant la cour en français, en anglais, en russe et dans la langue de l'accusé. Le compte-rendu des débats pourra aussi être traduit dans la langue du pays où siègera le Tribunal, dans la mesure où celui-ci le considérera désirable dans l'intérêt de la justice et pour éclairer l'opinion publique.

VI. JUGEMENT ET PEINE.

Article 26.

La décision du Tribunal relative à la culpabilité ou à l'innocence de tout accusé devra être motivée et sera définitive et non susceptible de révision.

Article 27.

Le Tribunal pourra prononcer contre les accusés convaincus de culpabilité la peine de mort ou tout autre châtiment qu'il estimera être juste.

Article 28.

En plus de toute peine qu'il aura infligée, le Tribunal aura le droit d'ordonner à l'encontre du condamné la confiscation de tous biens volés et leur remise au Conseil de Contrôle en Allemagne.

Article 29.

En cas de culpabilité, les décisions seront exécutées conformément aux ordres du Conseil de Contrôle en Allemagne et ce dernier aura

le droit, à tout moment, de réduire ou de modifier d'autre manière les décisions, sans toutefois pouvoir en aggraver la sévérité. Si, après qu'un accusé a été reconnu coupable et condamné, le Conseil de Contrôle en Allemagne découvre de nouvelles preuves qu'il juge de nature à constituer une charge nouvelle contre l'accusé, il en informera la Commission prévue par l'article 14 du présent Statut, afin que celle-ci prenne telle mesure qu'elle estimera appropriée dans l'intérêt de la justice.

VII. DÉPENSES.

Les dépenses du Tribunal et les frais de procès seront imputés par les signataires sur les fonds affectés au Conseil de Contrôle en Allemagne.

СОГЛАШЕНИЕ

МЕЖДУ ПРАВИТЕЛЬСТВАМИ СОЮЗА СОВЕТСКИХ СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК, СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ И СОЕДИНЕННОГО КОРОЛЕВСТВА ВЕЛИКОБРИТАНИИ И СЕВЕРНОЙ ИРЛАНДИИ И ВРЕМЕННОМ ПРАВИТЕЛЬСТВОМ ФРАНЦУЗСКОЙ РЕСПУБЛИКИ
О СУДЕБНОМ ПРЕСЛЕДОВАНИИ И НАКАЗАНИИ ГЛАВНЫХ ВОЕННЫХ ПРЕСТУПНИКОВ ЕВРОПЕЙСКИХ СТРАН ОСИ.

Принимая во внимание, что Об'единенные Нации неоднократно заявляли о своем намерении совершить правосудие над военными преступниками;

И принимая во внимание, что в Московской Декларации от 30 октября 1943 года об ответственности гитлеровцев за совершаемые зверства было заявлено, что те германские офицеры и солдаты и члены нацистской партии, которые были ответственны за зверства и преступления или добровольно принимали в них участие, будут отосланы в страны, в которых были совершены их отвратительные действия, для того, чтобы они могли быть судимы и наказаны в соответствии с законами этих освобожденных стран и свободных правительств, которые будут там созданы;

И принимая во внимание, что было заявлено, что эта Декларация не затрагивает вопроса о главных преступниках, преступления которых не связаны с определенным географическим местом, и которые будут наказаны совместным решением правительств союзников;

В настоящее время Правительства Союза Советских Социалистических Республик, Соединенных Штатов Америки и Соединенного Королевства Великобритании и Северной Ирландии и Временное Правительство Французской Республики (в дальнейшем именуемые "Подписавшимися Сторонами"), действуя в интересах всех Об'единенных Наций и в лице своих должных образом уполномочен-

2.

ных представителей, заключили нижеследующее соглашение.

Статья 1.

Учредить после консультации с Контрольным Советом в Германии Международный Военный Трибунал для суда над военными преступниками, преступления которых не связаны с определенным географическим местом, независимо от того, будут ли они обвиняться индивидуально, или в качестве членов организаций или групп, или в том и другом качестве.

Статья 2.

Организация, юрисдикция и функции Международного Военного Трибунала определяются в прилагаемом к настоящему Соглашению Уставе, который составляет неотъемлемую часть этого Соглашения.

Статья 3.

Каждая из Подписавшихся Сторон предпримет необходимые меры, чтобы предоставить для расследования обвинений и суда главных военных преступников, содержащихся у них под стражей и подлежащих суду Международного Военного Трибунала. Подписавшиеся Стороны также предпримут максимальные усилия, чтобы предоставить для расследования обвинений и суда Международного Военного Трибунала тех главных военных преступников, которые не находятся на территории какой-либо из Подписавшихся Сторон.

Статья 4.

Ничто в настоящем Соглашении не умаляет установленных Московской Декларацией положений о возвращении военных преступников в страны, где ими были совершены преступления.

Статья 5.

Любое из Правительств Объединенных Наций может присоединиться к настоящему Соглашению, оповестив дипломатическим путем Правительство Соединенного Королевства, которое в как-

дом отдельном случае сообщит об этом другим Подписавшимся и Присоединившимся правительствам.

Статья 6.

Ничто в настоящем Соглашении не умаляет компетенции и не ограничивает прав национальных или оккупационных судов, которые уже созданы или будут созданы на любой союзной территории или в Германии для суда над военными преступниками.

Статья 7.

Настоящее Соглашение вступает в силу в день его подписания и остается в силе в течение года, а затем продолжает действовать при условии, что любая из Подписавшихся Сторон имеет право за месяц сообщить дипломатическим путем о своем намерении прекратить Соглашение. Такое прекращение Соглашения не умаляет значения любых действий, уже совершенных, или любых решений, уже принятых в соответствии с настоящим Соглашением.

В удостоверение чего нижеподписавшиеся подписали настоящее Соглашение.

Составлено в Лондоне 8 августа 1945 года, в 4 экземплярах, каждый на русском, английском и французском языках. Каждый текст имеет одинаковую силу.

По уполномочию Правительства
Союза Советских Социалистических
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По уполномочию Временного
Правительства Французской
Республики

Роберт Фалько

У С Т А В

МЕЖДУНАРОДНОГО ВОЕННОГО ТРИБУНАЛА

I.

ОРГАНИЗАЦИЯ МЕЖДУНАРОДНОГО ВОЕННОГО ТРИБУНАЛА

Статья 1. В соответствии с Соглашением, заключенным 8 августа 1945 года между Правительствами Союза Советских Социалистических Республик, Соединенных Штатов Америки и Соединенного Королевства Великобритании и Северной Ирландии и Временным Правительством Французской Республики, учреждается Международный Военный Трибунал (в дальнейшем именуемый "Трибунал") для справедливого и быстрого суда и наказания главных военных преступников европейских стран оси.

Статья 2. Трибунал состоит из 4 членов и их заместителей. Каждая из Подписавшихся Сторон назначает по одному члену и одному заместителю. Заместители будут, поскольку они могут, присутствовать на всех заседаниях Трибунала. В случае болезни кого-либо из членов Трибунала или невозможности для него нести свои обязанности по какой-либо другой причине, его место занимает его заместитель.

Статья 3. Ни Трибунал, ни его члены, ни их заместители не могут быть отведены обвинителем, подсудимыми или защитой. Каждая из Подписавшихся Сторон может заменить назначенного ею члена Трибунала или его заместителя по болезни или по другим уважительным причинам. Во время судебного процесса член Трибунала может быть заменен только его заместителем.

Статья 4. а) Для наличия кворума необходимо присутствие всех четырех членов Трибунала или заместителей, заменяющих отсутствующих членов Трибунала.

2.

б) Члены Трибунала до начала судебного процесса договариваются между собой о выборе одного из их числа председателем; председатель выполняет свои обязанности в течение этого судебного процесса или так, как будет решено голосами не менее трех членов Трибунала. Устанавливается принцип очередности председательствования на последующих судебных процессах. Однако, если заседание Трибунала происходит на территории одной из четырех Подписавшихся Сторон, то председательствует представитель этой Стороны в Трибунале.

с) За исключением вышеуказанного, решения принимаются Трибуналом большинством голосов, а при разделении голосов голос председательствующего является решающим; однако, признание виновности и определение наказания выносятся всегда большинством голосов не менее 3 членов Трибунала.

Статья 5. В случае необходимости и в зависимости от количества требующих рассмотрения дел могут быть учреждены другие трибуналы; порядок учреждения, функции и процедура каждого из трибуналов будут тождественны и будут регулироваться настоящим Уставом.

П.

ЮРИСДИКЦИЯ И ОБЩИЕ ПРИНЦИПЫ

Статья 6. Трибунал, учрежденный Соглашением, упомянутым в ст. I настоящего Устава для суда и наказания главных военных преступников европейских стран оси, имеет право судить и наказывать лиц, которые, действуя в интересах европейских стран оси индивидуально или в качестве членов организации, совершили любое из следующих преступлений.

Следующие действия или любые из них являются преступлениями, подлежащими юрисдикции Трибунала и влекущими за собой индивидуальную ответственность:

3.

а) ПРЕСТУПЛЕНИЯ ПРОТИВ МИРА, а именно: планирование, подготовка, развязывание или ведение агрессивной войны или войны в нарушение международных договоров, соглашений или заверений, или участие в общем плане или заговоре, направленных к осуществлению любого из вышеизложенных действий;

б) ВОЕННЫЕ ПРЕСТУПЛЕНИЯ, а именно: нарушение законов или обычаев войны. К этим нарушениям относятся убийства, истязания или увод в рабство или для других целей гражданского населения оккупированной территории; убийства или истязания военнопленных или лиц, находящихся в море; убийства заложников; ограбление общественной или частной собственности; бессмысленное разрушение городов или деревень; разорение, неоправданное военной необходимостью и другие преступления;

с) ПРЕСТУПЛЕНИЯ ПРОТИВ ЧЕЛОВЕЧНОСТИ, а именно: убийства, истребление, порабощение, ссылка и другие жестокости, совершенные в отношении гражданского населения до или во время войны, или преследования по политическим, расовым или религиозным мотивам с целью осуществления или в связи с любым преступлением, подлежащим юрисдикции Трибунала, независимо от того, являлись ли эти действия нарушением внутреннего права страны, где они были совершены, или нет.

Руководители, организаторы, подстрекатели и пособники, участвовавшие в составлении или в осуществлении общего плана или заговора, направленного к совершению любых из вышеупомянутых преступлений, несут ответственность за все действия, совершенные любыми лицами с целью осуществления такого плана.

Статья 7. Должностное положение подсудимых, их положение в качестве глав государства или ответственных чиновников различных правительственных ведомств не должно рассматриваться как основание к освобождению от ответственности или смягчению наказания.

4.

Статья 8. Тот факт, что подсудимый действовал по распоряжению правительства или приказу начальника, не освобождает его от ответственности, но может рассматриваться как довод для смягчения наказания, если Трибунал признает, что этого требуют интересы правосудия.

Статья 9. При рассмотрении дела о любом отдельном члене той или иной группы или организации Трибунал может (в связи с любым действием, за которое это лицо будет осуждено) признать, что группа или организация, членом которой подсудимый являлся, была преступной организацией.

После получения обвинительного акта Трибунал сделает такое об'явление, какое он найдет нужным, о том, что обвинение намеревается ходатайствовать перед Трибуналом о вынесении определения о признании организации преступной. Любой член организации будет вправе обратиться в Трибунал за решением быть выслушанным Трибуналом по вопросу о преступном характере организации. Трибунал будет вправе удовлетворить или отклонить эту просьбу. В случае удовлетворения такой просьбы Трибунал может определить, каким образом эти лица будут представлены и выслушаны.

Статья 10. Если Трибунал признает ту или иную группу или организацию преступной, компетентные национальные власти каждой из Подписавшихся Сторон имеют право привлекать к суду национальных, военных или оккупационных трибуналов за принадлежность к этой группе или организации. В этих случаях преступный характер группы или организации считается доказанным и не может подвергаться оспариванию.

Статья 11. Любое лицо, осужденное Международным Военным Трибуналом, может обвиняться на суде национального, военного или оккупационного трибунала, упомянутого в статье 10 настоящего Устава, в совершении другого преступления, помимо

5.

принадлежности к преступной группе или организации; по осуждении такой трибунал может наложить на это лицо новое наказание в дополнение к тому, которое было наложено Международным Военным Трибуналом за участие в преступной деятельности этой группы или организации.

Статья 12. Трибунал вправе рассматривать дела лиц, обвиняемых в преступлениях, предусмотренных статьей 6 настоящего Устава, в отсутствие обвиняемых, если обвиняемый не разыскан, или если Трибунал по любым основаниям признает необходимым в интересах правосудия слушать дело заочно.

Статья 13. Трибунал устанавливает регламент своей работы. Этот регламент не должен противоречить положениям настоящего Устава.

III.

КОМИТЕТ ПО РАССЛЕДОВАНИЮ ДЕЛ И
ОБВИНЕНИЮ ГЛАВНЫХ ВОЕННЫХ ПРЕСТУПНИКОВ

Статья 14. Каждая из подписавшихся Сторон назначит главного обвинителя для расследования дел и обвинения главных военных преступников.

Главные обвинители будут действовать в качестве Комитета для следующих целей:

- а) согласования плана индивидуальной работы каждого из главных обвинителей и их штата;
- б) окончательного определения лиц, подлежащих суду Трибунала;
- с) утверждения обвинительного акта и передаваемых с ним документов;
- д) передачи обвинительного акта и прилагаемых документов в Трибунал;
- е) составления и рекомендации Трибуналу для его утверждения проекта регламента его работы, предусмотренного статьей 13 настоящего Устава. Трибунал вправе утвердить с поправ-

6.

ками или без поправок или вовсе отвергнуть этот регламент.

Во всех вышеуказанных случаях Комитет принимает решения большинством голосов; Комитет выделяет из своего состава председателя, как это будет удобно и в соответствии с принципом очередности. Однако, при разделении голосов по вопросу об определении лиц, подлежащих суду Трибунала, или преступлений, в которых они будут обвиняться, будет принято предложение той стороны, которая предложила предать обвиняемого суду или пред'явить ему определенные обвинения.

Статья 15. Главные обвинители, действуя индивидуально и в сотрудничестве друг с другом, выполняют следующие обязанности:

- a) расследуют, собирают и представляют до или во время судебного процесса все необходимые доказательства;
- b) готовят обвинительный акт для утверждения Комитетом в соответствии с п."с" ст.14;
- c) производят предварительный допрос всех необходимых свидетелей и подсудимых;
- d) выступают в качестве обвинителей на суде;
- e) назначают уполномоченных для выполнения таких обязанностей, какие будут им поручены;
- f) производят другие действия, которые окажутся необходимыми в целях подготовки дела и производства суда.

Устанавливается, что ни один свидетель или подсудимый, содержащийся под стражей какой-либо из Подписавшихся Сторон, не будет взят из-под власти этой Стороны без ее согласия.

IV.

ПРОЦЕССУАЛЬНЫЕ ГАРАНТИИ ДЛЯ ПОДСУДИМЫХ

Статья 16. Для обеспечения справедливого суда над подсудимыми устанавливается следующий порядок:

7.

а) В обвинительный акт включаются все подробности, детально излагающие обвинения против подсудимого.

Копии обвинительного акта и всех документов, направляемых вместе с обвинительным актом, переведенные на язык, который подсудимый понимает, передаются ему заблаговременно до начала суда.

б) При любом предварительном допросе и на суде подсудимый имеет право давать любые объяснения по обстоятельствам выдвинутых против него обвинений.

с) Предварительный допрос подсудимого и судебное заседание будут вестись или переводиться на язык, который подсудимый понимает.

д) Подсудимый имеет право защищаться на суде лично или при помощи защитника.

е) Подсудимый имеет право лично или через защитника представлять на суде доказательства в свою защиту и подвергать перекрестному допросу любого свидетеля, вызванного обвинением.

У.

ПРАВА ТРИБУНАЛА И СУДЕБНОЕ ЗАСЕДАНИЕ

Статья 17. Трибунал имеет право:

а) вызывать свидетелей на суд, требовать их присутствия и показаний и задавать им вопросы;

б) допрашивать подсудимого;

с) требовать предъявления документов и других материалов, используемых как доказательства;

д) приводить к присяге свидетелей;

е) назначать должностных лиц для выполнения указанных Трибуналом задач, включая собирание доказательств по полномочию Трибунала.

8.

Статья 18. Трибунал должен:

а) строго ограничивать судебное разбирательство быстрым рассмотрением вопросов, связанных с обвинением;

б) принимать строгие меры для предотвращения любых злоупустлений, которые могут вызвать неоправдываемую задержку процесса, исключать какие бы то ни было не относящиеся к делу вопросы и заявления;

с) принимать решительные меры во всех случаях неподчинения требованиям суда и налагать надлежащие взыскания, включая лишение любого подсудимого или его защитника права присутствовать на всех или некоторых заседаниях, однако без ущерба для расследования обвинений.

Статья 19. Трибунал не должен быть связан формальностями в использовании доказательств. Он устанавливает и применяет возможно более быструю и неосложненную формальностями процедуру и допускает любые доказательства, которые, по его мнению, имеют доказательную силу.

Статья 20. Трибунал может потребовать, чтобы ему сообщили о характере любых доказательств перед тем, как они будут представлены, с тем, чтобы Трибунал мог определить, относятся ли они к делу.

Статья 21. Трибунал не будет требовать доказательств общеизвестных фактов и будет считать их доказанными. Трибунал также будет принимать без доказательств официальные правительственные документы и доклады Об'единенных Наций, включая акты и документы комитетов, созданных в различных союзных странах для расследования военных преступлений, протоколы и приговоры военных или других трибуналов каждой из Об'единенных Наций.

Статья 22. Постоянное местонахождение Трибунала - Берлин. Первые заседания членов Трибунала и Главных Обвинителей

9.

состоится также в Берлине, в том месте, которое будет определено Контрольным Советом в Германии. Первый процесс состоится в Нюрнберге, а последующие процессы состоятся в местах по определению Трибунала.

Статья 23. В каждом судебном процессе участвуют один или несколько главных обвинителей. Функции главного обвинителя могут выполняться им лично или любым лицом или лицами по его полномочию.

Функции защитника могут выполняться по ходатайству подсудимого любым адвокатом, имеющим право выступать на суде в его родной стране, или любым другим лицом, которое будет специально уполномочено на это Трибуналом.

Статья 24. Судебное заседание проходит в следующем порядке:

- a) оглашается обвинительный акт на суде;
- b) Трибунал опрашивает подсудимых, признают ли они себя виновными;
- c) обвинитель произносит вступительную речь;
- d) Трибунал опрашивает обвинителей и защитников, имеются ли у них и какие ходатайства о представлении доказательств, после чего Трибунал выносит определение по этим ходатайствам;
- e) допрашиваются свидетели обвинения, а затем свидетели защиты, после чего обвинители или защитники представляют такие доказательства в опровержение доказательств, представленных другой стороной, какие Трибунал признает допустимыми;
- f) Трибунал может в любое время задавать любые вопросы любому из свидетелей и подсудимых;
- g) обвинение и защита допрашивают и могут подвергать перекрестному допросу любого свидетеля и любого подсудимого, который дает показания;
- h) защитник произносит защитительную речь;
- i) обвинитель произносит обвинительную речь;

10.

ж) каждый из подсудимых вправе выступить с последним словом;

к) Трибунал выносит приговор.

Статья 26. Все официальные документы представляются и все судебные заседания ведутся на русском, английском и французском языках и на языке подсудимого. На язык той страны, в которой заседает Трибунал, может быть переведена такая часть протоколов и судебного заседания, какую Трибунал признает желательной в интересах правосудия и общественного мнения.

VI.

П Р И Г О В О Р

Статья 26. Приговор Трибунала должен содержать мотивы, на основании которых он вынесен; приговор является окончательным и не подлежит пересмотру.

Статья 27. Трибунал имеет право приговорить виновного к смертной казни или другому наказанию, которое Трибунал признает справедливым.

Статья 28. Трибунал вправе в дополнение к определенному им наказанию постановить об отобрании у осужденного награбленного имущества и распорядиться о передаче этого имущества Контрольному Совету в Германии.

Статья 29. В случае осуждения приговор приводится в исполнение согласно приказу Контрольного Совета в Германии; Контрольный Совет может в любое время смягчить или каким-либо образом изменить приговор, но не может повысить наказание. Если после осуждения подсудимого и вынесения приговора Контрольный Совет получит новые доказательства, которые, по его мнению, дают основание для возбуждения нового обвинения против подсудимого, он сообщит об этих доказательствах Комитету, учрежденному в соответствии со статьей 14 настоящего Устава.

II.

Комитет поступит, как он найдет нужным в интересах правосудия.

УП.

РАСХОДЫ.

Статья 30. Расходы по содержанию Трибунала и проведению судебных процессов будут покрываться Подписавшимися Сторонами за счет фондов, выделенных на содержание Контрольного Совета в Германии.

PROTOCOL

Ante, pp. 1553, 1555.

Whereas an Agreement and Charter regarding the Prosecution of War Criminals was signed in London on the 8th August 1945, in the English, French, and Russian languages,

And whereas a discrepancy has been found to exist between the originals of Article 6, paragraph (c), of the Charter in the Russian language, on the one hand, and the originals in the English and French languages, on the other, to wit, the semi-colon in Article 6, paragraph (c), of the Charter between the words "war" and "or," as carried in the English and French texts, is a comma in the Russian text,

And whereas it is desired to rectify this discrepancy:

Ante, p. 1547.

Now, THEREFORE, the undersigned, signatories of the said Agreement on behalf of their respective Governments, duly authorized thereto, have agreed that Article 6, paragraph (c), of the Charter in the Russian text is correct, and that the meaning and intention of the Agreement and Charter require that the said semi-colon in the English text should be changed to a comma, and that the French text should be amended to read as follows:

- c) LES CRIMES CONTRE L'HUMANITE: c'est à dire l'assassinat, l'extermination, la réduction en esclavage, la déportation, et tout autre acte inhumain commis contre toutes populations civiles, avant ou pendant la guerre, ou bien les persécutions pour des motifs politiques, raciaux, ou religieux, lorsque ces actes ou persécutions, qu'ils aient constitué ou non une violation du droit interne du pays où ils ont été perpétrés, ont été commis à la suite de tout crime rentrant dans la compétence du Tribunal, ou en liaison avec ce crime.

IN WITNESS WHEREOF the Undersigned have signed the present Protocol.

DONE in quadruplicate in Berlin this 6th day of October, 1945, each in English, French, and Russian, and each text to have equal authenticity.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

ROBERT H JACKSON

FOR THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC

F. DE MENTHON

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND

HARTLEY SHAWCROSS

FOR THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST
REPUBLICS

Р РҮДЕНКО

PROTOCOL

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REPUBLICS

Р РУДЕНКО

PROTOCOLE

ATTENDU qu'un Accord et un Statut concernant la poursuite des criminels de guerre ont été signés à Londres le 8 Aout 1945 en langues française, anglaise et russe.

ATTENDU qu'une divergence a été découverte entre le texte original en langue russe de l'article 6, paragraphe (c) du Statut d'une part et les originaux en langues anglaise, et française de l'autre, à savoir que le point virgule, placé entre les mots "war" et "or" dans le texte anglais, "guerre" et "ou" dans le texte français de l'article 6, paragraphe (c) de la Charte, figure comme virgule dans le texte russe.

ATTENDU qu'il importe de faire disparaître cette divergence;

EN CONSEQUENCE, les soussignés, signataires du dit Accord au nom de leurs Gouvernements respectifs, ont convenu que l'article 6, paragraphe (c) de la Charte est correctement rédigé dans le texte russe et que le sens et l'intention de l'Accord et du Statut exigent que le dit point virgule du texte anglais soit transformé en virgule et que le texte français soit amendé comme suit:

(c) LES CRIMES CONTRE L'HUMANITE: c'est à dire l'assassinat, l'extermination, la réduction en esclavage, la déportation et tout autre acte inhumain commis contre toutes populations civiles, avant ou pendant la guerre, ou bien les persécutions pour des motifs politiques raciaux ou religieux, lorsque ces actes ou persécutions, qu'ils aient constitué ou non une violation du droit interne du pays où ils ont été perpétrés, ont été commis à la suite de tout crime rentrant dans la compétence du Tribunal, ou en liaison avec ce crime.

EN FOI DE QUOI, les soussignés ont signé le présent Protocole

Fait en quatre exemplaires à Berlin le 6 Octobre 1945 chacun en anglais, en français et en russe et chacun faisant également foi.

POUR LE GOUVERNEMENT DES ETATS-UNIS D' AMÉRIQUE

ROBERT H JACKSON

POUR LE GOUVERNEMENT PROVISOIRE DE LA RÉPUBLIQUE FRANÇAISE

F. DE MENTION

POUR LE GOUVERNEMENT DU ROYAUME-UNI DE GRANDE BRETAGNE ET DE L'IRLANDE DU NORD

HARTLEY SHAWCROSS

POUR LE GOUVERNEMENT DE L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES.

P РУДЕНКО

ПРОТОКОЛ

Относительно Соглашения и Устава по обвинению главных преступников войны, подписанного в Лондоне 8 августа 1945г. на английском, французском и русском языках;

Относительно несоответствия, которое было обнаружено, между оригиналом статьи 6, параграфа /с/ Устава на русском языке, с одной стороны, и оригиналами на английском и французском языках, с другой стороны, а именно: в английском и французском текстах статьи 6, параграфа /с/ Устава между словами “война” и “или” поставлена точка с запятой, в то время, как в русском тексте стоит запятая.

Так как желательно исправить это несоответствие, нижеподписавшиеся лица, подписавшие Соглашение от имени соответствующих правительств, договорились о том, что русский текст статьи 6, параграфа /с/ правилен и что смысл и цель Соглашения и Устава требуют того, чтобы точка с запятой в английском тексте была изменена на запятую, а французский текст должен читаться следующим образом:

c) LES CRIMES CONTRE L'HUMANITE: c'est à dire l'assassinat, l'extermination, la réduction en esclavage, la déportation, et tout autre acte inhumain commis contre toutes populations civiles, avant ou pendant la guerre, ou bien les persécutions pour des motifs politiques, raciaux, ou religieux, lorsque ces actes ou persécutions, qu'ils aient constitué ou non une violation du droit interne du pays où ils ont été perpétrés, ont été commis à la suite de tout crime rentrant dans la compétence du Tribunal, ou en liaison avec ce crime.

В удосверение чего нижеподписавшиеся подписали этот протокол.

Составлено в Берлине 6 октября 1945 г. в четырех экземплярах каждый, на английском, французском и русском языках.

Каждый текст имеет одинаковую силу.

ПО УПОЛНОМОЧИЮ ПРАВИТЕЛЬСТВА
СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ:

ROBERT H JACKSON

ПО УПОЛНОМОЧИЮ ВРЕМЕННОГО ПРАВИ-
ТЕЛЬСТВА ФРАНЦУЗСКОЙ РЕСПУБЛИКИ:

FRANCOIS DE MENTHON

ПО УПОЛНОМОЧИЮ ПРАВИТЕЛЬСТВА
СОЕДИНЕННОГО КОРОЛЕВСТВА ВЕЛИКО-
БРИТАНИИ И СЕВЕРНОЙ ИРЛАНДИИ:

HARTLEY SHAWCROSS.

ПО УПОЛНОМОЧИЮ СОЮЗА СОВЕТСКИХ
СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК:

Р Руденко

December 23, 1944 and
January 15, 1945
[E. A. S. 473]

Agreement between the United States of America and Ecuador respecting a health and sanitation program. Effected by exchange of notes signed at Quito December 23, 1944, and January 15, 1945.

The American Ambassador to the Ecuadoran Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 503

December 23, 1944

EXCELLENCY:

I have the honor to refer to the communications between the Acting Secretary of State of the United States of America and the Minister-Counselor of the Ecuadoran Embassy in Washington, D.C., dated February 24, 1942, relating to the initiation of the cooperative program of public health and sanitation in Ecuador. Your Excellency will recall that the United States Government, subsequent to the exchange of these communications, has allocated the sum of two million seven hundred and fifty thousand five hundred dollars (\$2,750,500.00 U.S.) to be used in carrying out the cooperative health and sanitation program in accordance with resolution XXX approved at the Third Meeting of the Ministers of Foreign Affairs of the American Republics, held at Rio de Janeiro in January, 1942.

I have the honor to state that my Government is prepared, if Your Excellency's Government so desires, to make available, through the Institute of Inter-American Affairs an additional sum of two hundred thousand dollars (\$200,000.00 U.S.) for the purpose of cooperating with the Government of Ecuador in prolonging the aforementioned program of health and sanitation on the understanding that the Government of Ecuador for its part will contribute the sum of two hundred thousand dollars (\$200,000.00 U.S.), both at an agreed rate of exchange. The extension of the program would terminate December 31, 1947, insofar as the funds contributed by the United States are concerned.

The type of work and specific projects to be undertaken and the cost thereof and the methods and procedures to be employed in conducting the program would be mutually agreed to by the appropriate official of the Government of Ecuador and an appropriate official of the Institute of Inter-American Affairs.

The Government of the United States of America would continue to furnish such experts as would be considered necessary in order to collaborate with Your Excellency's Government in continuing the health and sanitation program.

57 Stat. 1370.

Termination date.

All completed works and property acquired in connection with the program would become the property of the Government of Ecuador.

No project would be undertaken that would require services, supplies or materials, the procurement of which would handicap any phase of the war effort.

I would be glad if Your Excellency would be so good as to confirm to me your approval of this general proposal with the understanding that the program would be a subject of further discussion and agreement as provided for herein.

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

R. M. SCOTTEN

His Excellency

DR. CAMILO PONCE ENRÍQUEZ,
Minister for Foreign Affairs,
Quito.

*The Ecuadoran Minister for Foreign Affairs to the American
Ambassador*

REPÚBLICA DEL ECUADOR

MINISTERIO DE RELACIONES EXTERIORES

No. 12-DDP-3.

QUITO, a 15 de Enero de 1945.

SEÑOR EMBAJADOR:

Tengo a honra avisar recibo de la atenta nota de Vuestra Excelencia número 503, fechada el 23 de diciembre del año próximo pasado, en la cual se refiere a las comunicaciones cruzadas entre el Departamento de Estado de los Estados Unidos de América y la Embajada del Ecuador en Washington, D.C., el 24 de febrero de 1.942, con respecto a la iniciación del programa cooperativo de salud pública y saneamiento en mi país, y se digna recordarme que, con posterioridad al intercambio de aquellas, el Gobierno de los Estados Unidos de América hubo de destinar la suma de dos millones setecientos cincuenta mil quinientos dólares (\$ 2750.500,00) para la realización del mencionado programa, de acuerdo con la Resolución XXX adoptada por la Tercera Reunión Consultiva de Ministros de Relaciones Exteriores de las Repúblicas americanas.

2. Añade Vuestra Excelencia que el Gobierno de los Estados Unidos de América se halla dispuesto, si así lo desea el del Ecuador, a facilitar, por intermedio del Instituto de Asuntos Interamericanos, una suma adicional de doscientos mil dólares (\$ 200.000,00) con el propósito de seguir cooperando en el desarrollo del programa de salud y saneamiento iniciado en 1.942, para lo cual habría de contribuir también mi Gobierno con una suma igual que, así como la prometida por el de los Estados Unidos de América, se cotizaría a un tipo de cambio convenido.

3. La extensión del programa terminaría el 31 de diciembre de 1.947, según se sirve manifestarme Vuestra Excelencia, en lo que concierne a los fondos asignados por el Gobierno de los Estados Unidos.

4. Me complazco en comunicar a Vuestra Excelencia que el Gobierno del Ecuador acepta el gentil ofrecimiento del de los Estados Unidos de América; y que, por su parte, está igualmente dispuesto a contribuir con la suma de doscientos mil dólares (\$ 200.000,00) para la continuación del programa de salud pública y saneamiento.

5. Los términos y condiciones de la prórroga, así como la especificación de los trabajos que deben realizarse, serán acordados entre el Señor Ministro de Previsión Social y Trabajo y el funcionario que, con este fin, designe el Instituto de Asuntos Interamericanos.

6. Ruego a Vuestra Excelencia que se digne expresar al Gobierno de los Estados Unidos de América el reconocimiento del de mi país por esta nueva prueba de amistosa cooperación.

Válgome de la oportunidad para renovar a Vuestra Excelencia las seguridades de mi consideración más alta y distinguida.

C. PONCE ENRÍQUEZ.

Al Excelentísimo Señor Don ROBERT MC. GREGOR SCOTTEN,
Embajador Extraordinario y Plenipotenciario
de los Estados Unidos de América.

Translation

REPUBLIC OF ECUADOR
MINISTRY OF FOREIGN AFFAIRS

No. 12-DDP-3.

QUITO, *January 15, 1945.*

MR. AMBASSADOR:

I have the honor to acknowledge the receipt of Your Excellency's kind note no. 503, dated December 23 of last year, in which reference is made to the communications exchanged between the Department of State of the United States of America and the Embassy of Ecuador in Washington, D.C., February 24, 1942, relating to the initiation of the cooperative program of public health and sanitation in my country, and you are good enough to remind me that, subsequent to the exchange of these communications, the Government of the United States of America allocated the sum of two million seven hundred and fifty thousand five hundred dollars (\$2,750,500.00) for the carrying out of the above-mentioned program, in accordance with resolution XXX approved at the Third Meeting of Ministers of Foreign Affairs of the American Republics.

2. Your Excellency adds that the Government of the United States of America is prepared, if the Government of Ecuador so desires, to make available, through the Institute of Inter-American Affairs an additional sum of two hundred thousand dollars (\$200,000.00) for the purpose of continuing to cooperate in carrying out the program of health and sanitation initiated in 1942, for which my Government also would contribute an equal sum which, as well as that promised by the Government of the United States of America, would be quoted at an agreed rate of exchange.

3. The extension of the program would terminate December 31, 1947, as Your Excellency is good enough to state, in so far as the funds contributed by the Government of the United States are concerned.

4. I am pleased to communicate to Your Excellency that the Government of Ecuador accepts the handsome offer of the Government of the United States of America and that, for its part, it is likewise prepared to contribute the sum of two hundred thousand dollars (\$200,000.00) for the continuation of the program of public health and sanitation.

5. The terms and conditions of the extension, as well as the specification of the works to be carried out, will be agreed upon between the Minister of Social Welfare and Labor and the official whom the Institute of Inter-American Affairs will designate for this purpose.

6. I beg of Your Excellency that you be good enough to express to the Government of the United States of America the gratitude of my country for this new proof of friendly cooperation.

I avail myself of the opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

C. PONCE ENRÍQUEZ.

His Excellency

ROBERT MCGREGOR SCOTTEN,

*Ambassador Extraordinary and Plenipotentiary
of the United States of America.*

December 21, 1944,
and January 4, 1945
[E. A. S. 474]

Agreement between the United States of America and Peru respecting a cooperative fellowship program. Effected by exchange of notes signed at Washington December 21, 1944, and January 4, 1945.

The Peruvian Ambassador to the Secretary of State

PERUVIAN EMBASSY
WASHINGTON 6, D.C.

DECEMBER 21, 1944.

YOUR EXCELLENCY:

With reference to informal conversations which have been held by officers of the Department of State with Dr. Eduardo Garland, Minister-Counsellor of the Peruvian Embassy, regarding a Second Peruvian-United States Cooperative Fellowship Program, and in view of the excellent results reached by the accomplishment of the understanding outlined in the Department of State Memorandum dated July 30, 1942 [¹] and the Embassy's note of August 4, 1942 for a special technical training granted in educational institutions of the United States for advance students of Peru, I have been instructed by the Peruvian Government to inform Your Excellency that the Peruvian Government will be glad to agree to a program of this nature to be undertaken as follows:

The program will cover fifteen (15) fellowships at the graduate level for study in the United States, expenses and responsibilities of which will be taken care of as follows:

The Peruvian Government will attend to travel expenses from student's residence in Peru to the place of study in the United States and return, tuition expenses during orientation and tuition expenses if necessary to place a student in a field of study specified by the Peruvian Government for which no fellowship is available.

The United States Government will handle maintenance expenses for twelve (12) months at place of study, including orientation period, in standard amounts now paid in the different localities and not exceeding \$135.00 per month.

The Institute of International Education will take care of the acquisition of tuition fellowship for each candidate at principal place of study, in so far as possible, placement of candidates at appropriate institutions of higher learning in the United States and supervision of students, including periodical reports on their progress.

To achieve the best possible results the Peruvian Government considers that the following procedure be adopted for the program:

¹[Not printed.]

1. *Fields of study.* The Peruvian Government will decide on the fields of study in which technical instruction is to be given and on the number of persons to be appointed to each field. This information will be submitted as soon as possible to the Department of State in order that the Institute of International Education may earmark the necessary fellowships for as many fields as possible and send information to Peru regarding the general requirements for study in each field for the guidance of the selection authorities.

2. *Selection of candidates.* Candidates would submit their applications on forms of the Institute of International Education which would be filed with the Peruvian-North American Fellowship and Scholarship Committee in Lima. For the purpose of this program, the Peruvian Government would, should it so desire, appoint two representatives to sit with the Committee and have a voice in its proceedings. If possible, two candidates will be submitted for each fellowship.

3. *Standards of eligibility.* The awards will be made to persons with university or superior normal school degrees who have had at least one year of practical experience in the respective fields in which they wish to pursue graduate studies; who demonstrate that they possess a working knowledge of the English language; who have better than average academic records; who have satisfactory personality and potential adaptability to living abroad; and who are in good health.

4. *Present location of candidates.* The awards will be made to persons now in Peru who have not previously received fellowship assistance from the United States Government.

5. *Orientation course.* For the purpose of adequately preparing the Peruvian students to undertake the advanced courses most effectively, the students will be given orientation courses in the language and customs of the United States upon their arrival. This course will be given at the place agreed upon by the Department of State, the Peruvian Embassy in Washington, and the Institute of International Education, and the tuition charges therefor will be borne by the Peruvian Government.

6. *Announcement of program.* Public announcement of the program will be made simultaneously in Peru and in the United States at a mutually agreeable time.

7. *Time schedule.* It is suggested that the following schedule be adopted:

Public Announcement shall be arranged for upon receipt of a reply from the Department of State to this note.

December 20, 1944—February 1, 1945—Receipt of applications by Selection Committee.

February 1—February 15, 1945—Review of applications by Selection Committee and transmission to the Institute of International Education.

March 1, 1945—May 1, 1945—Placement of candidates by the Institute of International Education.

May 1, 1945 (earlier if possible)—Announcement of awards.

June 1—June 15, 1945—Arrival of successful candidates in the United States.

June 15, 1945—Orientation.

(Date to be fixed in each case) — Commencement of formal studies.

8. *Renewals.* Renewal of fellowships will be considered through the regular program of the Institute of International Education for a limited number of persons who demonstrate high ability, provided funds are available for this purpose.

9. *Other conditions.* Candidates must obligate themselves to return to Peru on the conclusion of their studies.

Fellowships may be revoked should any student demonstrate inability to pursue the studies for which he has been brought to the United States.

I will appreciate Your Excellency's acceptance of this program which I believe will undoubtedly contribute to foster the excellent relations that have always existed between our two countries.

Please accept, Your Excellency, the renewed assurances of my highest consideration.

P. G. BELTRÁN.

His Excellency, EDWARD R. STETTINIUS,
Department of State,
Washington, D. C.

The Secretary of State to the Peruvian Ambassador

DEPARTMENT OF STATE

WASHINGTON

January 4, 1945

EXCELLENCY:

Ante, p. 1594.

I have the honor to acknowledge receipt of your note of December 21, 1944, which refers to informal conversations which have been held by officers of the Department with Dr. Eduardo Garland, Minister-Counsellor of the Peruvian Embassy, regarding a Second Peruvian-United States Cooperative Fellowship Program and expresses the desire of the Peruvian Government, in view of the excellent results of the First Program, to undertake a similar agreement with the Government of the United States.

I have noted that it is proposed that the program cover fifteen (15) fellowships at the graduate level for study in the United States, expenses and responsibilities of which would be divided between the Peruvian Government and the Government of the United States, the latter having the cooperation of the Institute of International Education. The specific conditions governing the procedure for carrying out the program have been noted and this Government is in entire accord with them.

It is a source of satisfaction to my Government that the First Peruvian-United States Cooperative Fellowship Program should have been so successful, and it is with much pleasure that I am able to inform you of my Government's desire to cooperate in this Second Program.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

ARCHIBALD MACLEISH

His Excellency

Señor DON PEDRO BELTRÁN,

Ambassador of Peru.

April 2, 5, 1945
[E. A. S. 475]

Agreement between the United States of America and Ecuador respecting military service. Effected by exchange of notes signed at Washington April 2 and 5, 1945.

The Secretary of State to the Ecuadoran Ambassador

DEPARTMENT OF STATE
WASHINGTON

April 2, 1945

EXCELLENCY:

I have the honor to refer to the verbal indication made on March 23, 1945, by an officer of the Ecuadoran Embassy to an officer of the Department of State that Your Excellency's Government desires to conclude an agreement with this Government with respect to the application of the United States Selective Training and Service Act of 1940, as amended, to Ecuadoran nationals residing in the United States.

54 Stat. 885.
50 U. S. C. app. §§
301-318; Supp. IV, §
302 *et seq.*
Ante, p. 166.
Registration.

As you are aware, the Act provides that with certain exceptions every male citizen of the United States and every other male person between the ages of eighteen and sixty-five residing in the United States shall register. The Act further provides that, with certain exceptions, registrants within specified age limits are liable for active military service in the United States armed forces.

Nationals of cobel-
ligerent countries.

This Government recognizes that from the standpoint of morale of the individuals concerned and the over-all military effort of the countries at war with the Axis Powers, it is desirable to permit certain nationals of cobelligerent countries who have registered or who may register under the Selective Training and Service Act of 1940, as amended, to enlist in the armed forces of their own country, should they desire to do so. It will be recalled that during the World War this Government signed conventions with certain associated powers on this subject. The United States Government believes, however, that under existing circumstances the same ends may now be accomplished through administrative action, thus obviating the delays incident to the signing and ratification of conventions.

Induction procedure

This Government has, therefore, initiated a procedure permitting aliens who have registered under the Selective Training and Service Act of 1940, as amended, who are nationals of certain cobelligerent countries and who have not declared their intention of becoming American citizens to elect to serve in the forces of their respective countries, in lieu of service in the armed forces of the United States, at any time prior to their induction into the armed forces of this country. This Government is also affording to such nationals, who may already be serving in the armed forces of the United States, an

opportunity of electing to transfer to the armed forces of their own country. The details of the procedure are arranged directly between the War Department and the Selective Service System on the part of the United States Government and the appropriate authorities of the cobelligerent government concerned. It should be understood, however, that in all cases a person exercising an option under the procedure must actually be accepted by the military authorities of the country of his allegiance before his departure from the United States.

Before the above-mentioned procedure is made effective with respect to a cobelligerent country, this Department wishes to receive from the diplomatic representative in Washington of that country a note stating that his government desires to avail itself of the procedure and in so doing agrees that:

Stipulations to be agreed to by cobelligerent country.

(a) No threat or compulsion of any nature will be exercised by his government to induce any person in the United States to enlist in the forces of his or any foreign government;

(b) Reciprocal treatment will be granted to American citizens by his government; that is, prior to induction in the armed forces of his government they will be granted the opportunity of electing to serve in the armed forces of the United States in substantially the same manner as outlined above. Furthermore, his government shall agree to inform all American citizens serving in its armed forces or former American citizens who may have lost their citizenship as a result of having taken an oath of allegiance on enlistment in such armed forces and who are now serving in those forces that they may transfer to the armed forces of the United States provided they desire to do so and provided they are acceptable to the armed forces of the United States. The arrangements for effecting such transfers are to be worked out by the appropriate representatives of the armed forces of the respective governments;

(c) No enlistments will be accepted in the United States by his government of American citizens subject to registration or of aliens of any nationality who have declared their intention of becoming American citizens and are subject to registration.

This Government is prepared to make the proposed regime effective immediately with respect to Ecuador upon the receipt from you of a note stating that your Government desires to participate in it and agrees to the stipulations set forth in lettered paragraphs (a), (b), and (c) above.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

NELSON A. ROCKEFELLER

His Excellency,
Señor GALO PLAZA,
Ambassador of Ecuador.

*The Ecuadoran Ambassador to the Secretary of State*EMBAJADA DEL ECUADOR
WASHINGTON*5 de abril de 1945.*

SEÑOR SECRETARIO:

Tengo el honor de informar a Vuestra Excelencia que he recibido instrucciones de mi Gobierno para aceptar el arreglo de carácter administrativo propuesto por Vuestra Excelencia en nota 2 del mes en curso, respecto a la aplicación a ciudadanos ecuatorianos de la Ley de Entrenamiento y Servicio Selectivo de los Estados Unidos de 1940.

El Gobierno ecuatoriano acepta, en términos de reciprocidad, la opción propuesta a favor de los ciudadanos ecuatorianos registrados bajo la vigencia de la ley citada o que estén actualmente en servicio bajo la bandera de los Estados Unidos, para solicitar su incorporación o traslado al Ejército del Ecuador, así como las garantías estipuladas en los parágrafos a), b) y c) de la nota en referencia.

El Gobierno del Ecuador está dispuesto a poner en vigencia en forma inmediata el arreglo mencionado y a estudiar los detalles de su aplicación con las correspondientes autoridades del Gobierno de los Estados Unidos.

Con esta oportunidad reitero a Vuestra Excelencia las seguridades de mi más alta consideración.

GALO PLAZA

A Su Excelencia

el SEÑOR EDWARD R. STETTINIUS, JR.,
Secretario de Estado,
Washington, D. C.

No. 65

*Translation*EMBASSY OF ECUADOR
WASHINGTON*April 5, 1945*

MR. SECRETARY:

I have the honor to inform Your Excellency that I have received instructions from my Government to accept the administrative arrangement proposed by Your Excellency in your note of the second instant, with respect to the application of the 1940 United States Selective Training and Service Act to Ecuadoran citizens.

The Ecuadoran Government accepts, on reciprocal terms, the option proposed in favor of Ecuadoran citizens registered under the said law or at present serving under the United States flag, to request their incorporation or transfer to the Ecuadoran Army, as well as the guarantees stipulated in paragraphs (a), (b), and (c) of the said note.

The Government of Ecuador is willing to have the said arrangement become immediately effective and to discuss the details of its

application with the appropriate authorities of the United States Government.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

GALO PLAZA

His Excellency

EDWARD R. STETTINIUS, Jr.,

Secretary of State,

Washington, D. C.

No. 65

May 10, 11, 1945
[E. A. S. 476]

Agreement between the United States of America and Venezuela respecting military service. Effected by exchange of notes signed at Washington May 10 and 11, 1945.

The Acting Secretary of State to the Venezuelan Ambassador

DEPARTMENT OF STATE

WASHINGTON

May 10, 1945

EXCELLENCY:

I have the honor to refer to conversations which have taken place between officers of the Venezuelan Embassy and of the Department of State with respect to the application of the United States Selective Training and Service Act of 1940, as amended, to Venezuelan nationals residing in the United States.

54 Stat. 885.
50 U. S. C. app. §§
301-318; Supp. IV, §
302 et seq.
Ante, p. 166.

As you are aware, the Act provides that with certain exceptions every male citizen of the United States and every other male person between the ages of eighteen and sixty-five residing in the United States shall register. The Act further provides that, with certain exceptions, registrants within specified age limits are liable for active military service in the United States armed forces.

Nationals of cobelligerent countries.

This Government recognizes that from the standpoint of morale of the individuals concerned and the over-all military effort of the countries at war with the Axis Powers, it is desirable to permit certain nationals of cobelligerent countries who have registered or who may register under the Selective Training and Service Act of 1940, as amended, to enlist in the armed forces of their own country, should they desire to do so. It will be recalled that during the World War this Government signed conventions with certain associated powers on this subject. The United States Government believes, however, that under existing circumstances the same ends may now be accomplished through administrative action, thus obviating the delays incident to the signing and ratification of conventions.

Induction procedure.

This Government has, therefore, initiated a procedure permitting aliens who have registered under the Selective Training and Service Act of 1940, as amended, who are nationals of certain cobelligerent countries and who have not declared their intention of becoming American citizens to elect to serve in the forces of their respective countries, in lieu of service in the armed forces of the United States, at any time prior to their induction into the armed forces of this country. This Government is also affording to such nationals, who may already be serving in the armed forces of the United States, an

opportunity of electing to transfer to the armed forces of their own country. The details of the procedure are arranged directly between the War Department and the Selective Service System on the part of the United States Government and the appropriate authorities of the cobelligerent government concerned. It should be understood, however, that in all cases a person exercising an option under the procedure must actually be accepted by the military authorities of the country of his allegiance before his departure from the United States.

Before the above-mentioned procedure is made effective with respect to a cobelligerent country, this Department wishes to receive from the diplomatic representative in Washington of that country a note stating that his government desires to avail itself of the procedure and in so doing agrees that:

Stipulations to be agreed to by cobelligerent country.

(a) No threat or compulsion of any nature will be exercised by his government to induce any person in the United States to enlist in the forces of his or any foreign government;

(b) Reciprocal treatment will be granted to American citizens by his government; that is, prior to induction in the armed forces of his government they will be granted the opportunity of electing to serve in the armed forces of the United States in substantially the same manner as outlined above. Furthermore, his government shall agree to inform all American citizens serving in its armed forces or former American citizens who may have lost their citizenship as a result of having taken an oath of allegiance on enlistment in such armed forces and who are now serving in those forces that they may transfer to the armed forces of the United States provided they desire to do so and provided they are acceptable to the armed forces of the United States. The arrangements for effecting such transfers are to be worked out by the appropriate representatives of the armed forces of the respective governments;

(c) No enlistments will be accepted in the United States by his government of American citizens subject to registration or of aliens of any nationality who have declared their intention of becoming American citizens and are subject to registration.

This Government is prepared to make the proposed regime effective immediately with respect to Venezuela upon the receipt from you of a note stating that your Government desires to participate in it and agrees to the stipulations set forth in lettered paragraphs (a), (b), and (c) above.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Acting Secretary of State:

JULIUS C. HOLMES

His Excellency

Señor Dr. DON DIÓGENES ESCALANTE,
Ambassador of Venezuela.

The Venezuelan Ambassador to the Acting Secretary of State

EMBAJADA DE VENEZUELA

WASHINGTON

11 de mayo de 1945

Nº 1434

EXCELENTÍSIMO SEÑOR:

Tengo a honra llevar a conocimiento de Vuestra Excelencia que he recibido instrucciones de mi Gobierno para aceptar el arreglo administrativo sobre la aplicación a ciudadanos venezolanos que se encuentran en este país de la Ley de Entrenamiento y Servicio Selectivo de los Estados Unidos, de 1940, arreglo que ha sido propuesto en la nota que Vuestra Excelencia me ha dirigido con fecha 10 del mes en curso.

El Gobierno de Venezuela conviene, en condiciones de reciprocidad, en la opción propuesta a favor de los ciudadanos venezolanos que se han registrado bajo la citada ley, o que se encuentran ya al servicio del ejército de los Estados Unidos, para solicitar su transferencia al ejército de Venezuela. A este respecto mi Gobierno acepta también las garantías señaladas en los párrafos a), b) y c) de la nota arriba citada.

Considero oportuno señalar que, de acuerdo con la Ley del Servicio Militar Obligatorio de Venezuela, los ciudadanos venezolanos en el extranjero que hayan alcanzado la edad correspondiente, están obligados a inscribirse en las oficinas consulares respectivas de la República para servir militarmente en las fuerzas armadas de Venezuela, y que el no cumplimiento de esta obligación trae aparejada la correspondiente sanción penal.

Mi Gobierno espera que el cumplimiento de esta obligación legal por parte de un venezolano, no sea considerada como una infracción a la garantía estipulada en el párrafo a) de la nota que contesto, desde el momento que no implica ninguna presión individual aislada y *ad hoc*.

El Gobierno venezolano se dispone a dar vigencia inmediata al convenio de que me ocupo, y a examinar los detalles de su aplicación con las autoridades del Gobierno de los Estados Unidos.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más elevada consideración.

DIÓGENES ESCALANTE

Excelentísimo Señor JOSEPH C. GREW,

*Secretario de Estado Interino,**Washington, D. C.*

Translation

EMBASSY OF VENEZUELA

WASHINGTON

May 11, 1945.

No. 1434

YOUR EXCELLENCY:

I have the honor to inform Your Excellency that I have received instructions from my Government to accept the administrative arrangement regarding the application of the United States 1940 Selective Training and Service Act to Venezuelan citizens in this country, an arrangement proposed in the note addressed to me by Your Excellency on the 10th of the current month.

The Government of Venezuela agrees, on reciprocal terms, to the option proposed on behalf of the Venezuelan citizens who have registered under the said Act, or who have already entered the service of the United States Army, to apply for transfer to the Venezuelan Army. In this respect, my Government likewise accepts the guarantees indicated in paragraphs a), b), and c) of the aforementioned note.

I deem opportune to point out that, in keeping with the compulsory Military Service Law of Venezuela, Venezuelan citizens abroad who have attained the corresponding age are obliged to register in the respective consular offices of the Republic, in order to serve in the armed forces of Venezuela, and that failure to comply with this obligation involves, without further process, the corresponding penal sanction.

My Government hopes that compliance with this legal obligation by a Venezuelan citizen will not be interpreted as an infraction of the guarantee stipulated in paragraph a) of the note I am now answering, since it implies no *ad hoc* pressure on any single individual.

The Venezuelan Government is ready to enforce at once the agreement in question, and to go over the details for its application with the authorities of the United States Government.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

DIÓGENES ESCALANTE

His Excellency JOSEPH C. GREW,
Acting Secretary of State,
Washington, D. C.

54 Stat. 885.
50 U. S. C., app. §§
301-318; Supp. IV, §
302 *et seq.*
Ante, p. 166.

Ante, p. 1603.

May 23 and
June 12, 1945
[E. A. S. 477]

Agreement between the United States of America and Peru respecting military service. Effected by exchange of notes signed at Washington May 23 and June 12, 1945.

The Acting Secretary of State to the Peruvian Chargé d'Affaires ad interim

DEPARTMENT OF STATE

WASHINGTON

May 23, 1945

SIR:

I refer to conversations which have taken place between officers of the Peruvian Embassy and of the Department of State with respect to the application of the United States Selective Training and Service Act of 1940, as amended, to Peruvian nationals residing in the United States.

As you are aware, the Act provides that with certain exceptions every male citizen of the United States and every other male person between the ages of eighteen and sixty-five residing in the United States shall register. The Act further provides that, with certain exceptions, registrants within specified age limits are liable for active military service in the United States armed forces.

This Government recognizes that from the standpoint of morale of the individuals concerned and the over-all military effort of the countries at war with the Axis Powers, it is desirable to permit certain nationals of cobelligerent countries who have registered or who may register under the Selective Training and Service Act of 1940, as amended, to enlist in the armed forces of their own country, should they desire to do so. It will be recalled that during the World War this Government signed conventions with certain associated powers on this subject. The United States Government believes, however, that under existing circumstances the same ends may now be accomplished through administrative action, thus obviating the delays incident to the signing and ratification of conventions.

This Government has, therefore, initiated a procedure permitting aliens who have registered under the Selective Training and Service Act of 1940, as amended, who are nationals of certain cobelligerent countries and who have not declared their intention of becoming American citizens to elect to serve in the forces of their respective countries, in lieu of service in the armed forces of the United States, at any time prior to their induction into the armed forces of this country. This Government is also affording to such nationals, who may already be serving in the armed forces of the United States, an opportunity of electing to transfer to the armed forces of their own country. The details of the procedure are arranged directly between the War Department and the Selective Service System on the part of the United States Government and the appropriate authorities of the

54 Stat. 885.
50 U. S. C. app.
§§ 301-318; Supp. IV,
§ 302 et seq.
Ante, p. 166.

Nationals of cobel-
ligerent countries.

Induction procedure

cobelligerent government concerned. It should be understood, however, that in all cases a person exercising an option under the procedure must actually be accepted by the military authorities of the country of his allegiance before his departure from the United States.

Before the above-mentioned procedure is made effective with respect to a cobelligerent country, this Department wishes to receive from the diplomatic representative in Washington of that country a note stating that his government desires to avail itself of the procedure and in so doing agrees that:

Stipulations to be agreed to by cobelligerent country.

(a) No threat or compulsion of any nature will be exercised by his government to induce any person in the United States to enlist in the forces of his or any foreign government;

(b) Reciprocal treatment will be granted to American citizens by his government; that is, prior to induction in the armed forces of his government they will be granted the opportunity of electing to serve in the armed forces of the United States in substantially the same manner as outlined above. Furthermore, his government shall agree to inform all American citizens serving in its armed forces or former American citizens who may have lost their citizenship as a result of having taken an oath of allegiance on enlistment in such armed forces and who are now serving in those forces that they may transfer to the armed forces of the United States provided they desire to do so and provided they are acceptable to the armed forces of the United States. The arrangements for effecting such transfers are to be worked out by the appropriate representatives of the armed forces of the respective governments;

(c) No enlistments will be accepted in the United States by his government of American citizens subject to registration or of aliens of any nationality who have declared their intention of becoming American citizens and are subject to registration.

This Government is prepared to make the proposed regime effective immediately with respect to Peru upon the receipt from you of a note stating that your Government desires to participate in it and agrees to the stipulations set forth in lettered paragraphs (a), (b), and (c) above.

Accept, Sir, the renewed assurances of my high consideration.

For the Acting Secretary of State:

JULIUS C. HOLMES

The Honorable

Señor DR. EDUARDO GARLAND,

Minister Counselor,

Chargé d'Affaires ad interim of Peru.

The Peruvian Minister Counselor to the Acting Secretary of State

PERUVIAN EMBASSY
WASHINGTON, D.C.

a 12 de junio de 1945

SEÑOR SECRETARIO:

Tengo el honor de informar a Vuestra Excelencia que he recibido instrucciones de mi Gobierno para aceptar el arreglo de carácter administrativo propuesto por Vuestra Excelencia en nota 23 del mes en curso, respecto a la aplicación a ciudadanos peruanos de la Ley de Entrenamiento y Servicio Selectivo de los Estados Unidos de 1940.

El Gobierno peruano acepta, en términos de reciprocidad, la opción propuesta a favor de los ciudadanos peruanos registrados bajo la vigencia de la ley citada o que estén actualmente en servicio bajo la bandera de los Estados Unidos para ponerse a disposición de las respectivas autoridades militares peruanas para los efectos de las disposiciones de su servicio militar obligatorio, así como las garantías estipuladas en los párrafos a), b) y c) de la nota en referencia.

El Gobierno del Perú está dispuesto a poner en vigencia en forma inmediata el arreglo mencionado y a estudiar los detalles de su aplicación con las correspondientes autoridades del Gobierno de los Estados Unidos.

Con esta oportunidad reitero a Vuestra Excelencia las seguridades de mi más alta consideración.

H FÉRNÁNDEZ DÁVILA

A Su Excelencia

el señor JOSEPH C. GREW

Secretario de Estado interino

Washington, D.C.

Translation

PERUVIAN EMBASSY
WASHINGTON, D.C.

June 12, 1945.

MR. SECRETARY:

I have the honor to inform Your Excellency that I have received instructions from my Government to accept the agreement of an administrative character which was proposed by Your Excellency in the note of the twenty-third instant relative to the application to Peruvian citizens of the United States Selective Training and Service Act of 1940.

The Peruvian Government accepts, on a reciprocal basis, the option proposed in favor of Peruvian citizens registered under the said act or who are now serving under the United States flag to place themselves at the disposal of the appropriate Peruvian military authorities for the purposes of the provisions of their obligatory military service, as well as the guarantees stipulated in Paragraphs (a), (b), and (c) of the note under reference.

The Government of Peru is ready to put into force immediately the said agreement and to study the details of its application with the appropriate authorities of the Government of the United States.

On this opportunity I reiterate to Your Excellency the assurances of my highest consideration.

H FÉRNÁNDEZ DÁVILA

His Excellency

JOSEPH C. GREW,

Acting Secretary of State,

Washington, D.C.

June 7, 11, 1945

[E. A. S. 478]

Agreement between the United States of America and Chile respecting military service. Effected by exchange of notes signed at Washington June 7 and 11, 1945.

The Acting Secretary of State to the Chilean Ambassador

DEPARTMENT OF STATE

WASHINGTON

June 7, 1945

EXCELLENCY:

I have the honor to refer to conversations which have taken place between officers of the Chilean Embassy and of the Department of State with respect to the application of the United States Selective Training and Service Act of 1940, as amended, to Chilean nationals residing in the United States.

As you are aware, the Act provides that with certain exceptions every male citizen of the United States and every other male person between the ages of eighteen and sixty-five residing in the United States shall register. The Act further provides that, with certain exceptions, registrants within specified age limits are liable for active military service in the United States armed forces.

This Government recognizes that from the standpoint of morale of the individuals concerned and the over-all military effort of the countries at war with the Axis Powers, it is desirable to permit certain nationals of cobelligerent countries who have registered or who may register under the Selective Training and Service Act of 1940, as amended, to enlist in the armed forces of their own country, should they desire to do so. It will be recalled that during the World War this Government signed conventions with certain associated powers on this subject. The United States Government believes, however, that under existing circumstances the same ends may now be accomplished through administrative action, thus obviating the delays incident to the signing and ratification of conventions.

This Government has, therefore, initiated a procedure permitting aliens who have registered under the Selective Training and Service Act of 1940, as amended, who are nationals of certain cobelligerent countries and who have not declared their intention of becoming American citizens to elect to serve in the forces of their respective countries, in lieu of service in the armed forces of the United States, at any time prior to their induction into the armed forces of this country. This Government is also affording to such nationals, who may already be serving in the armed forces of the United States, an opportunity of

54 Stat. 885.
50 U. S. C. app.
§§ 301-318; Supp. IV,
§ 302 et seq.
Ante, p. 166.

Nationals of cobelligerent countries.

Induction procedure.

electing to transfer to the armed forces of their own country. The details of the procedure are arranged directly between the War Department and the Selective Service System on the part of the United States Government and the appropriate authorities of the cobelligerent government concerned. It should be understood, however, that in all cases a person exercising an option under the procedure must actually be accepted by the military authorities of the country of his allegiance before his departure from the United States.

Before the above-mentioned procedure is made effective with respect to a cobelligerent country, this Department wishes to receive from the diplomatic representative in Washington of that country a note stating that his government desires to avail itself of the procedure and in so doing agrees that:

Stipulations to be agreed to by cobelligerent country.

(a) No threat or compulsion of any nature will be exercised by his government to induce any person in the United States to enlist in the forces of his or any foreign government;

(b) Reciprocal treatment will be granted to American citizens by his government; that is, prior to induction in the armed forces of his government they will be granted the opportunity of electing to serve in the armed forces of the United States in substantially the same manner as outlined above. Furthermore, his government shall agree to inform all American citizens serving in its armed forces or former American citizens who may have lost their citizenship as a result of having taken an oath of allegiance on enlistment in such armed forces and who are now serving in those forces that they may transfer to the armed forces of the United States provided they desire to do so and provided they are acceptable to the armed forces of the United States. The arrangements for effecting such transfers are to be worked out by the appropriate representatives of the armed forces of the respective governments;

(c) No enlistments will be accepted in the United States by his government of American citizens subject to registration or of aliens of any nationality who have declared their intention of becoming American citizens and are subject to registration.

This Government is prepared to make the proposed regime effective immediately with respect to Chile upon the receipt from you of a note stating that your Government desires to participate in it and agrees to the stipulations set forth in lettered paragraphs (a), (b), and (c) above.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Acting Secretary of State:

JULIUS C. HOLMES

His Excellency

SEÑOR DON MARCIAL MORA,
Ambassador of Chile.

The Chilean Ambassador to the Secretary of State

EMBAJADA DE CHILE

WASHINGTON

11 Junio 1945.

No 791/146

EXCELENCIA :

Tengo el honor de informar a Vuestra Excelencia que he recibido instrucciones de mi Gobierno para aceptar el arreglo de carácter administrativo propuesto por la comunicación de Vuestra Excelencia del 7 de Junio de 1945, respecto a la aplicación a ciudadanos chilenos de la Ley de Entrenamiento y Servicio Selectivo de los Estados Unidos de 1940.

El Gobierno chileno acepta, en términos de reciprocidad, la opción propuesta a favor de los ciudadanos chilenos registrados bajo la vigencia de la citada o que estén actualmente en servicio bajo la bandera de los Estados Unidos, para solicitar su incorporación o traslado al Ejército de Chile, así como las garantías estipuladas en los paráfos (a), (b) y (c) de la nota en referencia.

El Gobierno de Chile está dispuesto a poner en vigencia en forma inmediata el arreglo mencionado y a estudiar los detalles de su aplicación con las correspondientes autoridades del Gobierno de los Estados Unidos.

Aprovecho esta oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta consideración.

Por el Embajador:

ARTURO BASCUÑÁN

Al Excelentísimo

Señor DON EDWARD R. STETTINIUS, Jr.,
Secretario de Estado,
Washington 25, D.C.

Translation

EMBASSY OF CHILE

WASHINGTON

June 11, 1945.

No. 791/146

EXCELLENCY :

I have the honor to inform Your Excellency that I have received instructions from my Government to accept the arrangement of an administrative character proposed in Your Excellency's communication of June 7, 1945, respecting the application to Chilean citizens of the United States Selective Training and Service Act of 1940.

The Chilean Government accepts, on terms of reciprocity, the option proposed in favor of Chilean citizens registered under the said Act or who are at present in service under the United States flag, to request their incorporation into or transfer to the Army of Chile, as well as the guarantees stipulated in paragraphs (a), (b), and (c) of the note under reference.

The Government of Chile is disposed to put the above-mentioned arrangement into force immediately and to study the details of its application with the corresponding authorities of the United States Government.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

For the Ambassador:

ARTURO BASCUÑÁN.

His Excellency,
EDWARD R. STETTINIUS, Jr.,
Secretary of State,
Washington 25, D. C.

July 21 and
August 5, 1944
[E. A. S. 479]

Agreement between the United States of America and Canada respecting sockeye salmon fisheries. Effected by exchange of notes signed at Washington July 21 and August 5, 1944.

The Canadian Chargé d'Affaires to the Secretary of State

CANADIAN EMBASSY
AMBASSADE DU CANADA

WASHINGTON, D. C.,

July 21, 1944.

No. 266

SIR,

I have the honour to refer to the Convention between Canada and the United States for the Protection, Preservation and Extension of the Sockeye Salmon Fisheries in the Fraser River System, signed at Washington on May 26, 1930.

2. Under Article 111 of the Convention, the International Pacific Salmon Fisheries Commission is required to "make a thorough investigation into the natural history of the Fraser River sockeye salmon, into hatchery methods, spawning ground conditions and other related matters". The Commission may also recommend to the two Governments "removing or otherwise overcoming obstructions to the ascent of sockeye salmon, that may now exist or may from time to time occur, in any of the waters covered by this Convention, where investigation may show such removal of or other action to overcome obstructions to be desirable".

3. As a result of extensive investigation the Commission recommended to the two Governments on January 11, 1944, remedial measures for overcoming obstructions to the ascent of the salmon in Hell's Gate Canyon and further investigation and remedial measures for overcoming obstructions to the ascent of the salmon elsewhere in the Fraser River watershed. It was estimated that the costs of the works recommended would be \$2,000,000, which, in accordance with Article 111, paragraph 2, of the Convention, would be shared equally between the two Governments. One copy of the letter and memorandum from the Commission under date of January 11, signed by the chairman and secretary are attached hereto as appendix A. Also attached as appendix B is one copy of a list of the remedial works recommended by the Commission.

4. The Canadian Government has approved of these recommendations of the Commission as set forth in its letter and report of January 11. A vote of \$1,000,000 to provide for Canada's share of the costs of these works has been recommended to Parliament. The Commission has also been authorized by Order in Council P. C. 5002 of June 30, 1944, to let contracts for the remedial works recommended. One copy of Order in Council P. C. 5002, marked appendix C, is attached hereto.

5. The regular procedure for the payment of expenses properly incurred by the Commission is that such expenses are paid by the Canadian Government, one-half being recoverable later by Canada from the United States. This procedure was agreed to by the United States by your note of December 10, 1937.¹ It is acceptable to the Canadian Government that this procedure should be followed with respect to expenditures incurred by the Commission for the proposed remedial works.

6. It would appear desirable that the recommendations of the Commission as set forth in its letter and report of January 11, 1944 and the arrangements proposed for implementing these recommendations should be formally approved by Exchange of Notes between the two Governments.

7. If these proposals are acceptable to the Government of the United States, this note and your reply thereto accepting the proposals shall be regarded as placing on record the agreement of the two governments concerning this matter.

Accept, Sir, the renewed assurance of my highest consideration.

L B PEARSON
Charge d'Affaires.

The Honourable CORDELL HULL,
Secretary of State of the United States,
Washington, D. C.

¹ [Not printed.]

APPENDIX "A"

COPY

January 11th, 1944.

SIR,

In the Pacific Northwest a particularly valuable species of salmon, known as Sockeye, was once so abundant that in 1913 it produced a pack of almost a quarter of a billion one pound cans which, at present prices, would be worth over forty million dollars. Now, one-eighth of that amount is considered a good pack.

The blasting of rocks during railroad construction in a narrow gorge of the Fraser River known as Hell's Gate Canyon, is charged with causing this huge decline by obstructing passage of the fish to their up-river spawning grounds. It is now believed, however, that great numbers of fish were fatally retarded at this canyon even under natural conditions.

Canada and the United States created this Commission to rehabilitate this once enormous food supply of the two nations—for though the spawning all takes place in Canada, United States fishermen get first chance to catch the fish as they pass through Puget Sound to approach the Fraser River mouth.

After intensive investigation it has been conclusively shown that the terrific rush and surge of water at Hell's Gate Canyon is largely responsible for failure of the salmon run to recover its former magnitude. Furthermore, the Commission finds that construction of so-called fish-ladders at this point will largely eliminate the difficulty. Some lesser obstructions also should be eliminated.

The Treaty requires the Commission to recommend to the two Governments the removal of obstructions. Accordingly the Commission herewith submits a biological report showing the necessity for action, an engineering report showing the action required, and a request for two million dollars with which to accomplish the desired result.

Respectfully submitted,

INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

By

"EDWARD W. ALLEN"

Chairman.

"A. J. WHITMORE"

Secretary.

Honourable ERNEST BERTRAND, K.C., P.C.,

*Minister of Fisheries,**Ottawa.*

RECOMMENDATION OF INTERNATIONAL PACIFIC SALMON FISHERIES
COMMISSION FOR OVERCOMING OBSTRUCTIONS TO THE ASCENT
OF SOCKEYE SALMON, PURSUANT TO TERMS OF A TREATY BETWEEN
CANADA AND THE UNITED STATES

The International Pacific Salmon Fisheries Commission was created for the purpose of rehabilitating a Pacific Coast salmon run known as the sockeye salmon of the Fraser River. In its largest year this run produced almost a quarter of a billion pounds of finest quality canned salmon which at present prices would have a value of more than forty million dollars. An eighth of that amount is now considered a good pack.

Among causes suggested for this great decline were need for international regulation and damage to the runs by blasting of rocks and by rock slides during railroad construction in the narrow gorge of the Fraser River, up which the fish must ascend to reach their spawning grounds. The first function of the Commission was to determine what were the actual causes, next to suggest remedies, and after eight years to regulate the catch.

Sockeye salmon normally spawn in late summer or fall in gravel beds in streams which are near lakes, or in the lakes themselves in the upper Fraser River drainage area, some 90,000 square miles in extent. The eggs hatch in early spring, and the young usually spend a year in lakes, then go down to sea and when four years old return to the very stream in which they were born, then in turn to spawn and die. The production of each stream therefore depends upon the run to that stream four years before. In a big river system like the Fraser with its numerous feeder streams there are therefore many separate runs each year. These may occur at different times during a season, though in fact there is much overlapping of such runs.

If the salmon had to keep on their way upstream or die and a run lasted only 30 days and there was a period of 30 days right at the time of such run when the fish could not pass up the river, the conclusion would be natural that such run would not reproduce itself. The problem is not that simple. However, the Commission did find that salmon could only stand a limited delay and that if the delay exceeded such limit they dropped downstream and were lost for reproductive purposes.

The Commission further found that there were specific levels of the river during which the salmon were unable to get up through the terrific rush of water at Hell's Gate Canyon and that these impassable levels occurred during the salmon season, but varied greatly in time, length, and seriousness from year to year. In some years practically all the runs which had survived to that year got through. In other years the entire season was nearly impassable (in 1941 it is estimated that one

million fish were unable to ascend the Canyon, dropped down below and died). In some years certain runs were affected; others were not.

It was also found that, although Hell's Gate Canyon was by far the most serious obstruction of this character, there were other places in the river system, each of which took its toll. Some forty such obstructions were specifically noted, of greatly varying importance, but a much more thorough survey of the seriousness of each, and of conditions at other points where difficulty may exist than the Commission has thus far been able to make, is essential. Moreover, the Commission found large areas apparently suitable to salmon spawning which never had been utilized because of some natural obstruction, and that it was probable that an adequate survey and proper remedial action would be the means of opening up such areas, thereby increasing the productivity of the system beyond what it had ever been.

A most important consideration is that a depleted run of sockeye salmon if given a reasonable opportunity recuperates rapidly. There are, however, great areas to which the runs of certain years have been completely destroyed. Such areas require distinctive treatment. Moreover, any measure of redress, in order to be effective, will require the aid of regulation of the catch.

Viewing the entire field, the Commission found that it would be uneconomical and unsound, if not wholly futile, to attempt to resort to any recuperative or regulatory measure if the same might in any year be rendered fruitless by reason of the restored runs being again depleted by being obstructed in their attempted passage up Hell's Gate Canyon or other points of difficulty.

Accordingly, it is essential that as a first step in an orderly rehabilitation of the sockeye salmon of the Fraser River system as a whole that this continuous threat of destruction at Hell's Gate Canyon be removed. After that, many runs will promptly proceed to restore themselves and this natural process can be going on while the Commission effectuates its plan to bring back lost runs as well as those so close to extinction as to require artificial stimulation, and to produce runs into new areas. Gradual removal of minor obstructions can also be carried on concurrently, as biological and engineering studies indicate the corrective action necessary.

These facts and conclusions are the result of six years of intensive investigation of every available source of information from official and commercial records and from one of the largest fish tagging experiments ever conducted, many thousands of fish having been tagged in salt water and at different parts of the river with observable celluloid tags these then having been collected by means of rewards and otherwise, also by the use of trained observers systematically stationed throughout the area.

Submitted herewith is a biological report from the Commission's scientific staff which presents a remarkable record of investigation and analysis. Dr. W. F. Thompson, until he came to this Commission, had been Scientific Director of the International Fisheries Commission (Halibut) and was largely responsible for the accomplishments of

that Commission which have justly won world-wide recognition. He is now the Scientific Consultant for this Commission.

When the Commission became convinced that a basic difficulty in rehabilitating the Fraser sockeye salmon run lay at Hell's Gate Canyon, it not only concentrated its biological work to bear upon that point but also engaged the most experienced fishery engineers available. Milo Bell, the Commission's chief engineer, is the only active engineer in either nation who has specialized in fishery conservation devices directly related to Pacific salmon. And he in turn has had the assistance of Professor Charles W. Harris, an outstanding hydraulic engineer, as consultant.

So-called fish-ladders have been in use for many years as a means of enabling fish to ascend rivers blocked by dams and natural obstructions. The greatest installation heretofore made was at the Bonneville Dam on the lower Columbia River. The fishery devices at the Bonneville are said to have cost approximately \$7,000,000.00. Nevertheless, these fully justified the expenditure for they have successfully demonstrated their effectiveness in passing the well known Chinook salmon up the Columbia. The practical use of fish-ladders is therefore well recognized in the engineering field.

In the engineering report submitted herewith, the use of fish-ladders to obviate the Hell's Gate Canyon obstruction is presented. But although the Fraser salmon run substantially exceeds that of the Columbia both in quantity and value, the cost of the proposed fish-ladders at Hell's Gate Canyon, together with the estimated cost of investigating and overcoming other obstructions and incidental remedial proposals, all together is less than one-third of the cost of the work at Bonneville.

The Commission therefore requests a total appropriation of \$2,000,000, one-half from Canada, one-half from the United States, for the purposes above outlined. One good year's run restored should produce a catch ten times the entire proposed investment. And under continued and adequate regulation and protection, this enormous food resource should become recurrent year after year in perpetuity.

Respectfully submitted,

INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

By

"EDWARD W. ALLEN"

Chairman.

"A. J. WHITMORE"

Secretary.

January 11th, 1944.

APPENDIX B.

OBSTRUCTIONS ON THE FRASER RIVER WATERSHED, THE INVESTIGATION AND IMPROVEMENT OF WHICH IS RECOMMENDED BY THE INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

Stream	Name of obstruction and location	Description and importance	Remedial measures
1. Fraser River	Hell's Gate Canyon	Impassable obstruction at certain water levels. Principal spawning grounds of the Fraser system are controlled largely by conditions at this point.	Construction of permanent fish-ways on each bank at point of obstruction.
2. Fraser River	Bridge River Rapids. 6 miles above Lillooet.	Two rapids 900 ft. apart. Both serious obstructions to salmon migration below 20 ft. level.* Over $\frac{3}{4}$ of available spawning area above this point. Formerly bulk of escapement spawned above this obstruction.	Construct fish-ways and improve channel for each rapids on both banks of river.
3. Lillooet River	Skookumchuck Rapids. 18 miles above Harrison Lake.	Rapids in constricted, canyon-bound channel. Records of sockeye delayed from 1 to 21 days. Blockade forms above 1 ft. level on gauge. Commonly inflicts heavy mortality on important Birkenhead run.	Install fish-way on left bank and alter channel. Include 10 ft. maximum water fluctuations.
4. Chilkootin River	Farwell Canyon. 11 miles from mouth.	Constricted, bed-rock channel with fall of 4 to 6 ft. at obstruction. Blockade above 3 ft. level on gauge. Over 18% of Chilko run** normally lost at this obstacle.	Construct fish-way on left bank. Blast cut in rock on right bank. Cover 6 ft. maximum water fluctuations.
5. Chilkko River	Kelghley Holes 7 miles above confluence of Chilkootin River.	Channel between high dirt banks. Large boulders in bed cause fall of 5 ft. at obstruction. Chilkko run** delayed at all common water levels.	Remove boulders and rock debris from channel. Construct baffles on right bank to reduce velocity of flow.
6. Quesnel River	Rapids 4 miles below Likely.	Obstruction caused by tailings from Bouillon mine. Present channel is constricted by dumped rock so that velocity of flow is too great for normal passage of salmon.	Remove rock debris from channel and restore original conditions.
7. Stallako River	Falls 4 miles above Fraser Lake.	A 3 ft. falls located in spawning area is ascended with difficulty. Elimination of obstruction would encourage extension of spawning area to desirable streams above.	Reduce flow in channel.
8. Bowron River	Gravel bars, mouth of Bowron River.	At low water stages there is not sufficient water on gravel bars to allow salmon to ascend.	Dredge one main channel for entire flow of river.

*Hell's Gate gauge.

**Chilko run composes over 80% total escapement, 1940-1941.

Stream	Name of obstruction and location	Description and importance	Remedial measures
9. Morris Creek	Shallow channel. Mouth of Morris Creek.	Similar to above. At low water channel nearly dry caused by seepage near mouth. Run commonly delayed two to three weeks before able to enter.	Concentrate flow into one main channel.

Stream	Tributary to	Description	Remedial measures
10. Boise Creek	Upper Pitt River	Excellent sockeye stream with large amount of potential spawning area. Numerous log jams present of which some are impassable to salmon. Serious damage done by floods.	Remove log jams and improve spawning conditions.
11. Douglas Creek	Harrison Lake	Spawning beds scoured by logs and further damaged by floods. Formerly a very important spawning stream.	Remove log jams from channel.
12. Railway Creek	Upper Lillooet River	Beaver dam is located $\frac{1}{4}$ mile above mouth. Good spawning area above dam. Sockeye now limited to lower part of stream.	Transplant beavers to non-salmon stream. Remove dam.
13. McKenzie Creek	Upper Lillooet River	Beaver dam located 20 yards from mouth. Sockeye formerly spawned above dam but now confined to lower part of stream.	Transplant beavers to non-salmon stream and remove dam.
14. Pemberton Creek	One-mile Lake	Numerous log jams which not only block salmon but encourage shifting of channel during high water. Formerly supported run of sockeye.	Remove log jams and re-establish channel in former location.
15. Silver Creek	Fraser River	Place of difficult passage 1-5 miles below lake. Caused by log jams and rapids. Excellent spawning area above.	Remove log jams and improve channel.
16. Nahatlatch River	Fraser River	Large log jam at outlet of lake and numerous log jams on spawning areas that limit areas used by salmon. Extensive spawning area available and formerly produced large run of sockeye.	Remove log jams and general stream improvement.
17. Momich River	Adams Lake	Series of rapids $\frac{1}{4}$ mile from mouth. Sockeye spawn in lower part of creek.	Install fishpass in channel so that sockeye can ascend to upper regions.
18. Scotch Creek	Shuswap Lake	Large log jams near mouth of creek. Channel changes frequently during high water. Only remnant of former large run remains.	Remove log jams and establish channel.
19. Mann Creek	North Thompson River	Beaver dams near mouth which limits present spawning area. Log jams and dense brush in stream $\frac{1}{4}$ mile from mouth. Present depleted run spawn at mouth.	Transplant beaver to non-salmon stream. Remove dam and log jams. Improve spawning area generally.
20. Finn Creek	North Thompson River	Large impassable log jams throughout entire spawning area. Channel frequently changes. Few salmon spawn in creek at present.	Remove log jams and establish channel. Make general stream improvements.
21. Gates Creek	Anderson Lake	Numerous log jams in creek form definite obstruction to migration of salmon. Formerly important spawning area but now runs only spawn near mouth.	Remove log jams and improve spawning area.

Stream	Tributary to	Description	Remedial measures
22. McKinley Creek	Horsefly River	Log jams in creek prevent salmon ascending lakes above which were used for spawning before 1913.	Remove log jams and improve channel for salmon migration.
23. Nadina River	Francois Lake	One serious log jam and numerous minor ones. Small run of sockeye and spawn in river. Large areas suitable for spawning in upper portion of stream.	Remove log jams and improve spawning area.
24. Forfar Creek	Middle River	Impassable log jams 3 miles above mouth. Good spawning stream and would increase the spawning area available.	Remove log jams.
25. Kynoch Creek	Middle River	Impassable log jams 3 to 4 miles above mouth. Important spawning stream of this district.	Remove log jams.
26. Rossette Creek	Middle River	Log jams and brush block stream ¼ mile from mouth. Formerly good spawning creek but only remnant of former run remains.	Remove log jams and improve stream conditions.
27. Narrows Creek	Takla Lake	Numerous log jams cause constant shifting of channel. Formerly excellent spawning stream but now nearly void of fish.	Remove log jams and restore stream to former condition.
28. Pomeroy Creek	Bowron River	Beaver dam at mouth entirely blocks creek to salmon. This stream formerly supported over 2/3 of the Bowron run.	Transplant beaver to non-salmon stream. Remove dam.
29. Indianpoint Creek	Bowron River	Four beaver dams on creek and spawning tributaries. Formerly important spawning and nursery area. No sockeye can enter creek at present.	Transplant beaver to non-salmon stream. Remove all dams and improve stream conditions.
Stream	Location of Obstruction	Description	Remedial measures
30. Nicola River	Dam at outlet of Nicola Lake.	The irrigation dam has a poorly designed fishway and an unscreened diversion channel just above the dam. This was formerly good salmon spawning area.	Install satisfactory fishway and revolving screen on diversion channel.
31. Adams River	Dam at outlet of Adams Lake.	The old sluice dam, not in use at present, has an inadequate fishway. The dam is in poor repair and structure is rotten.	Remove dam or install efficient fishways.
32. Louis Creek	Dam on creek for C. N. R. water supply and irrigation.	Fishway in dam closed during salmon run. Salmon drop back into irrigation ditches and die unspawned. Many fry are lost in ditches.	Install revolving screens on diversions and have sufficient water guaranteed during salmon runs for proper operation of fishways.
33. Barriere River	Hydro-electric project located ten miles above mouth.	Dam is 12 to 15 feet high. Fishway is very poor and usually dry during salmon run. This was formerly a good sockeye spawning area. Flume to turbines is un-screened.	Construct new fishpass over dam and screen turbine intake
34. Lemieux Creek	Low irrigation dam on creek 2 miles above mouth.	Dam is 32 in. high with no fishway installed and during low water is a complete barrier to salmon migration. Unscreened diversion above dam.	Construct fishway in dam and install revolving screen on diversion.

Stream	Location of obstruction	Description	Remedial measures
35. Scotch Creek	Irrigation dam $2\frac{1}{4}$ miles from mouth.	The 3 foot dam has no fishway and cuts off the former main spawning area. Also has unscreened diversion.	Install fishway and construct revolving screen in diversion.
36. Seton Creek	Hydro-electric and water supply.	Fishway now installed is not satisfactory for passage of salmon. Formerly important spawning area; now nearly depleted.	Construct proper fishway.
37. Conni Lake	Dry channel.	Divert Klokkon creek into original channel emptying into Conni Lake. Sockeye formerly spawned in this area.	Divert creek into old channel.

P. C. 5002

APPENDIX C

PRIVY COUNCIL
CANADA

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 30th day of JUNE, 1944.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Fisheries reports that the following item appears in the Estimates tabled in Parliament for the fiscal year 1944-45:

Vote 83 To provide for Canadian share of expenses of the International Pacific Salmon Fisheries Commission to overcome obstructions to the ascent of sockeye salmon at Hell's Gate Canyon, and for investigating and overcoming obstructions to such salmon at other points on the Fraser River Watershed----- \$1, 000, 000

That a similar sum has been provided for the same purpose by the Government of the United States, thus enabling the work to proceed at joint expense;

That persons who, in the opinion of the Minister, may be interested in the work contemplated at Hell's Gate, including the Government of the Province of British Columbia, the Canadian Pacific Railway Company and the Canadian National Railways, have been consulted with reference thereto and that such persons have no objection thereto provided their interests are adequately safeguarded;

That by arrangements between Canada and the United States all expenditures properly incurred by the Commission are paid by the Canadian Government, one-half of such payments to be recovered later by Canada from the United States Government; and

That it is, by reason of the war, necessary for the security, defence, peace, order and welfare of Canada that the Order hereinafter set forth be made.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, and under the authority of the War Measures Act, is pleased, hereby, to authorize the International Pacific Salmon Fisheries Commission constituted pursuant to the Fraser River Sockeye Convention, confirmed by chapter ten of the Statutes of Canada, one thousand, nine hundred and thirty, to enter into contracts in the name of His Majesty in right of Canada for the execution of the work at Hell's Gate Canyon and other points on the Fraser River, British Columbia, for which money is, or is to be, provided by the said Vote 83 hereinbefore set out; and is further pleased to authorize and doth hereby authorize the chairman and secretary of the said Commission to execute any such contract on behalf of the Commission.

A. J. P. HEENEY.
Clerk of the Privy Council

The Secretary of State to the Canadian Chargé d'Affaires ad interim

DEPARTMENT OF STATE
WASHINGTON
August 5, 1944

SIR:

I have your Embassy's note No. 266 of July 21, 1944, with enclosures, in regard to the recommendation of remedial measures for overcoming obstructions to the ascent of the salmon in Hell's Gate Canyon and further investigation and remedial measures for overcoming obstructions to the ascent of the salmon elsewhere in the Fraser River system, which, pursuant to Article III of the Convention between the United States and Canada for the Protection, Preservation and Extension of the Sockeye Salmon Fisheries in the Fraser River system, signed at Washington on May 26, 1930, was made to the American and Canadian Governments on January 11, 1944 by the International Pacific Salmon Fisheries Commission.

50 Stat. 1357.

As you point out the estimated cost of the works recommended, which was two million dollars, would in accordance with Article III, paragraph 2 of the Convention, be shared equally between the two governments.

The Government of the United States has approved the recommendation of the Commission as set forth in its letter and report of January 11, 1944, and the accompanying documents including the "General Engineering Report Covering Fraser River Fisheries Projects" and the first Deficiency Appropriation Act, 1944, approved April 1, 1944 (Public Law 279, 78th Congress), contained the following appropriation:

58 Stat. 150, 162.

"INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

Restoration of salmon runs Fraser River system: For the share of the United States of expenses incident to the work of improving facilities for sockeye salmon migration in the Fraser River by the International Pacific Salmon Fisheries Commission, under the convention between the United States and Canada, concluded May 26, 1930, including personal services; traveling expenses; rent; purchase, maintenance, repair, and operation of not to exceed four motor-propelled, passenger-carrying vehicles; purchase of furniture, instruments, and equipment; construction of fishways; removal of obstructions and stream improvement; construction of warehouse for storage of equipment; and such other expenses as the Secretary of State may deem proper, to be expended under his direction, \$1,000,000, to remain available until expended."

The Department observes from paragraph 5 of your note that it is acceptable to the Canadian Government that the regular procedure

whereunder expenses properly incurred by the Commission are paid by the Canadian Government, one-half being recoverable later by Canada from the United States, should be followed with respect to expenditures incurred by the Commission for the proposed remedial works. The Government of the United States agrees to this procedure and, subject to the limits of the above-quoted appropriation, will reimburse the Canadian Government for one-half of the joint expenses properly incurred by the Commission in connection with the remedial works in question, the full amount of such expenses having been paid by the Government of Canada, it being understood that in the settlement of such amounts the procedure now observed by the two governments in settling the joint expenses of the Commission will be followed.

Accept, Sir, the renewed assurances of my high consideration,

For the Secretary of State:

G. HOWLAND SHAW

MR. MERCHANT MAHONEY

Chargé d'Affaires ad interim of Canada

Agreements between the United States of America and the Netherlands respecting mutual aid, including agreement relating to supplies and services signed at Washington April 30, 1945, effective April 30, 1945; with accompanying memorandum and exchange of notes signed at Washington April 30, 1945; agreement relating to principles applying to the provision of aid to the armed forces of the United States effected by exchange of notes signed at Washington April 30, 1945, effective July 8, 1942. And exchanges of notes signed at Washington April 30, 1945.

April 30, 1945
[E. A. S. 480]

**AGREEMENT BETWEEN THE UNITED STATES OF AMERICA
AND THE KINGDOM OF THE NETHERLANDS UNDER
SECTION 3 (c) OF THE LEND-LEASE ACT**

55 Stat. 31.

As parties signatory to the United Nations Declaration of January 1, 1942, the Government of the United States of America and the Government of the Kingdom of the Netherlands have pledged themselves to employ their full resources, military and economic, against those nations with which they are at war. In the Agreement of July 8, 1942 between the Government of the United States of America and the Government of the Kingdom of the Netherlands, each contracting government undertook to provide the other with such articles, services, facilities and information useful in the prosecution of their common war undertaking as each may be in a position to supply.

55 Stat. 1600.

56 Stat. 1554.

The Government of the United States of America and the Government of the Kingdom of the Netherlands desire to insure the continuing provision of such articles, services, facilities or information without interruption owing to any uncertainty as to the date when the military resistance of the common enemy may cease; and desire to insure further that such articles, services, facilities or information as shall be agreed to be furnished by the United States of America for the purpose of providing war aid to the Government of the Kingdom of the Netherlands, shall be disposed of and transferred, following a determination by the President that such aid is no longer necessary to the prosecution of the war, in an orderly manner which will best promote their mutual interests.

For the purpose of attaining the above-stated objectives, the Government of the United States of America and the Government of the Kingdom of the Netherlands agree as follows:

ARTICLE I

All aid undertaken to be provided by the United States of America under this Agreement shall be made available under the authority

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

and subject to the terms and conditions of the Act of Congress of March 11, 1941, as amended, and any appropriation acts thereunder.

ARTICLE II

Post, p. 1629.

Deferment of terms
for payment.

The United States of America will transfer or render to the Government of the Kingdom of the Netherlands such of the articles and services set forth in the Schedule annexed hereto as the President of the United States of America may authorize to be provided prior to a determination by the President that such articles and services are no longer necessary to the prosecution of the war. Any articles and services set forth in that Schedule transferred or rendered to the Government of the Kingdom of the Netherlands prior to such determination shall be provided upon terms the final determination of which shall be deferred until the extent of lend-lease aid provided by the United States of America and of reciprocal aid provided by the Government of the Kingdom of the Netherlands is known and until the progress of events makes clearer the final terms, conditions and benefits which will be in the mutual interests of the United States of America and the Kingdom of the Netherlands in accordance with the terms of the Agreement of July 8, 1942, and which will promote the establishment and maintenance of world peace.

56 Stat. 1554.

ARTICLE III

Disposal of remain-
ing articles, etc.

After a determination by the President of the United States of America that any of the articles and services set forth in the Schedule annexed hereto are no longer necessary to the prosecution of the war, the United States of America will transfer or render, within such periods of time as may be authorized by law, and the Government of the Kingdom of the Netherlands will accept, such articles and services as shall not have been transferred or rendered to the Government of the Kingdom of the Netherlands prior to said determination.

Post, p. 1629.

The Government of the Kingdom of the Netherlands undertakes to pay the United States of America in dollars for the articles and services transferred or rendered under the provisions of this Article in accordance with the terms and conditions prescribed in the Schedule annexed hereto.

ARTICLE IV

Changes.

Changes may be made from time to time in the items set forth in the Schedule annexed hereto, by mutual agreement between the Government of the United States of America and the Government of the Kingdom of the Netherlands.

The Government of the Kingdom of the Netherlands shall be released from its obligation to accept articles or services, under Article III above, upon payment to the Government of the United States of America of any net losses to the Government of the United States of America including contract cancellation charges resulting from the determination of the Government of the Kingdom of the Netherlands not to accept such articles or services.

Delivery of any articles or services, under the provisions of Article III, may be withheld by the Government of the United States of America without cost to the Government of the Kingdom of the Netherlands whenever the President determines that such action is in the national interest.

ARTICLE V

Any amounts paid to the Government of the United States of America pursuant to the terms of this Agreement shall be deemed to be among the benefits or considerations provided by the Government of the Kingdom of the Netherlands pursuant to Article VI of the Agreement of July 8, 1942.

Credit for amounts
paid to U. S.

56 Stat. 1555.

ARTICLE VI

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Effective date; dura-
tion.

Signed and sealed at Washington this 30th day of April, 1945.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

JOSEPH C. GREW [SEAL]
*Acting Secretary of State of the
United States of America*

FOR THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS:

W. v. BOETZELAER. [SEAL]
Minister of the Netherlands

SCHEDULE

The terms and conditions upon which the articles and services listed below are to be transferred by the United States of America to the Government of the Kingdom of the Netherlands after the determination by the President of the United States of America that such aid is no longer necessary to the prosecution of the war, in accordance with Article III of this Agreement, are as follows:

Terms and condi-
tions.

A. Unless otherwise provided by mutual agreement, transfers of articles to the Government of the Kingdom of the Netherlands shall take place immediately upon loading of the articles on board ocean vessel in a United States port, provided, that those articles which, prior to the end of the periods authorized by law, shall have been contracted for by the United States Government and shall not have been transferred to the Government of the Kingdom of the Netherlands as above set forth, shall be deemed to be transferred to the Government of the Kingdom of the Netherlands upon the last day of such periods. Risk of loss with respect to articles to be transferred to the Government of the Kingdom of the Netherlands shall pass in accordance with the customary practice of the United States Government with respect to transfers under the Act of Congress of March 11, 1941, unless otherwise provided by mutual agreement.

Ante, p. 1628.

Time of transfer.

B. The amount which the Government of the Kingdom of the

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.
Total purchase
price.

Netherlands shall pay to the United States of America for articles transferred under the provisions of Article III of this Agreement shall be the total purchase price, as determined by the President of the United States of America, and said total purchase price shall be the price of the articles as determined under paragraph 2 hereof plus the additional costs (incidental to delivery at shipside) set forth in paragraph 3 hereof.

Definitions.

1. In the determination of the price under paragraph 2 the following definitions shall apply:

(a) The term "contract price" means the contract price f.o.b. point of origin paid by the United States Government to the contractor.

(b) The term "current sale price" with respect to any articles means the market price as of the date of transfer to the Government of the Kingdom of the Netherlands of articles of similar quality and in similar quantity as determined by the President.

Price of articles.

2. The price of the articles shall be determined as follows:

(a) If the articles transferred to the Government of the Kingdom of the Netherlands are provided out of articles delivered to a United States Government agency pursuant to an order or contract determined by the President to have been placed for some purpose other than that of filling a requisition or request filed by the Government of the Kingdom of the Netherlands, the price shall be the current sale price.

(b) If the articles transferred to the Government of the Kingdom of the Netherlands have been the subject of a contract or order placed by a United States Government agency for the purpose of filling a requisition or request filed by the Government of the Kingdom of the Netherlands and have been made available by the supplier for shipment prior to the day on which the President shall have determined that such articles are no longer necessary to the prosecution of the war, the price shall be the current sale price or the contract price less 5 per cent thereof, whichever is lower.

(c) If the articles transferred to the Government of the Kingdom of the Netherlands have been the subject of a contract or order placed by a United States Government agency for the purpose of filling a requisition or request filed by the Government of the Kingdom of the Netherlands and have been made available by the supplier for shipment on or after the day on which the President shall have determined that such articles are no longer necessary to the prosecution of the war, the price shall be the contract price.

(d) For the purpose of subparagraphs (b) and (c) above, the articles shall be deemed to have been made available by the supplier for shipment on the date of issuance of the United States Government Bill of Lading (inland) under which the articles were shipped.

Additional costs.

3. The additional costs to be added to the price to arrive at the total purchase price shall be the costs incurred by the United States of America for inland transportation, storage and other charges incidental to delivery of the articles at shipside. The United States of America

will inform the Government of the Kingdom of the Netherlands from time to time of the amount of such costs incurred and the bases on which they have been determined.

C. Payment of the total purchase price for all articles transferred under the provisions of Article III of this Agreement, shall be made by the Government of the Kingdom of the Netherlands on or before July 1, 1975.

Terms for payment.

1. Payment of the total purchase price of any article so transferred shall be made in equal annual installments, the first of which shall become due and payable on July 1, 1946, or on the first of July next following the day on which such article shall have been transferred, whichever is later.

2. Nothing herein shall be construed to prevent the Government of the Kingdom of the Netherlands from anticipating the payment of any of such installments or any part thereof.

3. If by agreement of the United States of America and the Government of the Kingdom of the Netherlands it is determined that, because of extraordinary and adverse economic conditions arising during the course of payment, the payment of a due installment would not be in the joint interest of the United States of America and the Government of the Kingdom of the Netherlands, payment may be postponed for an agreed upon period.

D. Interest on the unpaid balances of the total purchase price determined under Section B above for any article so transferred, shall be paid by the Government of the Kingdom of the Netherlands at the fixed rate of two and three-eighths per cent per annum, accruing from the first day of July, 1946 or from the first day of July next following the day on which such article shall have been transferred, whichever is later. Interest shall be payable annually, the first payment to be made on the first day of July next following the first day of July on which such interest began to accrue.

Interest.

E. The Government of the Kingdom of the Netherlands shall pay to the United States of America the cost of the services listed in this Schedule to the extent that such services shall be rendered to the Government of the Kingdom of the Netherlands following the determination by the President that such services are no longer necessary to the prosecution of the war. The cost of such services, so rendered, shall be determined by the President of the United States of America and shall be paid by the Government of the Kingdom of the Netherlands in accordance with the same terms as provided for the payment of the total purchase price of the articles provided hereunder, as set forth in Section C above. Interest shall be paid on the unpaid balances of the cost of such services in accordance with the terms of Section D hereof.

Payment of cost of services.

F. The articles and services in this Schedule shall be for the territory indicated herein and their total purchase price value shall not exceed \$242,000,000. Such articles and services and their estimated cost to the Government of the United States of America are as follows:

Limit on total purchase price value.

For Metropolitan Netherlands

Raw materials for war use and essential civilian supply, including emergency repair of industrial and housing facilities	\$65, 000, 000
Petroleum	10, 000, 000
Food	70, 000, 000
Agricultural supplies and equipment	13, 000, 000
Clothing, footwear and shoe repair materials	5, 000, 000
Medical supplies	5, 000, 000
Short life equipment and repair parts for use in war production and transportation	47, 000, 000
Prefabricated civilian housing for emergency shelter	5, 000, 000
Freight charges on United States vessels	22, 000, 000
Total	\$242, 000, 000

MEMORANDUM

The Government of the United States of America directs the attention of the Government of the Kingdom of the Netherlands to the proposed agreement under Section 3 (c) of the Lend-Lease Act and in particular to Article IV thereof. Under Article IV this Government will review, from time to time, and particularly at the conclusion of hostilities in Europe, as determined by the President, articles and services set forth in the Schedule annexed to the Agreement in order to determine whether the delivery of such articles or services should be withheld in the national interest of the United States. The reservation made by this Government in Article IV to withhold delivery of articles and services "whenever the President determines that such action is in the national interest" constitutes a broad power to cancel or revoke procurement programs or contracts. It is not possible to predict with precision what occasions or circumstances may arise in the future which may require this Government to withhold delivery. Actual delivery will always be subject to the development of the military situation, and the changing demands of strategy, as well as to economic and financial factors which affect the national interest of this Government.

It is further understood that the Government of the Kingdom of the Netherlands will be obligated to pay currently for civilian supplies furnished by the combined military authorities under "Plan A" or "Plan A" as modified. Payment will be made in accordance with the arrangements to be made with the governments which have furnished the supplies, and in United States dollars to the extent determined under such arrangements.

It is, of course, understood that in the implementation of the provisions of any lend-lease agreement with the Government of the Kingdom of the Netherlands, the Government of the United States of America will act in accordance with its Constitutional procedures.

J. C. G.

DEPARTMENT OF STATE,
Washington, April 30, 1945.

The Netherlands Minister to the Acting Secretary of State

NETHERLANDS EMBASSY

WASHINGTON, D. C.

WASHINGTON, April 30th, 1945.

MY DEAR MR. SECRETARY:

Several questions of interpretation have arisen with respect to the language of the Agreement between our two Governments under Section 3 (c) of the Lend-Lease Act. I believe it will be helpful to indicate the understanding which my Government now has with respect to these questions and I would appreciate an expression from you as to whether or not these understandings are correct.

1. It is the understanding of my Government that the Agreement does not apply to arms and munitions, and that arms and munitions now or hereafter provided to my Government will be supplied, on a straight lend-lease basis, under the Agreement of July 8, 1942 between our two Governments on the principles applying to mutual aid.

56 Stat. 1554.

2. We understand that in general it is not the intention of the United States Government to exercise its right under Article V of the Agreement between our two Governments dated July 8, 1942 to recapture any articles for which the Government of the Kingdom of the Netherlands has paid or is to pay the United States Government. If, however, the United States Government should exercise this right with respect to any such articles, appropriate arrangements will be made for repayment to the Government of the Kingdom of the Netherlands.

56 Stat. 1555.

3. With reference to the last paragraph of Article III of the Agreement under Section 3 (c) of the Lend-Lease Act, it is the understanding of my Government that no articles or services will be transferred or rendered to my Government under that Article unless they have been requisitioned by my Government.

Ante, p. 1628.

4. In the first paragraph of Article IV of the Agreement under Section 3 (c) of the Lend-Lease Act, it is stated that changes may be made from time to time in the items set forth in the Schedule annexed thereto, by mutual agreement between the United States of America and the Government of the Kingdom of the Netherlands. It is our understanding that this language means that not only the items but also the values expressed for each item in the Schedule and the total value expressed for the whole Schedule, may be modified by mutual agreement taking into consideration among other things the supply situation in the United States and the established needs of the Kingdom of the Netherlands.

5. With regard generally to the provisions of the Agreement under Section 3 (c) of the Lend-Lease Act with reference to risk of loss and transfer, as expressed in Section A of the Schedule annexed to the Agreement, it is my understanding that a suitable opportunity will be given to representatives of my Government, in accordance with the general procedure of your Government, to inspect articles proposed to be transferred before their transfer.

6. With reference to the provision of the Schedule annexed to the Agreement under Section 3 (c) of the Lend-Lease Act that risk of

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

loss shall pass in accordance with the customary practice of the United States Government with respect to transfers under the Act of Congress of March 11, 1941, it is the understanding of my Government that under the practice referred to risk of loss usually passes when the articles leave the possession of the supplier or are withdrawn from the United States Government stock.

7. With reference to the provision of Section A of the Schedule annexed to the Agreement under Section 3 (c) of the Lend-Lease Act that "those articles which, prior to the end of the periods authorized by law, shall have been contracted for by the United States Government and shall not have been transferred to the Government of the Kingdom of the Netherlands as above set forth, shall be deemed to be transferred to the Government of the Kingdom of the Netherlands upon the last day of such periods", it is the understanding of my Government that the term "periods" refers to the period as now provided for by the last clause of Section 3 (c) of the Lend-Lease Act, or as such period may hereafter be extended by amendment of that Act, during which the powers conferred by or pursuant to Section 3 (a) of that Act may be exercised to the extent necessary to carry out a contract or agreement made under Section 3 (c) of that Act.

Sincerely yours,

W. v. BOETZELAER,
Minister of the Netherlands

The Honorable

Mr. JOSEPH C. GREW,
Acting Secretary of State,
Washington, D. C.

The Acting Secretary of State to the Netherlands Minister

DEPARTMENT OF STATE

WASHINGTON

April 30, 1945

MY DEAR MR. MINISTER

In reply to your letter of today's date outlining your Government's understanding of seven questions which have arisen with respect to the language of the Agreement between our two Governments under Section 3 (c) of the Lend Lease Act, I am pleased to state that the understanding of your Government coincides with the views held by the Government of the United States in respect to these matters.

Sincerely yours,

JOSEPH C. GREW
Acting Secretary

The Honorable

Baron W. VAN BOETZELAER,
Minister of the Netherlands.

55 Stat. 32.
22 U. S. C., Supp.
IV, § 412 (c).
Ante, p. 52.

The Netherlands Minister to the Acting Secretary of State

NETHERLANDS EMBASSY
WASHINGTON, D. C.

WASHINGTON, *April 30th, 1945.*

SIR,

In the United Nations declaration of January 1, 1942, the contracting governments pledged themselves to employ their full resources, military and economic, against those nations with which they are at war; and in the Agreement of July 8, 1942 between the Government of the United States and the Government of the Kingdom of the Netherlands on the Principles Applying to Mutual Aid in the Prosecution of the War Against Aggression each contracting government undertook to provide the other with such articles, services, facilities or information useful in the prosecution of their common war undertaking as it might be in a position to supply. It is the understanding of the Government of the Kingdom of the Netherlands that the general principle to be followed in providing mutual aid as set forth in the said Agreement of July 8, 1942 is that the war production and the war resources of both nations should be used by each in ways which most effectively utilize the available materials, manpower, production facilities and shipping space.

55 Stat. 1600.

56 Stat. 1554.

With a view, therefore, to supplementing the Agreement of July 8, 1942, I have the honor to set forth below the understanding of the Government of the Kingdom of the Netherlands of the principles and procedures applicable to the provision of aid by the Government of the Kingdom of the Netherlands to the armed forces of the United States and in the manner in which such aid will be correlated with the maintenance of such forces by the United States Government.

56 Stat. 1554.

1. The Government of the Kingdom of the Netherlands, retaining the right of final decision in each case in the light of its own potentialities and responsibilities, will provide the United States or its armed forces with the following types of assistance as reciprocal aid when and to the extent that it is found that they can most effectively be procured in the territory of the Kingdom of the Netherlands:

(a) Military equipment, munitions and military and naval stores;
(b) Other supplies, materials, facilities, services and information for the United States forces including payment of those civil claims against the United States and its armed forces, employees and officers that shall be mutually agreed upon by the two Governments as a proper charge against the Government of the Kingdom of the Netherlands, but not including the pay and allowances of United States forces, the wages and salaries of civilian officials of the United States Government and the administrative expenses of United States missions;

(c) Supplies, materials, facilities, services and information needed in the construction of military projects, tasks and similar capital works required for the common war effort in the territory of the Kingdom of the Netherlands, except for the wages and salaries of United States citizens;

(d) Supplies, materials, facilities, services and information needed in the construction of such military projects tasks and capital works in territory other than territory of the Kingdom of the Netherlands or territory of the United States to the extent that territory of the Kingdom of the Netherlands is a more practicable source of supply than the United States or another of the United Nations;

(e) Such other supplies, materials, facilities, services and information as may be agreed upon as necessary in the prosecution of the war.

2. The practical application of the principles formulated in this note, including the procedure by which requests for aid are made and acted upon, shall be worked out as occasion may require by agreement between the two governments, acting when possible through their appropriate military or civilian administrative authorities. Requests by the United States Government for such aid will be presented by duly authorized authorities of the United States to official agencies of the Government of the Netherlands which will be designated or established by the Government of the Kingdom of the Netherlands for the purpose of facilitating the provision of reciprocal aid.

3. It is the understanding of the Government of the Kingdom of the Netherlands that all such aid, as well as other aid, including information, received under Article VI of the Agreement of July 8, 1942, accepted by the President of the United States or his authorized representatives from the Government of the Kingdom of the Netherlands will be received as a benefit to the United States under the Act of March 11, 1941. In so far as circumstances will permit, appropriate record of aid received under this arrangement will be kept by each Government.

4. In order to facilitate the procurement in the territory of the Kingdom of the Netherlands of supplies, materials, facilities, information and services described in Section 1, by permitting their direct purchase rather than their procurement by the methods contemplated in Section 2, during the period of military operations and until such time as the official agencies of the Government of the Kingdom of the Netherlands are able to provide such reciprocal aid in the manner contemplated in Section 2, the Government of the Kingdom of the Netherlands agrees to make available to designated officers of the United States Government such Netherlands currency or credits as may be needed for the purpose. The necessary arrangements will be made by the appropriate authorities of the two governments.

If the Government of the United States concurs in the foregoing, I would suggest that the present note and your reply to that effect be regarded as placing on record the understanding of our two Governments in this matter and as superseding the exchange of notes of June 14, 1943 on this subject, and that for clarity and convenience of administration the present note and your reply be made retroactive

56 Stat. 1555.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

57 Stat. 991.

to July 8, 1942, the date of the Agreement of the two Governments on the principles applying to mutual aid.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

W. v. BOETZELAER.

The Honorable,
Mr. JOSEPH C. GREW,
Acting Secretary of State,
Washington, D.C.

The Acting Secretary of State to the Netherlands Minister

DEPARTMENT OF STATE
WASHINGTON
April 30, 1945

SIR

I have the honor to acknowledge the receipt of your note of today's date concerning the principles and procedures applicable to the provision of aid by the Government of the Kingdom of the Netherlands to the United States of America or its forces.

In reply I wish to inform you that the Government of the United States agrees with the understanding of the Government of the Kingdom of the Netherlands as expressed in that note. It is also agreed that the exchange of notes of June 14, 1943 on this subject is hereby superseded by your present note and this reply, both of which in accordance with the suggestion contained in your present note, will be regarded as placing on record the understanding between our two Governments in this matter.

57 Stat. 991.

This further integration and strengthening of our common war effort gives me great satisfaction.

Accept, Sir, the renewed assurances of my highest consideration.

JOSEPH C. GREW
Acting Secretary

The Honorable
Baron W VAN BOETZELAER,
Minister of the Netherlands.

The Acting Secretary of State to the Netherlands Minister

DEPARTMENT OF STATE
WASHINGTON
April 30, 1945

MY DEAR MR. MINISTER:

By the Agreement under Section 3 (c) of the Lend-Lease Act signed today between the Government of the United States of America and

Ante, p. 1627.

the Government of the Kingdom of the Netherlands, the Government of the United States has undertaken, on the terms and subject to the conditions therein stated, to make aid available under the Lend-Lease Act to the Kingdom of the Netherlands. By the Reciprocal Aid Agreement also entered into today between our two Governments, your Government has undertaken to render reciprocal aid from the territory of the Kingdom of the Netherlands, including the Netherlands East Indies. It is the understanding of both Governments that this reciprocal aid will include mutually agreed upon quantities of raw materials from the Netherlands East Indies for the use of the United States military or naval forces or for war production in the United States.

The articles and services now specifically covered by the Agreement under Section 3 (c) of the Lend-Lease Act are those listed in the Schedule annexed to the Agreement. These are for Metropolitan Netherlands only. Article IV of the Agreement, however, provides that changes may be made in that Schedule by mutual agreement between the two Governments, and my Government is prepared in the light of the military situation and its developments to consider changes under that Article with a view to providing essential supplies, of the general type of those listed in the Schedule, necessary for the prosecution of the combined war effort in the Pacific. Any articles and services agreed upon between our two Governments as aid to be so furnished for the Netherlands East Indies under the Agreement will, when so agreed upon, become additions to the Schedule and will be transferred by the Government of the United States of America and accepted by the Government of the Kingdom of the Netherlands for the Netherlands East Indies, subject to the terms of the Agreement.

It is not the intention of this Government to provide to the Government of the Kingdom of the Netherlands under the 3 (c) Agreement articles having a long production cycle and a long life.

Sincerely yours,

JOSEPH C. GREW
Acting Secretary

The Honorable
Baron W. VAN BOETZELAER,
Minister of the Netherlands.

The Netherlands Minister to the Acting Secretary of State

NETHERLANDS EMBASSY
WASHINGTON, D. C.

WASHINGTON,
April 30, 1945

MY DEAR MR. SECRETARY,

I beg to acknowledge receipt of your letter of April 30th outlining your Government's views concerning certain aspects of the agreements entered into between our two Governments on this date.

I am pleased to state that the views of your Government coincide with those held by the Government of the Kingdom of the Netherlands in respect to these matters.

Sincerely yours,

W. v. BOETZELAER.
Minister of the Netherlands

The Honorable
JOSEPH C. GREW
*Acting Secretary of State,
Washington, D. C.*

The Netherlands Minister to the Acting Secretary of State

NETHERLANDS EMBASSY
WASHINGTON, D. C.

WASHINGTON, *April 30th, 1945.*

MY DEAR MR. SECRETARY:

Some questions of interpretation have arisen with respect to the language of my note to you dated April 30, 1945, setting forth the understanding of the Government of the Kingdom of the Netherlands of the principles and procedures applicable to the provision of aid by the Government of the Kingdom of the Netherlands to the armed forces of the United States. I am, therefore, giving you the interpretation placed by my Government on those questions, and I would appreciate an expression from you whether or not you agree to these interpretations:

1. The Government of the Kingdom of the Netherlands, taking into consideration its own potentialities and responsibilities, retains the final decision as to the scope, extent and duration of its provision of aid to the armed forces of the United States.

2. As regards services and supplies procured by the armed forces of the United States either by direct requisition or by use of the funds or credits made available under the terms of Section 4 of my note, the Government of the Kingdom of the Netherlands retains the right of deciding whether or not they can be provided as reverse lend-lease.

Finally, I want to state that although the Government of the Kingdom of the Netherlands is fully prepared to give reciprocal aid up to the limits of its possibilities, the extent of reciprocal aid will necessarily depend on the economic situation of the Kingdom of the Netherlands after its liberation from enemy occupation, on the flow of imported supplies and on the development of its foreign exchange position.

Sincerely yours,

W. v. BOETZELAER.
Minister of the Netherlands

The Honorable
Mr. JOSEPH C. GREW,
*Acting Secretary of State,
Washington, D.C.*

The Acting Secretary of State to the Netherlands Minister

DEPARTMENT OF STATE
WASHINGTON
April 30, 1945

SIR:

In reply to your letter of today's date outlining your Government's interpretation of two questions arising in respect to your note on reciprocal aid also of today's date, I am pleased to state that your Government's interpretation is concurred in by the Government of the United States.

Sincerely yours,

JOSEPH C. GREW
Acting Secretary

The Honorable
BARON W. VAN BOETZELAER,
Minister of the Netherlands.

The Acting Secretary of State to the Netherlands Minister

DEPARTMENT OF STATE
WASHINGTON
April 30, 1945

MY DEAR MR. MINISTER:

You will recall that on June 14, 1943, Dean Acheson, Assistant Secretary of State, addressed a letter to the Ambassador of the Kingdom of the Netherlands with respect to the receipt by this Government as reciprocal aid of articles previously purchased abroad and imported into territories of the Kingdom of the Netherlands. In this letter Mr. Acheson stated that this Government does not expect the Government of the Kingdom of the Netherlands or the authorities in its territories to furnish such articles to American forces as reciprocal aid and that, if such articles were furnished as reciprocal aid in emergency situations, this Government would be entirely agreeable to the principle that they should be replaced from the United States as soon as possible. Mr. Acheson further stated that American forces would not request or accept as reciprocal aid any such articles, the replacement of which was regarded by the Government of the Kingdom of the Netherlands as desirable, without specific authorization in each case from the War Department.

The exigencies of war has made strict compliance with this procedure impractical, and your Government has furnished such articles to this Government and its armed forces without compliance with this procedure. The quantity and value of the articles so furnished are not yet known and it is anticipated that considerable time may be required before mutual agreement can be reached as to the exact value of the articles to be replaced under the terms of Mr. Acheson's letter.

At the time of Mr. Acheson's letter no non-military supplies were being provided by my Government to your Government as straight lend-lease. Now, however, our two Governments have concluded an agreement under Section 3 (c) of the Lend-Lease Act, under which this Government will furnish non-military supplies as straight lend-lease aid to your Government to the extent provided therein.

I should therefore like to propose that the obligation in Mr. Acheson's letter to replace articles provided as reciprocal aid which have previously been purchased abroad and imported into territories of the Kingdom of the Netherlands should not apply to articles hereafter made available to this Government as reciprocal aid.

With respect to such articles transferred as reciprocal aid by the Government of the Kingdom of the Netherlands to the United States or its armed forces prior to the date of the signing of the Agreement under Section 3 (c) of the Lend-Lease Act, I should like to propose that final action with respect to replacement be deferred until the final determination of the terms and conditions upon which mutual aid has been provided and received by the two Governments in accordance with the terms of the Agreement of July 8, 1942, with respect to the principles applying to mutual aid. At the time such a final determination is reached, and the full extent of the aid furnished by the United States and the reciprocal aid furnished by the Government of the Kingdom of the Netherlands becomes known, the United States will make such replacement in accordance with the principles expressed in Mr. Acheson's letter to any extent then mutually agreed upon between the two Governments as just and equitable.

Sincerely yours,

JOSEPH C. GREW
Acting Secretary

The Honorable

Baron W. VAN BOETZELAER,
Minister of the Netherlands.

The Netherlands Minister to the Acting Secretary of State

NETHERLANDS EMBASSY
WASHINGTON, D. C.

WASHINGTON, April 30th, 1945.

MY DEAR MR. SECRETARY:

I have your letter of today with reference to the letter of June 14, 1943 from Dean Acheson, Assistant Secretary of State, to the Ambassador of the Kingdom of the Netherlands with respect to the receipt by your Government as reciprocal aid of articles previously purchased abroad and imported into territories of the Kingdom of the Netherlands. In your letter you make certain proposals in relation to the obligation assumed by your Government in Mr. Acheson's letter.

I have the honor to advise you that your proposals are satisfactory to my Government.

Sincerely yours,

W. v. BOETZELAER.
Minister of the Netherlands.

The Honorable

JOSEPH C. GREW,
Acting Secretary of State,
Washington, D. C.

April 17, 19, and
May 19, 1945
E. A. S. 481]

Agreements between the United States of America and Belgium respecting mutual aid, including agreement relating to supplies and services, signed at Washington April 17, 1945, effective April 17, 1945; with memorandum of interpretation signed at Washington April 17, 1945, and exchanges of notes signed at Washington April 17 and 19 and May 19, 1945; and agreement relating to principles applying to the provision of aid to the armed forces of the United States, effected by exchange of notes signed at Washington April 17 and 19, 1945, effective June 16, 1942.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND BELGIUM UNDER SECTION 3 (c) OF THE LEND-LEASE ACT

55 Stat. 31.

55 Stat. 1600.

56 Stat. 1504.

As parties signatory to the United Nations Declaration of January 1, 1942, the Government of the United States of America and the Government of Belgium have pledged themselves to employ their full resources, military and economic, against those nations with which they are at war. In the agreement of June 16, 1942 between the Government of the United States of America and the Government of Belgium, each contracting Government undertook to provide the other with such articles, services, facilities and information useful in the prosecution of their common war undertaking as each may be in a position to supply.

The Government of the United States of America and the Government of Belgium desire to insure the continuing provision of such articles, services, facilities or information without interruption owing to any uncertainty as to the date when the military resistance of the common enemy may cease; and desire to insure further that such articles, services, facilities or information as shall be agreed to be furnished by the United States for the purpose of providing war aid to the Government of Belgium, shall be disposed of and transferred, following a determination by the President that such aid is no longer necessary to the prosecution of the war, in an orderly manner which will best promote their mutual interests.

For the purpose of attaining the above-stated objectives, the Government of the United States of America and the Government of Belgium agree as follows:

ARTICLE I

All aid undertaken to be provided by the United States of America under this agreement shall be for Metropolitan Belgium and shall be made available under the authority and subject to the terms and conditions of the Act of Congress of March 11, 1941, as amended and any appropriation acts thereunder.

Aid for Metropolitan
Belgium.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

ARTICLE II

The United States of America will transfer or render to the Government of Belgium such of the articles and services set forth in the Schedule annexed hereto as the President of the United States of America may authorize to be provided prior to a determination by the President that such articles and services are no longer necessary to the prosecution of the war. Any articles and services set forth in that Schedule transferred or rendered to the Government of Belgium prior to such determination shall be provided upon terms the final determination of which shall be deferred until the extent of lend-lease aid provided by the United States of America and of reciprocal aid provided by the Government of Belgium is known and until the progress of events makes clearer the final terms, conditions and benefits which will be in the mutual interests of the United States of America and Belgium in accordance with the terms of the agreement of June 16, 1942, and which will promote the establishment and maintenance of world peace.

Transfer of articles,
etc.

Post, p. 1644.

Deferment of terms
for payment.

56 Stat. 1504.

ARTICLE III

After a determination by the President of the United States of America that any of the articles and services set forth in the Schedule annexed hereto are no longer necessary to the prosecution of the war, the United States of America will transfer or render, within such periods of time as may be authorized by law, and the Government of Belgium will accept, such articles and services as shall not have been transferred or rendered to the Government of Belgium prior to said determination.

Disposal of remain-
ing articles, etc.

The Government of Belgium undertakes to pay the United States of America in dollars for the articles and services transferred or rendered under the provisions of this Article in accordance with the terms and conditions prescribed in the Schedule annexed hereto.

ARTICLE IV

Changes may be made from time to time in the items set forth in the Schedule annexed hereto, by mutual agreement between the Government of the United States of America and the Government of Belgium.

Changes.

The Government of Belgium shall be released from its obligation to accept articles or services, under Article III above, upon payment to the Government of the United States of America of any net losses to the Government of the United States of America including contract cancellation charges resulting from the determination of the Government of Belgium not to accept such articles or services.

Delivery of any articles or services, under the provisions of Article III may be withheld by the Government of the United States of America without cost to the Government of Belgium whenever the President determines that such action is in the national interest.

ARTICLE V

Credit for amounts
paid to U. S.

Any amounts paid to the Government of the United States of America pursuant to the terms of this Agreement shall be deemed to be among the benefits or considerations provided by the Government of Belgium pursuant to Article VI of the agreement of June 16, 1942.

56 Stat. 1505.

ARTICLE VI

This Agreement shall take effect as from this day's date. It shall continue in force until a date to be agreed upon by the two Governments.

Signed and sealed at Washington this 17th day of April, 1945.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

E R STETTINIUS, Jr. [SEAL]
*Secretary of State of the
United States of America*

FOR THE GOVERNMENT OF BELGIUM:

GUTT [SEAL]
Former Minister of Finance of Belgium
SILVERCRUYS [SEAL]
*Ambassador Extraordinary and Plenipotentiary
of Belgium in Washington*

SCHEDULE

Terms and condi-
tions.

The terms and conditions upon which the articles and services listed below are to be transferred by the United States of America to the Government of Belgium after the determination by the President of the United States of America that such aid is no longer necessary to the prosecution of the war, in accordance with Article III of this Agreement, are as follows:

Title and risk of
loss.

A. Unless otherwise provided by mutual agreement, transfers of articles to the Government of Belgium shall take place immediately upon loading of the articles on board ocean vessel in a United States port, provided, that those articles which, prior to the end of the periods authorized by law, shall have been contracted for by the United States Government and shall not have been transferred to the Government of Belgium as above set forth, shall be deemed to be transferred to the Government of Belgium upon the last day of such periods. Risk of loss with respect to articles to be transferred to the Government of Belgium shall pass in accordance with the customary practice of the United States Government with respect to transfers under the Act of Congress of March 11, 1941, unless otherwise provided by mutual agreement.

B. The amount which the Government of Belgium shall pay to the United States of America for articles transferred under the provisions of Article III of this Agreement shall be the total purchase price, as determined by the President of the United States of America, and said

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.
Total purchase price.

total purchase price shall be the price of the articles as determined under paragraph 2 hereof plus the additional costs (incidental to delivery at shipside) set forth in paragraph 3 hereof.

1. In the determination of the price under paragraph 2 the following definitions shall apply:

(a) The term "contract price" means the contract price f. o. b. point of origin paid by the United States Government to the contractor.

"Contract price."

(b) The term "current sale price" with respect to any articles means the market price as of the date of transfer to the Government of Belgium of articles of similar quality and in similar quantity as determined by the President.

"Current sale price."

2. The price of the articles shall be determined as follows:

Price of articles.

(a) If the articles transferred to the Government of Belgium are provided out of articles delivered to a United States Government agency pursuant to an order or contract determined by the President to have been placed for some purpose other than that of filling a requisition or request filed by the Government of Belgium, the price shall be the current sale price.

(b) If the articles transferred to the Government of Belgium have been the subject of a contract or order placed by a United States Government agency for the purpose of filling a requisition or request filed by the Government of Belgium and have been made available by the supplier for shipment prior to the day on which the President shall have determined that such articles are no longer necessary to the prosecution of the war, the price shall be the current sale price or the contract price less 5 per cent thereof, whichever is lower.

(c) If the articles transferred to the Government of Belgium have been the subject of a contract or order placed by a United States Government agency for the purpose of filling a requisition or request filed by the Government of Belgium and have been made available by the supplier for shipment on or after the day on which the President shall have determined that such articles are no longer necessary to the prosecution of the war, the price shall be the contract price.

(d) For the purpose of subparagraphs (b) and (c) above, the articles shall be deemed to have been made available for shipment by the supplier on the date of issuance of the United States Government Bill of Lading (inland) under which the articles were shipped.

3. The additional costs to be added to the price to arrive at the total purchase price shall be the costs incurred by the United States of America for inland transportation, storage and other charges incidental to delivery of the articles at shipside. The United States of America will inform the Government of Belgium from time to time of the amount of such costs incurred and the bases on which they have been determined.

Costs of delivery of articles at shipside.

C. Payment of the total purchase price for all articles transferred under the provisions of Article III of this Agreement, shall be made by the Government of Belgium on or before July 1, 1975.

Terms for payment. *Ante*, p. 1643.

1. Payment of the total purchase price of any article so transferred shall be made in equal annual installments, the first of which shall become due and payable on July 1, 1946, or on the first of July next following the day on which such article shall have been transferred, whichever is later.

2. Nothing herein shall be construed to prevent the Government of Belgium from anticipating the payment of any of such installments or any part thereof.

3. If by agreement of the United States of America and the Government of Belgium it is determined that, because of extraordinary and adverse economic conditions arising during the course of payment, the payment of a due installment would not be in the joint interest of the United States of America and the Government of Belgium, payment may be postponed for an agreed upon period.

Interest.

D. Interest on the unpaid balances of the total purchase price determined under Section B above for any article so transferred, shall be paid by the Government of Belgium at the fixed rate of two and three-eighths per cent per annum, accruing from the first day of July, 1946 or from the first day of July next following the day on which such article shall have been transferred, whichever is later. Interest shall be payable annually, the first payment to be made on the first day of July next following the first day of July on which such interest began to accrue.

Payment of cost of services.

E. The Government of Belgium shall pay to the United States of America the cost of the services listed in this schedule to the extent that such services shall be rendered to the Government of Belgium following the determination by the President that such services are no longer necessary to the prosecution of the war. The cost of such services, so rendered, shall be determined by the President of the United States of America and shall be paid by the Government of Belgium in accordance with the same terms as provided for the payment of the total purchase price of the articles provided hereunder, as set forth in Section C above. Interest shall be paid on the unpaid balances of the cost of such services in accordance with the terms of Section D hereof.

Limit on total purchase price value.

F. The total purchase price value of all the articles and services in this Schedule 1 shall not exceed \$325,200,000. Such articles and services and their estimated cost to the Government of the United States of America are as follows:

Raw materials	\$90,000,000
Food	75,000,000
Petroleum	14,000,000
Agricultural supplies	18,000,000
Clothing, footwear and shoe repair materials	5,000,000
Medical supplies	1,500,000
Short life equipment for industrial and transport facilities used in war production	77,000,000
Prisoner of war supplies	2,500,000
Freight charges on United States vessels	42,200,000
Total	\$325,200,000

MEMORANDUM OF INTERPRETATION

with respect to the AGREEMENT between the
United States of America and Belgium under
Section 3 (c) of the Lend-Lease Act

The Government of the United States of America directs the attention of the Government of Belgium to the proposed agreement under Section 3 (c) of the Lend-Lease Act and in particular to Article IV thereof. Under Article IV this Government will review, from time to time, and particularly at the conclusion of hostilities in Europe, as determined by the President, articles and services set forth in the Schedule annexed to the Agreement in order to determine whether the delivery of such articles or services should be withheld in the national interest of the United States. The reservation made by this Government in Article IV to withhold delivery of articles and services "whenever the President determines that such action is in the national interest" constitutes a broad power to cancel or revoke procurement programs or contracts. It is not possible to predict with precision what occasions or circumstances may arise in the future which may require this Government to withhold delivery. Actual delivery will always be subject to the development of the military situation, and the changing demands of strategy, as well as to economic and financial factors which affect the national interest of this Government.

The Government of the United States of America expects that all articles and services transferred to the Government of Belgium on or before February 28, 1945, pursuant to the exchange of notes between the Foreign Economic Administration and the Belgian Ambassador to the United States on October 20 and October 25, 1944, [1] will be paid for in United States dollars in accordance with the terms of those notes and any articles and services requisitioned in accordance with the provisions of those notes but transferred after February 28, 1945 will be regarded, if appropriate, as deliveries under the Schedule annexed to the Agreement.

The Government of the United States of America further wishes to point out that, in view of the existing economic and governmental relationships and arrangements between the Government of Belgium and the Grand Duchy of Luxembourg, and the fact that the Government of Belgium and the Grand Duchy of Luxembourg are employing their resources together in the prosecution of the war against the common enemy, it is understood that some of the articles, or an appropriate portion thereof, delivered under this Agreement are required for use or consumption within the Grand Duchy of Luxembourg, and that the Government of Belgium and the Grand Duchy of Luxembourg will make such arrangements between them as may be needed to effectuate such use or consumption within the Grand Duchy of Luxembourg. The Government of the United States of America therefore consents to the transfer by the Government of Belgium of

¹[Not printed.]

such articles, or an appropriate portion thereof, to the Grand Duchy of Luxembourg.

It is further understood that the Government of Belgium will be obligated to pay currently for civilian supplies furnished by the combined military authorities under "Plan A" or "Plan A" as modified. Payment will be made in accordance with the arrangements to be made with the governments which have furnished the supplies, and in United States dollars to the extent determined under such arrangements.

It is, of course, understood that in the implementation of the provisions of any lend-lease agreement with the Government of Belgium, the Government of the United States of America will act in accordance with its Constitutional procedures.

E R STETTINIUS, Jr

DEPARTMENT OF STATE,
Washington, April 17, 1945

The Belgian Ambassador to the Secretary of State

AMBASSADE DE BELGIQUE

WASHINGTON, *April 17, 1945.*

SIR:

Several questions of interpretation have arisen with respect to the language of the Agreement between our two Governments under Section 3 (c) of the Lend Lease Act. I believe it will be helpful to indicate the understanding which my Government now has with respect to these questions and I would appreciate an expression from you as to whether or not these understandings are correct.

1. It is the understanding of my Government that the Agreement does not apply to arms and munitions, and that arms and munitions now or hereafter provided to my Government will be supplied, on a straight lend lease basis, under the Agreement of June 16, 1942 between our two Governments on the principles applying to mutual aid.

2. We understand that in general it is not the intention of the United States Government to exercise its right under Article V of the Agreement between our two Governments dated June 16, 1942 to recapture any articles for which the Government of Belgium has paid or is to pay the United States Government. If however, the United States Government should exercise this right with respect to any such articles, appropriate arrangements will be made for repayment to the Government of Belgium.

3. With reference to the last paragraph of Article III of the Agreement under Section 3 (c) of the Lend Lease Act, it is the understanding of my Government that no articles or services will be transferred or rendered to my Government under that Article unless they have been requisitioned by my Government.

4. In the first paragraph of Article IV of the Agreement under Section 3 (c) of the Lend Lease Act, it is stated that changes may be made from time to time in the items set forth in the Schedule annexed

55 Stat. 32.
22 U. S. C., Supp.
IV, § 412 (c).
Ante, p. 52.

56 Stat. 1504.

56 Stat. 1505.

Ante, p. 1643.

Ante, p. 1643.

thereto, by mutual agreement between the United States of America and the Government of Belgium. It is our understanding that this language means that not only the items but also the values expressed for each item in the Schedule and the total value expressed for the whole Schedule, may be modified by mutual agreement.

5. With regard generally to the provisions of the Agreement under Section 3 (e) of the Lend Lease Act with reference to risk of loss and transfer, as expressed in Section A of the Schedule annexed to the Agreement, it is my understanding that a suitable opportunity will be given to representatives of my Government, in accordance with the general procedures of your Government, to inspect articles proposed to be transferred before their transfer.

Ante, p. 1644.

6. With reference to the provision of the Schedule annexed to the Agreement under Section 3 (c) of the Lend Lease Act that risk of loss shall pass in accordance with the customary practice of the United States Government with respect to transfers under the Act of Congress of March 11, 1941, it is the understanding of my Government that under the practice referred to risk of loss usually passes when the articles leave the possession of the supplier or are withdrawn from United States Government stock.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

7. With reference to the provision of Section A of the Schedule annexed to the Agreement under Section 3 (c) of the Lend Lease Act that "those articles which, prior to the end of the periods authorized by law, shall have been contracted for by the United States Government and shall not have been transferred to the Government of Belgium as above set forth, shall be deemed to be transferred to the Government of Belgium upon the last day of such periods", it is the understanding of my Government that the term "periods" refers to the period as now provided for by the last clause of section 3 (c) of the Lend Lease Act, or as such period may hereafter be extended by amendment of that Act, during which the powers conferred by or pursuant to Section 3 (a) of that Act may be exercised to the extent necessary to carry out a contract or agreement made under Section 3 (c) of that Act.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

SILVERCRUYS
Belgian Ambassador.

The Honorable EDWARD R. STETTINIUS, Jr.,
Secretary of State,
Washington, D.C.

The Secretary of State to the Belgian Ambassador

DEPARTMENT OF STATE
WASHINGTON

April 17, 1945

MY DEAR MR. AMBASSADOR:

In reply to your letter of today's date outlining your Government's understanding of seven questions which have arisen with respect to the

language of the Agreement between our two Governments under Section 3 (c) of the Lend-Lease Act, I am pleased to state that the understanding of your Government coincides with the views held by the Government of the United States in respect to these matters.

Sincerely yours,

E R STETTINIUS, Jr

His Excellency

Baron ROBERT SILVERCRUYS
Belgian Ambassador.

The Secretary of State to the Belgian Ambassador

DEPARTMENT OF STATE

WASHINGTON

April 17, 1945

MY DEAR MR. AMBASSADOR:

In the Memorandum of Interpretation accompanying the Agreement under Section 3 (c) of the Lend-Lease Act which was signed by our Governments today, there is set forth the understanding of my Government that some of the articles to be delivered under the Agreement will be required for use or consumption within the Grand Duchy of Luxembourg and that the Government of Belgium and the Government of the Grand Duchy of Luxembourg will make the necessary arrangements to effectuate such use or consumption within the Grand Duchy of Luxembourg.

You will understand that if my Government should not be able to conclude arrangements with the Grand Duchy of Luxembourg required by the Lend-Lease Act, my Government's consent to future retransfers to the Grand Duchy of Luxembourg, as expressed in the Memorandum accompanying the 3 (c) Agreement, will have to be qualified or revoked.

Sincerely yours,

E R STETTINIUS, Jr

His Excellency

Baron ROBERT SILVERCRUYS
Belgian Ambassador.

The Belgian Ambassador to the Secretary of State

AMBASSADE DE BELGIQUE

No. 2369
Dos. 8492/9

WASHINGTON, *April 19th, 1945*

MY DEAR MR. SECRETARY:

With reference to the Schedule attached to the Agreement between the United States of America and Belgium, under Section 3 (c) of the Lend-Lease Act, I note that the amount of \$42,000,000.00 has been set for freight charges on American ocean vessels.

55 Stat. 32.
22 U. S. C., Supp.
IV, § 412 (c).
Ante, p. 52.

After discussion of this matter with the experts of the "Mission Economique Belge", I feel that due to the fact that an important part of the supplies from United States to Belgium will be shipped on vessels that are not under American Registry, the amount of \$42,000,000. seems far in excess of the freight payments which could possibly be made for transport on American ocean vessels.

Under Article IV of said Agreement, changes may be made from time to time in the items set forth in the Schedule annexed thereto. However, in connection with the conclusion of the Agreement, I should like to state, for the record, that if in the near future the estimate of the experts of the "Mission Economique Belge" proves to be correct, I will request a transfer of part of this amount to other items of the schedule.

Ante, p. 1643.

Sincerely yours,

The Belgian Ambassador,
SILVERCRUYS

The Honorable E. STETTINIUS,
Secretary of State,
Washington, D.C.

The Belgian Ambassador to the Secretary of State

AMBASSADE DE BELGIQUE

D. 8492/9
No. 2370

WASHINGTON, *April 19th, 1945*

MY DEAR MR. SECRETARY,

With respect to paragraph B of the Schedule attached to the Agreement between the United States of America and Belgium, under Section 3 (c) of the Lend-Lease Act, I wish to state that my Government has accepted the provisions concerning the determination of the price, subject to the condition that in case a different manner of determination should be set forth in a similar Agreement between the United States of America and another country, my Government would expect to obtain the benefit of the provisions relating to price determination as embodied in such an Agreement. I should be grateful if you would kindly confirm that this is also the understanding of your Government.

Sincerely yours,

The Belgian Ambassador,
SILVERCRUYS

The Honorable E. STETTINIUS,
Secretary of State,
Washington, D.C.

The Acting Secretary of State to the Belgian Ambassador

DEPARTMENT OF STATE

WASHINGTON

May 19, 1945

MY DEAR MR. AMBASSADOR:

I acknowledge the receipt of your letter of April 19, 1945 in which you state that in respect to the price arrangements contained in paragraph B of the Schedule attached to the Lend-Lease Agreement of April 17, 1945 between the United States and Belgium, your Government would expect to obtain the benefit of comparable price provisions contained in a similar Agreement between the United States and any other country.

Ante, p. 1644.

The Government of the United States has the intention of treating each country in its individual relationship with the United States fairly and equitably in all matters pertaining to lend-lease and the general procurement of supplies in the United States. However, the United States does not consider it necessary that comparable arrangements in similar agreements between the United States and any other country should contain identical or equally favorable provisions. It is sufficient that the individual lend-lease arrangements established between the United States and each country shall be reasonable. The relatively temporary character of lend-lease, the numerous and dissimilar factors involved in the lend-lease relationships of the United States and the rapidly changing war situation compel this Government to retain freedom of action in negotiating individual lend-lease agreements.

Sincerely yours,

JOSEPH C. GREW
Acting Secretary

His Excellency

BARON ROBERT SILVERCRUYS,
Belgian Ambassador.

The Belgian Ambassador to the Secretary of State

AMBASSADE DE BELGIQUE

WASHINGTON, April 17, 1945.

SIR:

55 Stat. 1600.

In the United Nations declaration of January 1, 1942, the contracting governments pledged themselves to employ their full resources, military and economic, against those nations with which they are at war; and in the Agreement of June 16, 1942, each contracting government undertook to provide the other with such articles, services, facilities or information useful in the prosecution of their common war undertaking as each may be in a position to supply. It is further the understanding of the Government of Belgium that the general principle to be followed in providing mutual aid as set forth in the said Agreement of June 16, 1942, is that the war production and the war

56 Stat. 1504.

resources of both Nations should be used by the armed forces of each and of the other United Nations in ways which most effectively utilize the available materials, manpower, production facilities and shipping space.

With a view, therefore, to supplementing Article II and Article VI of the Agreement of June 16, 1942, between our two Governments for the provision of reciprocal aid, I have the honor to set forth the understanding of the Government of Belgium of the principles and procedures applicable to the provision of aid by the Government of Belgium to the armed forces of the United States and the manner in which such aid will be correlated with the maintenance of such forces by the United States Government.

56 Stat. 1505.

1. The Government of Belgium, retaining the right of final decision in each case in the light of its own potentialities and responsibilities, will provide the United States or its armed forces with the following types of assistance as reciprocal aid when and to the extent that it is found that they can most effectively be procured in Belgium or the Belgian Congo:

(a) Military equipment, munitions and military and naval stores;

(b) Other supplies, materials, facilities, services and information for the United States forces including payment of those civil claims against the United States and its armed forces, employees and officers that shall be mutually agreed upon by the two Governments as a proper charge against the Belgian Government, but not including the pay and allowances of United forces, the wages and salaries of civilian officials of the United States Government and the administrative expenses of United States missions;

(c) Supplies, materials and services needed in the construction of military projects, tasks and similar capital works required for the common war effort in Belgium or the Belgian Congo, except for the wages and salaries of United States citizens;

(d) Supplies, materials and services needed in the construction of such military projects, tasks and capital works in territory other than Belgium or the Belgian Congo or territory of the United States to the extent that Belgium or the Belgian Congo is a more practicable source of supply than the United States or another of the United Nations;

(e) Such other supplies, materials, facilities, services and information as may be agreed upon as necessary in the prosecution of the war.

2. The practical application of the principles formulated in this note, including the procedure by which requests for aid are made and acted upon, shall be worked out as occasion may require by agreement between the two governments, acting when possible through their appropriate military or civilian administrative authorities. Requests by the United States Government for such aid will be presented by duly authorized authorities of the United States to official agencies of the Belgian Government which will be designated or established

by the Government of Belgium for the purpose of facilitating the provision of reciprocal aid.

3. It is the understanding of the Government of Belgium that all such aid, as well as other aid, including information received under Article VI of the Agreement of June 16, 1942, accepted by the President of the United States or his authorized representatives from the Government of Belgium will be received as a benefit to the United States under the Act of March 11, 1941. Insofar as circumstances will permit, appropriate record of aid received under this arrangement, except for miscellaneous facilities and services, will be kept by each Government.

4. In order to facilitate the procurement in Belgian metropolitan territory of supplies, materials, facilities, information and services described in Section 1, by permitting their direct purchase rather than their procurement by the method contemplated in Section 2, during the period of military operations and until such time as the official agencies of the Belgian Government are able to provide such reciprocal aid in the manner contemplated in Section 2, the Government of Belgium agreed to make available to designated officers of the United States Government such Belgian franc currency or credits as may be needed for the purpose. The necessary arrangements will be made by the appropriate authorities of the two governments.

If the Government of the United States concurs in the foregoing, I would suggest that the present note and your reply to that effect be regarded as placing on record the understanding of our two governments in this matter and as superseding the exchange of notes of January 30, 1943 on this subject, and that for clarity and convenience of administration the present note and your reply be made retroactive to June 16, 1942, the date of the Agreement of the two Governments on the principles of mutual aid.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

SILVERCRUYS
Belgian Ambassador.

The Honorable EDWARD R. STETTINIUS, JR.,
Secretary of State,
Washington, D.C.

The Secretary of State to the Belgian Ambassador

DEPARTMENT OF STATE
WASHINGTON
April 17, 1945

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of today's date concerning the principles and procedures applicable to the provision of aid by the Government of Belgium to the United States of America or its forces.

56 Stat. 1505.

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.

57 Stat. 920.

In reply I wish to inform you that the Government of the United States agrees with the understanding of the Government of Belgium as expressed in that note. It is also agreed that the exchange of notes of January 30, 1943 on this subject is hereby superseded by your present note and this reply, both of which in accordance with the suggestion contained in your present note, will be regarded as placing on record the understanding between our two Governments in this matter.

57 Stat. 920.

This further integration and strengthening of our common war effort gives me great satisfaction.

Accept, Excellency, the renewed assurances of my highest consideration.

E R STETTINIUS, Jr
Secretary of State

His Excellency
Baron ROBERT SILVERCRUYS,
Belgian Ambassador.

The Secretary of State to the Belgian Ambassador

DEPARTMENT OF STATE
WASHINGTON
April 17, 1945

MY DEAR MR. AMBASSADOR:

You will recall that on January 30, 1943 Dean Acheson, Assistant Secretary of State, addressed a letter to the Belgian Ambassador with respect to the receipt by this Government as reciprocal aid of articles previously purchased abroad and imported into Belgian territory. In that letter Mr. Acheson stated that this Government does not expect the Belgian Government or the authorities in the Belgian Congo to furnish such articles to American forces as reciprocal aid and that, if such articles were furnished as reciprocal aid in emergency situations, this Government would be entirely agreeable to the principle that they should be replaced from the United States as soon as possible. Mr. Acheson further stated that American forces would not request or accept as reciprocal aid any such articles, the replacement of which was regarded by the Belgian Government as desirable, without specific authorization in each case from the War Department.

The exigencies of war have made strict compliance with this procedure impractical, and your Government has furnished such articles to this Government and its armed forces without compliance with this procedure. The quantity and value of the articles so furnished are not yet known and it is anticipated that considerable time may be required before mutual agreement can be reached as to the exact value of the articles to be replaced under the terms of Mr. Acheson's letter.

At the time of Mr. Acheson's letter no non-military supplies were being provided by my Government to your Government as straight lend-lease. Now, however, our two Governments have concluded an

agreement under Section 3 (c) of the Lend-Lease Act, under which this Government will furnish non-military supplies as straight lend-lease aid to your Government to the extent provided therein.

I should therefore like to propose that the obligation in Mr. Acheson's letter to replace articles provided as reciprocal aid which have previously been purchased abroad and imported into Belgian territory should not apply to articles hereafter made available to this Government as reciprocal aid.

With respect to such articles transferred as reciprocal aid by the Government of Belgium to the United States or its armed forces prior to the date of the signing of the Agreement under Section 3 (c) of the Lend-Lease Act, I should like to propose that final action with respect to replacement be deferred until the final determination of the terms and conditions upon which mutual aid has been provided and received by the two Governments in accordance with the terms of the Agreement of June 16, 1942 with respect to the principles applying to mutual aid. At the time such a final determination is reached, and the full extent of the aid furnished by the United States and the reciprocal aid furnished by the Government of Belgium becomes known, the United States will make such replacement in accordance with the principles expressed in Mr. Acheson's letter to any extent then mutually agreed upon between the two Governments as just and equitable.

Sincerely yours,

E R STETTINIUS, JR

His Excellency

BARON ROBERT SILVERCRUYS,
Belgian Ambassador.

The Belgian Ambassador to the Secretary of State

AMBASSADE DE BELGIQUE

D. 8492/9
No. 2368

WASHINGTON, April 19, 1945

MY DEAR MR. SECRETARY:

I have the honor to acknowledge the receipt of your letter dated April 17th, 1945, forwarding certain proposals made with reference to the commitments taken by the United States Government and embodied in Mr. Dean Acheson's letter of January 30th, 1943.

As you will recall, at that time the Belgian Congo was the only territory under Belgian jurisdiction where reciprocal aid could be made effective. The terms of Mr. Acheson's letter refer accurately to the situation prevailing in the Belgian Colony, where almost every manufactured article was purchased abroad and imported with considerable difficulty. It was not considered desirable that American forces should procure such articles without a reasonable assurance being given that they would be replaced.

Quite different is the situation in the highly industrialized Belgian

metropolitan territory, which is largely dependent on imports of raw materials and where procurement from the almost depleted stocks of locally produced goods would generally necessitate their replacement by importation of the raw materials needed in their manufacture.

In order to deal with this possibility, which in our view amounts to the extension of aid not within the scope of the Reciprocal Aid Agreement between Belgium and the United States, negotiations were undertaken in Washington between the Department of State and the Belgian Embassy. On October 16th, 1944 a draft amendment to the letter of the Belgian Ambassador dated January 30th, 1943 was submitted by the Department of State to the Belgian Embassy. Paragraph III, which was tentatively agreed upon at that time, expressed in the following terms the intentions of the two interested parties concerning the special situation likely to arise in Belgium.

“In view of the shortages prevailing in Belgium, the Government of Belgium regrets that it will not be in a position to provide as reciprocal aid under Section 1 any supplies or materials (except for component parts or component materials) which require current replacement by purchases involving the use of foreign exchange from sources outside of Belgium or the Belgian Congo. The Government of Belgium, therefore, requests assurances that the Government of the United States will undertake at its option either to replace or to refund in dollars the cost of any such supplies or materials which have been either requisitioned in the manner contemplated in Section 2, or purchased with the currency made available under the terms of Section 4, wherever the quantity involved is appreciable from the point of view of the dollar exchange required for replacements.”

Although no formal agreement was ever concluded on this subject, the Belgian authorities in charge of Reverse Lend-Lease Administration operated on the assumption that such was the understanding and furnished to the Allied Armies supplies, the replacement of which would call for imports from abroad.

While accepting your proposal that final action with respect to replacement be deferred, I wish to place the foregoing on record and to state that the Belgian Government may request that consideration be given to the matters mentioned above, in the final determination of the terms and conditions upon which mutual aid has been provided.

Sincerely yours,

The Belgian Ambassador,
SILVERCRUYS

The Honorable E. STETTINIUS,
Secretary of State,
Washington, D.C.

October 6, 1945
[E. A. S. 482]

Agreement between the United States of America and Norway respecting air transport services. Effected by exchange of notes signed at Washington October 6, 1945; effective October 15, 1945.

The Secretary of State to the Norwegian Chargé d'Affaires ad interim

DEPARTMENT OF STATE

WASHINGTON

October 6, 1945

SIR:

I refer to discussions which have recently taken place between representatives of the Governments of the United States of America and Norway with respect to the conclusion of a reciprocal air transport agreement.

It is my understanding that these discussions, now terminated, have resulted in the following agreement:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND
NORWAY RELATING TO AIR TRANSPORT SERVICES

48 Stat. 1809.

The Governments of the United States of America and Norway signed on October 16, 1933 an air navigation arrangement governing the operation of civil aircraft of the one country in the territory of the other country, in which each party agreed that consent for the operations over its territory by air transport companies of the other party might not be refused on unreasonable or arbitrary grounds. Pursuant to the aforementioned arrangement of 1933, the two governments hereby conclude the following arrangement covering the operation of scheduled airline services between their respective territories, based on the standard form of agreement for air routes and services included in the Final Act of the International Civil Aviation Conference signed at Chicago on December 7, 1944.

Department of State
Publication 2282.

ARTICLE 1

The contracting parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

ARTICLE 2

(a) Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article 6 hereof, be bound to give

Inauguration of air
services.

Post, p. 1660.

the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either contracting party granted commercial rights under this agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

Prevention of discrimination, etc.

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

Certificates of airworthiness, etc

ARTICLE 5

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in

Laws and regulations.

international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Withholding or revocation of certificate or permit.

Each contracting party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this agreement.

ARTICLE 7

Registry of agreement, etc.

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Continuance of prior agreement.
48 Stat. 1809.

Except as may be modified by the present agreement, the general principles of the aforementioned air navigation arrangement of 1933 as applicable to scheduled air transport services shall continue in force until otherwise agreed upon by the two contracting parties.

ARTICLE 9

Request for consultation.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 10

Termination of agreement.

Either contracting party may terminate this agreement, or the rights for any of the services granted thereunder, by giving one year's notice to the other contracting party.

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN THE
UNITED STATES OF AMERICA AND NORWAY

A. Airlines of the United States of America authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of Norway, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Oslo (Gardermoen) or Stavanger (Sola), on the following route:

The United States via intermediate points to Oslo or Stavanger and points beyond; in both directions.

Airlines of the United States of America having the right to pick up and discharge international traffic on the above route will make sufficient traffic stops in Oslo or Stavanger to offer reasonable commercial service for traffic to and from Norway; provided that this undertaking shall not involve any discrimination between airlines of the United States and other countries operating on that same route, shall take into account the capacity of the aircraft, and shall be fulfilled in such a manner as not to prejudice the normal operations of the international air services concerned.

B. Airlines of Norway authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of the United States of America, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at New York or Chicago, on the following route:

Norway via intermediate points to New York or Chicago; in both directions.

I shall be glad to have you inform me whether it is the understanding of your Government that the terms of the agreement resulting from the discussions are as above set forth. If so, it is suggested that October 15, 1945 become the effective date. If your Government concurs in this suggestion the Government of the United States will regard the agreement as becoming effective at such time.

Suggested effective date.

Accept, Sir, the renewed assurances of my high consideration.

For the Secretary of State:

WILLIAM L. CLAYTON

MR. LARS J. JORSTAD,

Chargé d'Affaires ad Interim of Norway.

The Norwegian Chargé d'Affaires ad interim to the Secretary of State

NORWEGIAN EMBASSY
WASHINGTON 7, D. C.

OCTOBER 6, 1945

SIR:

I have the honor to acknowledge the receipt of your note of October 6, 1945 in which you communicated to me the terms of a reciprocal air transport agreement between Norway and the United States of America, as understood by you to have been agreed to in negotiations,

Ante, p. 1658.

now terminated, between representatives of the Royal Norwegian Government and the Government of the United States.

The terms of this agreement which you have communicated to me are as follows:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND
NORWAY RELATING TO AIR TRANSPORT SERVICES

The Governments of the United States of America and Norway signed on October 16, 1933 an air navigation arrangement governing the operation of civil aircraft of the one country in the territory of the other country, in which each party agreed that consent for the operations over its territory by air transport companies of the other party might not be refused on unreasonable or arbitrary grounds. Pursuant to the aforementioned arrangement of 1933, the two governments hereby conclude the following arrangement covering the operation of scheduled airline services between their respective territories, based on the standard form of agreement for air routes and services included in the Final Act of the International Civil Aviation Conference signed at Chicago on December 7, 1944.

ARTICLE 1

The contracting parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the contracting party to whom the rights are granted.

ARTICLE 2

(a) Each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either contracting party granted commercial rights under this agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3

In order to prevent discriminatory practices and to assure equality of treatment, both contracting parties agree that:

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

ARTICLE 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another state.

Post, p. 1664.

ARTICLE 5

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first party.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 6

Each contracting party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where

it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this agreement.

ARTICLE 7

This agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 8

Except as may be modified by the present agreement, the general principles of the aforementioned air navigation arrangement of 1933 as applicable to scheduled air transport services shall continue in force until otherwise agreed upon by the two contracting parties.

ARTICLE 9

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 10

Either contracting party may terminate this agreement, or the rights for any of the services granted thereunder, by giving one year's notice to the other contracting party.

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND NORWAY

A. Airlines of the United States of America authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of Norway, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at Oslo (Gardermoen) or Stavanger (Sola), on the following route:

The United States via intermediate points to Oslo or Stavanger and points beyond; in both directions.

Airlines of the United States of America having the right to pick up and discharge international traffic on the above route will make sufficient traffic stops in Oslo or Stavanger to offer reasonable commercial service for traffic to and from Norway; provided that this undertaking shall not involve any discrimination between airlines of the United States and other countries operating on that same route, shall take into account the capacity of the aircraft, and shall be fulfilled

in such a manner as not to prejudice the normal operations of the international air services concerned.

B. Airlines of Norway authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of the United States of America, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at New York or Chicago, on the following route:

Norway via intermediate points to New York or Chicago; in both directions.

I am instructed to state that the terms of the agreement as communicated to me are agreed to by my Government. Furthermore, I am pleased to add that your suggestion that the agreement become effective on October 15, 1945, is acceptable to my Government.

Accept, Sir, the renewed assurances of my highest consideration.

LARS J. JORSTAD.

The Honorable JAMES F. BYRNES,
Secretary of State,
Washington, D.C.

September 25, 1943
[E. A. S. 483]

Agreement between the United States of America and the French Committee of National Liberation respecting mutual aid in French North and West Africa. Signed at Algiers September 25, 1943; effective September 25, 1943.

MODUS VIVENDI ON RECIPROCAL AID IN FRENCH NORTH AND WEST AFRICA

The Government of the United States and the French Committee of National Liberation desirous of lending each other the reciprocal aid necessary to the prosecution of the joint war effort are agreed upon the following provisional Modus Vivendi which will, following signature, be applicable in French North and West Africa:

U. S. supplies and
services to France.

I – With reference to supplies and services urgently needed to maintain the French war effort, which the United States has furnished to the French authorities and will continue to furnish, within limitations of need and supply, it is understood that:

- a) Military aid, including supplies for railroads, docks, public utilities and other facilities to the extent that such supplies are determined to be military aid is made available on a straight Lend-Lease basis, in the light of the considerations set forth in Paragraph V. Such aid does not include the pay and allowances of French forces. The United States reserves the right to require the return of any articles furnished under this paragraph and not lost, destroyed or consumed,
 - (i) – if at any time it is decided that such restitution would be an advantage in the conduct of the war, or
 - (ii) – if at the end of the present emergency as determined by the President of the United States, the President shall determine that such articles are useful in the defense of the United States or of the Western Hemisphere, or to be otherwise of use to the United States.
- b) For all civilian supplies imported from the United States, the French authorities will pay upon the basis of prices to be agreed. Payment will be made, currently at convenient intervals, in dollars, to an appropriately designated account in the United States.
- c) The distinction between civilian and military aid, supplies and services, where such distinction may be necessary, will be made by agreement.
- d) All aid furnished under Paragraph I (a) and I (b) will be made available by the United States under the authority and subject to the terms and conditions provided for in the Act of Congress

of March 11, 1941, as amended (P.L. 11, 77th Congress, 1st Session).

II—With reference to supplies and services urgently needed to maintain the United States war effort, which the French authorities have furnished to the United States and will continue to furnish, within limitations of need and supply, it is understood that:

- a) The French authorities undertake to make available to or for the use of the armed forces and other governmental agencies of the United States, as reverse Lend-Lease aid to the United States, on a straight Lend-Lease basis, when it is found that such aid can most effectively be procured in territory under their control,
- (i) — military equipment, munitions, and military and naval stores;
 - (ii) — other supplies, materials, facilities and services for United States forces, including the use of railway and port facilities, but not including the pay and allowances of such forces nor the administrative expenses of American missions;
 - (iii) — supplies, materials, facilities and services, except for the wages and salaries of United States citizens, needed in the construction of military projects, tasks and similar capital works required in the common war effort, to the extent that French North or West Africa is the most practicable source of such supplies, materials, facilities or services;
 - (iv) — such other supplies, materials, services or facilities as may be agreed upon as necessary in the prosecution of the war, but not including exports of civilian supplies to the United States from North and West Africa.

While the French authorities retain, of course, the right of final decision, subject to the obligations and arrangements they have entered into for the prosecution of the war, decisions as to the most effective use of resources shall, so far as possible, be made in common, pursuant to common plans for winning the war.

- b) All civilian supplies exported from French North and West Africa to the United States will be paid for on the basis of prices to be agreed. Payment will be made currently, at convenient intervals, in dollars, to an appropriate designated account in the United States.
- c) The distinction between civilian and military aid, supplies and services, where such distinction may be necessary, will be made by agreement.
- d) In order to obtain the supplies and services included within the scope of Paragraph II (a), duly authorized United States officers or other officials will submit their requests to the official services duly designated by the French authorities. These services will be established in Algiers, Casablanca, Oran, Tunis, Dakar, and other places where it may be found practicable and convenient

55 Stat. 31.
22 U. S. C., Supp.
IV, §§ 411-419.
Ante, p. 52.
French supplies and
services to U. S.

to establish organizations for facilitating the transfer of reciprocal aid.

- e) For use in those exceptional cases, and particularly in cases of local procurement of supplies, in which it is agreed to be more practicable to secure such reverse Lend-Lease supplies, facilities and services by direct purchase, rather than by the method of procurement set forth in Paragraph II (b), it is agreed that the French authorities establish a franc account in convenient banking institutions and in the name of a designated officer of the United States to facilitate the provision of reverse Lend-Lease aid as contemplated by Paragraph II (a). The French contributions to this account will be mutually agreed upon from time to time in the light of the changing needs of the American forces, and other appropriate factors. Such an account will not be used for the payment of wages and salaries of American military or civilian personnel, nor for administrative expenses of American missions. Estimates of the franc requirements of the United States will be submitted to designated French authorities from time to time, as may be found convenient. The French authorities will be kept fully and currently informed of all transactions in this account.

III - In exceptional cases, and when they deem it preferable, the American military forces, or other agencies of the United States Government, may continue to use their present practice of acquiring francs against dollars from the French authorities.

Statistical records.

IV - Adequate statistical records will be kept of all goods and services exchanged as mutual aid under paragraphs I and II above.

V - The provisions of this modus vivendi correspond to a desire to reduce to an appropriate minimum the need of either party for currency of the other party. Provisions which call for payments in dollars have been decided upon in view of the special situation arising from accumulated dollar balances and availabilities of dollar funds due to the presence of United States troops in French North and West Africa. Revision of the payment provisions of this modus vivendi will be made should the situation require.

Signed at Algiers this 25th day of September, A.D., 1943.

For the Government of
the United States of
America

ROBERT MURPHY

For the French
Committee of National
Liberation

MASSIGLI
JEAN MONNET.

**MODUS-VIVENDI
SUR L'AIDE RECIPROQUE**

**EN
AFRIQUE DU NORD**

**ET EN
LETTRE OCCIDENTALE FRANCAISES**

AFRI

—: :—

Le Comité Français de la Libération Nationale et le Gouvernement des Etats-Unis, désireux de se prêter mutuellement l'aide réciproque nécessaire à la poursuite de leur effort de guerre commun, sont convenus du présent *modus vivendi* provisoire qui sera applicable, dès sa signature, en Afrique du Nord et en Afrique Occidentale Françaises.

1° - Les Etats-Unis ont fourni et continueront à fournir aux autorités françaises, dans la limite des besoins et des disponibilités, le matériel et les services qui leur seraient indispensables pour soutenir l'effort de guerre français, dans les conditions ci-dessous définies:

a) L'aide militaire, y compris les fournitures destinées aux chemins de fer, docks, services publics et autres facilités, dans la limite où ces fournitures sont considérées comme étant une aide militaire, est accordée sur une base purement prêt-bail, conformément aux considérations exprimées au paragraphe 5 ci-dessous. Cette aide ne comprend pas la solde et les indemnités des troupes françaises. Les Etats-Unis se réservent le droit de demander la restitution de tous les articles livrés en vertu du présent paragraphe, qui n'auront pas été perdus, détériorés ou consommés:

i) s'il est convenu à tout moment que cette restitution est avantageuse à la conduite de la guerre;

ou bien:

ii) si, à la fin du présent état d'alerte, tel qu'il sera défini par le Président des Etats-Unis, le Président décide que ces articles sont utiles pour la défense des Etats-Unis ou de l'hémisphère occidental ou pour tout autre objet intéressant les Etats-Unis.

b) Toutes les fournitures civiles importées des Etats-Unis seront payées par les autorités françaises sur la base des prix qui seront convenus par accord mutuel. Le paiement en sera fait au fur et à mesure, à des intervalles convenables, en dollars, à un compte à désigner à cet effet aux Etats-Unis.

c) La distinction entre le caractère civil ou militaire de l'aide, des services ou des fournitures sera faite d'un commun accord, chaque fois qu'il sera nécessaire.

d) Toute aide fournie en vertu des paragraphes 1 (a) et 1 (b) sera accordée par les Etats-Unis en vertu de l'acte du Congrès du 11 Mars 1941 (modifié) et selon les termes et conditions qui y sont stipulés.

2° - Les Autorités françaises ont fourni et continueront à fournir aux Etats-Unis, dans la limite des besoins et disponibilités, les marchandises et les services qui leur seraient indispensables pour soutenir l'effort de guerre, dans les conditions ci-dessous définies:

a) Les Autorités françaises s'engagent à mettre à la disposition des Forces armées et autres organismes gouvernementaux des Etats-Unis, à titre d'aide réciproque, sur une base purement prêt-bail, lorsqu'il apparaîtra que cette aide peut être obtenue de la manière la plus pratique dans les territoires sous leur contrôle:

- 1° - du matériel militaire, des munitions, des approvisionnements militaires et navals;
- 2° - les autres fournitures, marchandises, facilités et services à l'usage des Forces armées américaines, y compris l'utilisation des chemins de fer et installations portuaires, sans toutefois prendre à leur charge les soldes et indemnités de ces Forces et les dépenses administratives des Missions américaines;
- 3° - les fournitures, marchandises, facilités et services, sans toutefois prendre à leur charge les gages et soldes des citoyens américains, nécessaires pour la réalisation matérielle des projets et autres travaux militaires importants nécessaires en vue de poursuivre l'effort de guerre commun, dans la mesure où l'Afrique du Nord et l'A.O.F. sont la source la plus commode pour obtenir ces fournitures, marchandises, services ou facilités;
- 4° - les autres fournitures, marchandises, services ou facilités qui seront reconnus comme nécessaires pour la conduite de la guerre, à l'exception des fournitures civiles exportées de l'Afrique du Nord ou de l'A.O.F. vers les Etats-Unis. Quoique les autorités françaises conservent, bien entendu, le droit de décision finale, sous réserve des obligations et conventions qu'elles ont contractées pour la poursuite de la guerre, les décisions relatives à l'emploi le plus efficace des ressources seront, dans la mesure du possible, prises en commun, conformément au plan commun pour gagner la guerre.

b) Les fournitures civiles exportées de l'Afrique du Nord et de l'A.O.F. vers les Etats-Unis seront payées à des prix convenus d'un commun accord, le paiement en étant fait par les Autorités américaines aux Autorités françaises, en dollars, périodiquement, à un compte à désigner aux Etats-Unis.

c) La distinction entre le caractère civil ou militaire de l'aide, des services ou des fournitures, sera faite d'un commun accord et chaque fois qu'il sera nécessaire.

d) Pour obtenir les fournitures et services rentrant dans le cadre du paragraphe 2 (a) les officiers ou les fonctionnaires américains dûment habilités adresseront leur demande aux Services officiels dûment désignés par les autorités françaises. Ces services seront institués à Alger, Casablanca, Oran, Tunis, Dakar et autres endroits où il sera jugé utile et possible de mettre sur pied des organismes destinés à faciliter l'échange de l'aide réciproque.

e) A titre exceptionnel, particulièrement dans le cas d'achats locaux de fournitures, lorsqu'il sera reconnu préférable d'un commun accord que les Services compétents du Gouvernement des Etats-Unis se

procurent au titre Prêt-Bail des fournitures, ainsi que des facilités et services par voie d'achats directs, plutôt que par la méthode décrite au paragraphe 2 (a), les Autorités françaises ouvriront un compte-francs dans les Etablissements bancaires au nom d'un officier des Etats-Unis désigné à cet effet, pour faciliter le fonctionnement de l'aide réciproque comme prévu au paragraphe 2 (a). Les versements français à ce compte seront fixés d'un commun accord, compte tenu des besoins des Forces américaines et autres facteurs à prendre en considération. Ce compte ne sera pas utilisé pour le règlement des gages et salaires du personnel américain civil et militaire, ni pour les dépenses administratives des missions américaines. Les estimations des besoins en francs des Etats-Unis seront soumises périodiquement aux autorités françaises compétentes; les autorités françaises seront tenues au courant, d'une manière complète et régulière, de toutes les dépenses faites sur ce compte.

3° - A titre exceptionnel, et lorsqu'elles l'estimeront préférable, les Forces armées américaines ou autres services du Gouvernement des Etats-Unis pourront, comme ils le font actuellement, acheter aux autorités françaises des francs contre des dollars.

4° - Il sera tenu une statistique adéquate de toutes les fournitures et services échangés à titre d'aide réciproque, conformément aux paragraphes 1 et 2 ci-dessus.

5° - Les clauses du présent *modus vivendi* répondent à l'intention de réduire à un minimum approprié les besoins de chacune des deux parties dans la monnaie de l'autre.

Les clauses qui se traduisent par des paiements en dollars ont été prises compte tenu de la situation particulière résultant des soldes et des disponibilités en dollars qui ont été accumulées par suite de la présence des troupes américaines en Afrique du Nord et en A. O. F.; les clauses de paiement seront révisées si la situation le rend nécessaire.

Fait à Alger, le 25 Septembre 1943,

Ont signé:

Pour le COMITE FRANCAIS DE LA
LIBERATION NATIONALE,

MASSIGLI
JEAN MONNET.

Pour le GOUVERNEMENT
des ETATS-UNIS,

ROBERT MURPHY

Pour copie conforme à l'original
Paris, le 1er août 1945

*Le Ministre Plénipotentiaire
Chef du Service des Archives*

AMÉDÉE OUTREY

[SEAL]

Agreement between the United States of America and Nicaragua respecting a health and sanitation program. Effected by exchange of notes signed at Managua March 30 and 31, 1944.

March 30, 31, 1944
[E. A. S. 484]

The American Chargé d'Affaires ad interim to the Nicaraguan Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 61.

MANAGUA, D. N., NICARAGUA, *March 30, 1944.*

EXCELLENCY:

I have the honor to refer to the notes exchanged between His Excellency the Minister of Foreign Affairs of Nicaragua and this Embassy dated May 18, 1942 and May 22, 1942 respectively relative to the Cooperative Program of Health and Sanitation in Nicaragua provided for in Resolution XXX approved at the third meeting of Ministers of Foreign Affairs of the American Republics held in Rio de Janeiro in January of 1942. In accordance with the notes under reference, the United States of America has contributed Five Hundred Thousand Dollars (\$500,000.00) for the Cooperative Health and Sanitation Program that is now being carried out in Nicaragua.

57 Stat. 1307.

If desired by the Government of Nicaragua, the Government of the United States of America, through the Institute of Inter-American Affairs, an agency of the Office of the Coordinator of Inter-American Affairs, is prepared to contribute an additional sum of Three Hundred Thousand Dollars (\$300,000.00) for the purpose of cooperating with the Government of Nicaragua in extending the cooperative program of public health and sanitation and providing for the termination of the program within a three-year period beginning April 1, 1944. It would be understood that the Government of Nicaragua will contribute the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00) to be combined with the funds contributed by the United States of America and expended over the same three-year period for the cooperative program of health and sanitation in Nicaragua.

Additional U. S.
contribution.

The kind of work and specific projects to be undertaken and the costs thereof would be mutually agreed to by the appropriate official of Your Excellency's Government and an appropriate official of the Institute of Inter-American Affairs.

It would be understood that the funds contributed by both Governments will be spent by the special agency created within the Dirección General de Sanidad by Your Excellency's Government, which special agency is known as the Servicio Cooperativo Inter-Americano

Special agency:

de Salud Pública de Nicaragua. Detailed arrangements for the continuation of the special service and the prosecution of the cooperative program of health and sanitation in Nicaragua would be effected by agreement between the appropriate official of Your Excellency's Government and an appropriate official of the Institute of Inter-American Affairs.

It would be understood that the Government of the United States of America will continue to furnish such experts as are considered necessary in order to collaborate with Your Excellency's Government in executing the cooperative health and sanitation program.

All projects completed and property acquired in connection with the health and sanitation program would be the property of the Government of Nicaragua.

No project would be undertaken that would require supplies of materials the procurement of which would handicap any phase of the war effort.

I should be glad to be informed whether Your Excellency approves the foregoing general proposal, with the understanding that the details of the program will be the subject of further discussion and agreement as provided for herein.

Accept, Excellency, the renewed assurances of my highest consideration.

HAROLD D. FINLEY

His Excellency

Dr. MARIANO ARGÜELLO VARGAS,
Minister of Foreign Relations.

*The Nicaraguan Minister for Foreign Affairs to the American Chargé
d'Affaires ad interim*

MINISTERIO
DE
RELACIONES EXTERIORES
—
REPÚBLICA DE NICARAGUA

MANAGUA, D.N.,
Marzo 31 de 1944.-

SEÑOR ENCARGADO:

Tengo el honor de acusar recibo de su atenta nota #61 fechada el día de ayer, en la cual me hace mención de las notas cruzadas entre esa Honorable Embajada y este Ministerio, fechadas el 18 y 22 de Mayo de 1942, relativas al programa cooperativo de Salud y Salubridad o Saneamiento en Nicaragua previsto en la resolución XXX aprobada en el Tercer Congreso de Ministros de Relaciones Exteriores de las Repúblicas Americanas, verificado en Río de Janeiro en Enero de 1942.-

En esa nota explica Su Señoría que además de la contribución de \$500.000 con que el ilustrado Gobierno de los Estados Unidos de

América ha ayudado para fines de salud y saneamiento en mi país, está dispuesto, también, a contribuir por medio del Instituto de Asuntos Interamericanos, si así lo desea mi Gobierno, con una suma adicional de \$300.000 para extender el programa cooperativo de Salud y Saneamiento dentro de un período de tres años que comience el 1o. de abril de 1944, siendo entendido que mi Gobierno deberá contribuir con la suma de \$150.000 para combinarse con los fondos con que contribuirán los Estados Unidos de América y gastarse en el mismo período de tres años.—

Agrega, además, Su Señoría, que la clase de trabajos y proyectos especiales que han de emprenderse, así como el costo de los mismos, se convendría mutuamente con los empleados de ambos Gobiernos y un Oficial del Instituto; que los fondos con que contribuyan ambos Gobiernos se gastarán por la Agencia especial creada dentro de la Dirección General de Sanidad, por mi Gobierno, llamada Servicio Cooperativo Interamericano de Salud Pública de Nicaragua; que los arreglos detallados para la continuación del servicio especial y la prosecución del programa cooperativo de salud y saneamiento en Nicaragua se llevará a efecto por convenio entre el empleado correspondiente de mi Gobierno y otro del Instituto; que es entendido que el Gobierno de los Estados Unidos de América continuará suministrando aquellos expertos que se consideren necesarios con el objeto de colaborar con mi Gobierno en el programa cooperativo de salud y saneamiento; que los proyectos terminados y la propiedad adquirida en relación con el referido programa, serán de la propiedad de mi Gobierno; que no se emprenderá ningún proyecto que requiera suministros de materiales que para conseguirse obstaculicen el esfuerzo de guerra; y finalmente, que al aprobarse la propuesta general que se ha relacionado, los detalles del programa serán objeto de discusión posterior y de un convenio.—

En respuesta a la atenta nota relacionada, me es grato informar a Su Señoría que mi Gobierno aprueba la propuesta referida, en los términos dichos.—

Tengo instrucciones, además, para agradecer al ilustrado Gobierno de Su Señoría la efectiva cooperación que se sirve ofrecer al mío y que, sin duda alguna, compromete su gratitud en cuanto servirá para estrechar más siempre las relaciones que felizmente vinculan a nuestros respectivos países y Gobiernos.—

Acepte Su Señoría, en esta oportunidad, el testimonio de mi alta y distinguida consideración.—

ANTONIO BARQUERO.

A Su Señoría Mr. HAROLD D. FINLEY,
Encargado de Negocios a. i.,
de los Estados Unidos de América,
Embajada de los Estados Unidos.—

Translation

MINISTRY OF FOREIGN AFFAIRS

REPUBLIC OF NICARAGUA

MANAGUA, D.N.

March 31, 1944.

Mr. CHARGÉ D'AFFAIRES :

I have the honor to acknowledge receipt of your courteous note No. 61 of yesterday's date, in which you make mention of the notes of May 18 and 22, 1942 exchanged between your Embassy and this Ministry, relative to the cooperative program of health and sanitation in Nicaragua provided for in Resolution XXX approved at the Third Meeting of Ministers of Foreign Affairs of the American Republics held in Rio de Janeiro in January 1942.

In that note, you explain that besides the contribution of \$500,000 which the Government of the United States of America has made for purposes of health and sanitation in my country, it is prepared to contribute likewise, if my Government so desires, an additional sum of \$300,000, through the Institute of Inter-American Affairs, in order to extend the cooperative program of health and sanitation over a three-year period, beginning April 1, 1944, with the understanding that my Government is to contribute the sum of \$150,000 to be combined with the funds contributed by the United States of America, and to be spent within the same three-year period.

You add, furthermore, that the kind of works and specific projects to be undertaken, as well as the cost thereof, would be determined by mutual agreement between the agents of both Governments and an official of the Institute; that the funds to be contributed by both Governments will be spent by the special Agency created by my Government within the Dirección General de Sanidad, called the Inter-American Cooperative Public Health Service of Nicaragua; that the detailed arrangements for the continuation of the special service and for carrying on the cooperative program of health and sanitation in Nicaragua will be effected by agreement between the appropriate official of my Government and an appropriate official of the Institute; that it is understood that the Government of the United States will continue to provide such experts as may be considered necessary for the purpose of collaborating with my Government in the cooperative program of health and sanitation; that the finished projects and the property acquired in connection with the aforementioned program shall be the property of my Government; that no project will be undertaken which requires supplying materials, the acquisition of which would impede the war effort; and, lastly, that when the general proposal in reference is approved the details of the program will be the subject of further discussion and agreement.

In reply to the courteous note in reference, I am pleased to inform you that my Government approves the said proposal under the aforementioned terms.

I have instructions, moreover, to thank your Government for the effective cooperation which it is good enough to offer mine and which undoubtedly constitutes a claim on its gratitude for whatever may serve to bind ever more closely the ties that happily unite our respective countries and their Governments.

Accept, Sir, on this occasion the expression of my high and distinguished consideration.

ANTONIO BARQUERO

The Honorable

HAROLD D. FINLEY

Chargé d'Affaires a. i.

of the United States of America

Embassy of the United States.

May 5, 11, 1943
[E. A. S. 485]

Agreement between the United States of America and Chile respecting a health and sanitation program. Effected by exchange of notes signed at Santiago May 5 and 11, 1943.

The American Ambassador to the Chilean Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

Santiago, May 5, 1943.

No. 2021

EXCELLENCY:

I have the honor to refer to our conversations relative to a cooperative program of health and sanitation in the Republic of Chile, with particular reference to Resolution No. XXX approved at the Third Meeting of Ministers of Foreign Affairs of the American Republics held at Rio de Janeiro, Brazil, in January, 1942.

U. S. contribution.

If desired by the Government of Chile, the Government of the United States is prepared to contribute a sum not to exceed five million dollars for a cooperative program of health and sanitation in Chile, such sum to be made available through the Office of the Coordinator of Inter-American Affairs. The United States Government will also provide a group of experts in public health to cooperate with the officials of the Government of Chile in the execution of the proposed program of health and sanitation.

It is understood that the Government of Chile will furnish such personnel, services and funds for local expenditures as it may consider necessary for the efficient development of the program.

It is further understood that a special cooperative service of health and sanitation will be established within the National Health Service of Chile, and that the detailed arrangements for the establishment of such a special service will be effected by agreement between the appropriate official of the Government of Chile and the representative of the Coordinator of Inter-American Affairs.

Allocation of funds
by Institute of Inter-
American Affairs.

Allocation of United States funds for the purpose of this program will be made by the Institute of Inter-American Affairs which is an agency of the Office of the Coordinator of Inter-American Affairs. Detailed arrangements for the execution of each project and for the expenditure of United States funds will be made by mutual agreement between a representative of the Institute of Inter-American Affairs in Chile and the appropriate official of the Government of Chile.

It is understood that the sum not to exceed five million dollars contributed by the United States Government for execution of the cooperative program of health and sanitation in the Republic of Chile will be expended in accordance with mutual agreements between the appropriate official of the Government of Chile and a representative of the Institute of Inter-American Affairs in Chile.

All projects completed in the prosecution of this program will be the property of the Government of Chile.

No project will be undertaken that will require materials or supplies, the procurement of which would handicap any phase of the war effort.

I should appreciate it if Your Excellency would be so good as to confirm to me your approval of this general proposal with the understanding that the details of the program will be the subject of further discussion and agreements.

Accept, Excellency, the renewed assurance of my highest consideration.

CLAUDE G. BOWERS

His Excellency

Señor don JOAQUÍN FERNÁNDEZ FERNÁNDEZ

Minister for Foreign Relations

Santiago.

The Chilean Minister for Foreign Affairs to the American Ambassador

REPÚBLICA DE CHILE
MINISTERIO DE RELACIONES EXTERIORES
DEPARTAMENTO DIPLOMÁTICO

N° 02453

SANTIAGO, 11 de Mayo de 1943. —

E 11.6.20.

SEÑOR EMBAJADOR:

Tengo el honor de acusar recibo de la atenta comunicación N° 2021, de fecha 5 de los corrientes, por medio de la cual Vuestra Excelencia tiene a bien proponer al Gobierno de Chile la realización de un programa cooperativo de Salubridad y Saneamiento, para lo cual el Gobierno de los Estados Unidos proporcionaría, por intermedio de la Oficina del Coordinador de los Asuntos Interamericanos, hasta la suma de cinco millones de dollars (US\$ 5.000.000) y la cooperación de los técnicos que se estime necesaria. —

El Ministro infrascrito agradece y acepta la colaboración ofrecida, en el entendido de que los detalles de esta proposición general serán materia de acuerdos entre el funcionario pertinente de la Oficina del Coordinador de los Asuntos Interamericanos y el Director General de Sanidad, en su calidad de representante del Servicio Nacional de Salubridad de Chile, a quien le corresponde, de conformidad con nuestra legislación, proponer al Gobierno la forma de resolver nuestros problemas de salubridad y realizar las labores respectivas. —

Efectivamente, la Constitución Política entrega al Servicio Nacional de Salubridad el cuidado de velar por la salud pública y el bienestar higiénico del país y, el Código Sanitario, en su Artículo 4°, dispone que este Servicio estará a cargo del Director General de Sanidad, quien ejercerá sus funciones de conformidad con las facultades y deberes que las leyes le señalan, con exclusión de cualquiera otra autoridad.

Por otra parte, el mismo Código, en su Artículo 269, autoriza a este Servicio para recibir y administrar donaciones, con objeto de aplicarlas a fines de Salubridad Pública. —

Como Vuestra Excelencia lo expresa, todos los proyectos que se completen en la prosecución de este programa serán de propiedad del Gobierno de Chile. —

En consecuencia, me permito rogar a Vuestra Excelencia que se sirva informar al Señor Representante de la Oficina del Coordinador de los Asuntos Interamericanos, que puede entenderse con el Director General de Sanidad, quien posee la personería necesaria para concertar los acuerdos respecto al procedimiento y demás detalles relacionados con la realización del programa cooperativo de Salubridad y Saneamiento, y a las inversiones de los fondos en referencia, en la inteligencia de que el Supremo Gobierno aprobará lo obrado por él. —

El Supremo Gobierno dará las facilidades necesarias para la organización del Departamento especial en el Servicio Nacional de Salubridad, a que Vuestra Excelencia se refiere y aportará, también, una suma que oportunamente se determinará para financiar el plan de obras de salubridad que se acuerde.

Finalmente, el infrascrito se permite sugerir a Vuestra Excelencia la conveniencia de indicar a este Ministerio el nombre del funcionario que representaría al Coordinador de los Asuntos Interamericanos y los poderes con que actuará, para los fines consiguientes.—

Me valgo de la presente oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.—

JOAQUÍN FERNÁNDEZ F

Al Excelentísimo Señor CLAUDE G. BOWERS,
Embajador Extraordinario y Plenipotenciario de los Estados Unidos en Chile.—
Presente.—

Translation •

REPUBLIC OF CHILE
MINISTRY OF FOREIGN AFFAIRS
DIPLOMATIC DEPARTMENT

No. 02453
E 11.6.20.—

SANTIAGO, May 11, 1943

MR. AMBASSADOR:

I have the honor to acknowledge receipt of your courteous communication No. 2021, dated the fifth instant, by which Your Excellency proposes to the Government of Chile the carrying out of a cooperative program of health and sanitation, for which the United States Government would contribute, through the Office of the Coordinator of Inter-American Affairs, up to the sum of five million dollars (U.S. \$5,000,000) and the cooperation of such experts as may be deemed necessary.

The undersigned Minister appreciates and accepts the cooperation offered, with the understanding that the details of this general proposal will be the subject of agreements between the appropriate official of the Office of the Coordinator of Inter-American Affairs and the Director General of Health, in his capacity as representative of the National Health Service of Chile, on whom it is incumbent, in accordance with our legislation, to propose to the Government the manner of solving our health problems and to carry out the corresponding works.

As a matter of fact, the political Constitution entrusts to the National Health Service the care of the public health and sanitary welfare of the country, and the Sanitary Code provides, in Article 4, that this Service shall be under the Director General of Health, who will exercise his functions in accordance with the powers and duties which the laws assign to him, to the exclusion of any other authority.

Furthermore, the same Code, in its Article 269, authorizes this Service to receive and administer donations with the object of applying them to public health purposes.

As Your Excellency states, all the projects completed in the execution of this program shall be the property of the Government of Chile.

Consequently, I beg to ask that Your Excellency be so kind as to inform the representative of the Office of the Coordinator of Inter-American Affairs that he may deal with the Director General of Health, who has the necessary capacity to conclude agreements with respect to procedure and other details connected with the prosecution of the cooperative program of health and sanitation and to the investment of the funds in question, with the understanding that the Supreme Government will approve his acts.

The Supreme Government will provide the necessary facilities for the organization of the special Department in the National Health Service, to which Your Excellency refers, and will also contribute an amount to be determined in due course for financing such plan of sanitation works as may be agreed upon.

Finally, the undersigned begs to suggest to Your Excellency the desirability of indicating to this Ministry the name of the official who would represent the Coordinator of Inter-American Affairs and the powers with which he will act for the desired purposes.

I avail myself of the present opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

JOAQUÍN FERNÁNDEZ F.

His Excellency,

CLAUDE G. BOWERS,

*Ambassador Extraordinary and Plenipotentiary of the
United States in Chile,
City.*

December 10, 1945
[E. A. S. 486]

Agreement between the United States of America and Costa Rica respecting a military mission. Signed at Washington December 10, 1945; effective December 10, 1945.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF COSTA RICA. ACUERDO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA Y EL GOBIERNO DE LA REPÚBLICA DE COSTA RICA.

In conformity with the request of the Government of the Republic of Costa Rica to the Government of the United States of America, the President of the United States of America has authorized the appointment of officers and enlisted men of the United States Army to constitute a Military Mission to the Republic of Costa Rica under the conditions specified below.

De conformidad con la solicitud del Gobierno de la República de Costa Rica al Gobierno de los Estados Unidos de América, el Presidente de los Estados Unidos de América ha autorizado el nombramiento de oficiales y personal subalterno del Ejército de los Estados Unidos que constituyan una Misión Militar a la República de Costa Rica de acuerdo con las condiciones que se estipulan a continuación:

TITLE I

TÍTULO I

Purpose and Duration

Propósito y Duración

ARTICLE 1. The purpose of this Mission is to cooperate with the Minister of Public Security of the Republic of Costa Rica and with the personnel of the Costa Rican Army, with a view to enhancing the efficiency of the Costa Rican Army.

ARTÍCULO 1. El propósito de esta Misión es cooperar con el Ministro de Seguridad Pública de la República de Costa Rica y con el personal del Ejército costarricense con el fin de aumentar la eficiencia del Ejército costarricense.

ARTICLE 2. This Mission shall continue for a period of four years from the date of the signing of this Agreement by the accredited representatives of the Government of the United States of America and the Government of the Republic of Costa Rica, unless previously terminated or extended as hereinafter provided. Any member of the Mission may be recalled by the Government of the United

ARTÍCULO 2. Esta Misión durará cuatro años a partir de la fecha de la firma de este Acuerdo por los representantes acreditados del Gobierno de los Estados Unidos de América y del Gobierno de la República de Costa Rica a menos que se dé por terminado antes o se prorrogue según se provee más adelante. Cualquier miembro de la Misión podrá ser retirado por el Gobierno de los

States of America after the expiration of two years of service, in which case another member shall be furnished to replace him.

ARTICLE 3. If the Government of the Republic of Costa Rica should desire that the services of the Mission be extended beyond the stipulated period, it shall make a written proposal to that effect six months before the expiration of this Agreement.

ARTICLE 4. This Agreement may be terminated before the expiration of the period of four years prescribed in Article 2, or before the expiration of the extension authorized in Article 3, in the following manner:

(a) By either of the Governments, subject to three months' written notice to the other Government;

(b) By the recall of the entire personnel of the Mission by the Government of the United States of America in the public interest of the United States of America, without necessity of compliance with provision (a) of this Article.

ARTICLE 5. This Agreement is subject to cancellation upon the initiative of either the Government of the United States of America or the Government of the Republic of Costa Rica at any time during a period when either Government is involved in domestic or foreign hostilities.

TITLE II

Composition and Personnel

ARTICLE 6. This Mission shall consist of such number of personnel of the United States Army as may be agreed upon by the Minister of Public Security of the Republic of Costa Rica through

Estados Unidos de América después de transcurridos dos años de servicio, y en tal caso se nombrará a otro miembro en su lugar.

ARTÍCULO 3. Si el Gobierno de la República de Costa Rica deseara que se prorroguen los servicios de la Misión más allá del período estipulado, hará una propuesta por escrito con ese objeto seis meses antes de la expiración de este Acuerdo.

ARTÍCULO 4. Este Acuerdo podrá terminarse antes de la expiración del período de cuatro años prescrito en el Artículo 2, o antes de la expiración de la prórroga autorizada en el Artículo 3, de la manera siguiente:

(a) Por cualquiera de los dos Gobiernos, siempre que lo notifique por escrito al otro Gobierno con tres meses de anticipación;

(b) Al retirar el Gobierno de los Estados Unidos de América a todo el personal de la Misión, en el interés público de los Estados Unidos de América, sin necesidad de cumplir con el inciso (a) de este Artículo.

ARTÍCULO 5. Este Acuerdo está sujeto a cancelación por iniciativa del Gobierno de los Estados Unidos de América o del Gobierno de la República de Costa Rica, en cualquier tiempo durante un período en que cualquiera de los dos Gobiernos se vea envuelto en hostilidades internas o externas.

TÍTULO II

Organización y Personal

ARTÍCULO 6. Esta Misión consistirá del personal del Ejército de los Estados Unidos de América que convengan el Ministro de Seguridad Pública de la República de Costa Rica por conducto de su

Extension of services of Mission.

Termination of agreement.

Cancellation in case of hostilities.

his authorized representative in Washington and by the War Department of the United States of America. The individuals to be assigned shall be those agreed upon by the Minister of Public Security of the Republic of Costa Rica or his authorized representative and by the War Department of the United States of America or its authorized representative.

representante autorizado en Washington y la Secretaría de la Guerra de los Estados Unidos de América. Los oficiales que se asignen serán los que determinen por mutuo acuerdo el Ministro de Seguridad Pública de la República de Costa Rica o su representante autorizado y la Secretaria de la Guerra de los Estados Unidos de América o su representante autorizado.

TITLE III

Duties, Rank and Precedence

TÍTULO III

Deberes, Rango y Precedencia

Tentative program.

ARTICLE 7. Prior to inception of operations by the Mission under this Agreement, a tentative program for the Mission will be informally agreed upon between the Minister of Public Security of the Republic of Costa Rica and representatives of the War and State Departments of the United States of America. Any changes in this program which experience may demonstrate to be desirable shall be similarly agreed upon. The Mission shall carry out such duties as may be determined in pursuance of this Article and such other duties consistent with the purposes of this Agreement, as set forth in Article 1, as may be assigned by the Minister of Public Security of the Republic of Costa Rica. The members of the Mission shall be responsible directly to the Minister of Public Security of the Republic of Costa Rica through the Chief of the United States Military Mission.

ARTÍCULO 7. Antes que la Misión dé comienzo a sus funciones de conformidad con este Acuerdo, el Ministro de Seguridad Pública de la República de Costa Rica y representantes de las Secretarías de Guerra y Estado de los Estados Unidos de América convendrán extraoficialmente en un programa tentativo para la Misión. En forma similar se determinarán cualesquier cambios en este programa que la experiencia demuestre que son convenientes. La Misión desempeñará los deberes que se determinen en cumplimiento de este Artículo y cualesquiera otros deberes consistentes con los propósitos de este Acuerdo, según se expresan en el Artículo 1, que le asigne el Ministro de Seguridad Pública de la República de Costa Rica. Los miembros de la Misión serán responsables directamente al Ministro de Seguridad Pública de la República de Costa Rica a través del Jefe de la Misión Militar de los Estados Unidos.

Rank.

ARTICLE 8. Each member of the Mission shall serve on the Mission with the rank he holds in the United States Army, and shall wear the uniform of his rank in

ARTÍCULO 8. Cada miembro de la Misión servirá en ella con el rango que tenga en el Ejército de los Estados Unidos y usará el uniforme de su rango en el Ejército

the United States Army, but shall have precedence over all Costa Rican officers of the same rank.

ARTICLE 9. Each member of the Mission shall be entitled to all benefits and privileges which the Regulations of the Costa Rican Army provide for Costa Rican officers of corresponding rank.

ARTICLE 10. The personnel of the Mission shall be governed by the disciplinary regulations of the United States Army.

TITLE IV

Compensation and Perquisites

ARTICLE 11. Members of the Mission shall receive from the Government of the Republic of Costa Rica such net annual compensation as may be agreed upon between the Government of the United States of America and the Government of the Republic of Costa Rica for each member. This compensation shall be paid in twelve (12) equal monthly installments, each due and payable on the last day of the month. The compensation shall not be subject to any tax, now or hereafter in effect, of the Government of the Republic of Costa Rica or of any of its political or administrative subdivisions. Should there, however, at present or while this Agreement is in effect, be any taxes that might affect this compensation, such taxes shall be borne by the Minister of Public Security of the Republic of Costa Rica in order to comply with the provisions of this Article that the compensation agreed upon shall be net.

de los Estados Unidos, pero tendrá precedencia sobre todos los oficiales costarricenses de igual rango.

ARTÍCULO 9. Cada miembro de la Misión tendrá derecho a todos los beneficios y privilegios que los Reglamentos del Ejército costarricense proveen para oficiales costarricenses de rango correspondiente.

ARTÍCULO 10. El personal de la Misión se regirá por los reglamentos disciplinarios del Ejército de los Estados Unidos.

TÍTULO IV

Remuneración y Obvenciones

ARTÍCULO 11. Los miembros de la Misión recibirán del Gobierno de la República de Costa Rica la remuneración neta anual que acuerden el Gobierno de los Estados Unidos de América y el Gobierno de la República de Costa Rica para cada miembro. Esta remuneración se abonará en doce (12) mensualidades iguales, que vencen y deben pagarse el día último de cada mes. La remuneración no estará sujeta a impuesto alguno, ahora en vigor o que se imponga en el futuro, del Gobierno de la República de Costa Rica ni de ninguna de sus dependencias políticas o administrativas. Sin embargo, si al presente o durante la vigencia de este Acuerdo existieren impuestos que puedan afectar esta remuneración, tales impuestos los pagará el Ministro de Seguridad Pública de la República de Costa Rica, a fin de cumplir con la estipulación de este Artículo de que la remuneración que se convenga será neta.

Benefits and privileges.

Disciplinary regulations.

Tax exemption.

ARTICLE 12. The compensation agreed upon as indicated in the preceding Article shall commence upon the date of departure from the United States of America, or by mutual agreement when departure is from a place other than the United States of America, of each member of the Mission, and, except as otherwise expressly provided in this Agreement, shall continue, following the termination of duty with the Mission, for the return trip to the United States of America and thereafter for the period of any accumulated leave which may be due.

ARTÍCULO 12. La remuneración que se convenga según se indica en el Artículo precedente comenzará a devengarse desde la fecha en que cada miembro parta de los Estados Unidos de América, o desde la fecha que se convenga por mutuo acuerdo cuando los Estados Unidos no sean el punto de partida y, salvo lo que expresamente se dispone en contrario en este Acuerdo, continuará después de la terminación de sus deberes con la Misión, durante el viaje de regreso a los Estados Unidos de América y por el período que dure cualquier licencia acumulada a que tenga derecho.

ARTICLE 13. The compensation due for the period of the return trip and accumulated leave shall be paid to a detached member of the Mission before his departure from the Republic of Costa Rica, and such payment shall be computed for travel by the shortest usually traveled route to the port of entry in the United States of America, regardless of the route and method of travel used by the member of the Mission.

ARTÍCULO 13. La remuneración que se adeude por el período que dure el viaje de regreso y por el de la licencia acumulada se le pagará al miembro de la Misión a quien se retire, antes de su partida de la República de Costa Rica, y el pago se calculará a base de viaje por la ruta ordinaria más corta hasta el puerto de entrada a los Estados Unidos, no importa qué ruta y qué sistema de transporte utilice el miembro de la Misión.

Travel accommodations.

ARTICLE 14. Each member of the Mission and each dependent member of his family shall be provided with first-class accommodations for travel required and performed under this Agreement by the shortest usually traveled route between the port of embarkation in the United States of America and his official residence in the Republic of Costa Rica, and from his official residence in the Republic of Costa Rica to the port of debarkation in the United States of America. Each member of the Mission shall be reimbursed

ARTÍCULO 14. A cada miembro de la Misión y a cada miembro de su familia que sea dependiente suyo se le proporcionará pasaje de primera clase para el viaje que se requiera y que se efectúe de conformidad con este Acuerdo, por la ruta ordinaria más corta, entre el puerto de embarque en los Estados Unidos de América y su residencia oficial en la República de Costa Rica, y de su residencia oficial en la República de Costa Rica al puerto de desembarque en los Estados Unidos de América. Se reembolsará a cada miembro de

Shipment of household effects, etc.

for the expenses of shipment of his household effects and baggage; such reimbursement shall include all necessary expenses incident to unloading from the steamer upon arrival in the Republic of Costa Rica, cartage between the ship and the residence in the Republic of Costa Rica, and packing and loading on board the steamer upon departure from the Republic of Costa Rica. The cost of this transportation for members of the Mission, dependent members of their families, their household effects and baggage shall be borne by the Government of the United States of America. The transportation of such household effects and baggage shall be made in a single shipment and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise provided in this Agreement or when such shipments are necessitated by circumstances beyond their control. The provisions of this Article shall likewise apply to officers who are subsequently detailed to the Republic of Costa Rica for temporary duty, as additional personnel, or replacements for members of the Mission. The expenses of shipment of automobiles of the members of the Mission shall be borne by the Government of the Republic of Costa Rica.

la Misión los gastos de transporte de sus efectos domésticos y equipaje; dicho reembolso incluirá todos los gastos necesarios inherentes a la descarga al llegar el barco a la República de Costa Rica, carretaje entre el barco y la residencia en la República de Costa Rica, y el empaquetado y embarque a bordo del barco al partir de la República de Costa Rica. El costo de este transporte de los miembros de la Misión, de los miembros de sus familias que sean dependientes suyos, y de los efectos domésticos y equipaje, lo pagará el Gobierno de los Estados Unidos de América. El transporte de dichos efectos domésticos y equipaje se efectuará en un solo embarque, y todos los embarques sucesivos correrán por cuenta de los respectivos miembros de la Misión, excepto lo que se disponga en contrario en este Acuerdo, o cuando circunstancias ajenas a su voluntad hagan necesarios dichos embarques. Las disposiciones de este Artículo se aplicarán igualmente a oficiales que subsiguientemente se destaquen para servicio temporal en la República de Costa Rica, como personal adicional, o como reemplazos de miembros de la Misión. Los gastos de embarque de los automóviles de los miembros de la Misión los pagará el Gobierno de la República de Costa Rica.

Shipment of automobiles.

ARTICLE 15. The Government of the Republic of Costa Rica shall grant, upon request of the members of the Mission, exemption from customs duties on articles imported for the official use of the Mission or the personal use of the members thereof and of members of their families, provided that their request for free entry

ARTÍCULO 15. A solicitud de los miembros de la Misión, el Gobierno de la República de Costa Rica eximirá del pago de derechos de aduana los artículos que se importen para uso oficial de la Misión o para uso personal de los miembros de la misma o de miembros de su familia, siempre que su solicitud de entrada libre

Exemption from customs duties.

has received the approval of the Ambassador of the United States of America or of the Chargé d'Affaires ad interim.

haya recibido la aprobación del Embajador de los Estados Unidos de América o del Encargado de Negocios ad interim.

Compensation for transportation and traveling expenses.

ARTICLE 16. Compensation for transportation and traveling expenses in the Republic of Costa Rica on official business of the Government of the Republic of Costa Rica shall be provided by the Government of the Republic of Costa Rica in accordance with the provisions of Article 9.

ARTÍCULO 16. El Gobierno de la República de Costa Rica proveerá compensación por gastos de transporte y de viaje en la República de Costa Rica cuando se trate de asuntos oficiales del Gobierno de la República de Costa Rica, de acuerdo con las estipulaciones del Artículo 9.

Motor transportation, etc.

ARTICLE 17. Suitable motor transportation with chauffeur, shall on call be made available by the Government of the Republic of Costa Rica for use by the members of the Mission for the conduct of the official business of the Mission.

ARTÍCULO 17. El Gobierno de la República de Costa Rica, cuando se le solicite, proporcionará transporte adecuado en automóvil con chófer para uso de los miembros de la Misión en la tramitación de los asuntos oficiales de la misma.

Office space, etc.

ARTICLE 18. The Government of the Republic of Costa Rica shall provide suitable office space and facilities for the use of the members of the Mission.

ARTÍCULO 18. El Gobierno de la República de Costa Rica proporcionará una oficina adecuada, equipada debidamente, para uso de los miembros de la Misión.

Transportation of remains in case of death.

ARTICLE 19. If any member of the Mission, or any member of his family, should die in Costa Rica, the Government of the Republic of Costa Rica shall have the body transported to such place in the United States of America as the surviving members of the family may decide, but the cost to the Government of the Republic of Costa Rica shall not exceed the cost of transporting the remains from the place of decease to New York City. Should the deceased be a member of the Mission, his services with the Mission shall be considered to have terminated fifteen (15) days after his death. Return transportation to New York City for the family of the deceased member and for their

ARTÍCULO 19. Si cualquier miembro de la Misión o cualquier miembro de su familia falleciere en Costa Rica, el Gobierno de la República de Costa Rica hará trasladar los restos hasta el lugar en los Estados Unidos de América que determinen los familiares sobrevivientes, pero el costo para el Gobierno de la República de Costa Rica no excederá del costo del traslado de los restos desde el lugar de fallecimiento hasta la ciudad de Nueva York. Si el fallecido fuere uno de los miembros de la Misión, se considerará que sus servicios han terminado quince (15) días después de su muerte. Se proporcionará transporte de regreso a la ciudad de Nueva York para la familia del

baggage, household effects, and automobile shall be provided as prescribed in Article 14. All compensation due the deceased member, including salary for fifteen (15) days subsequent to his death, and reimbursement for expenses and transportation due the deceased member for travel performed on official business of the Republic of Costa Rica, shall be paid to the widow of the deceased member or to any other person who may have been designated in writing by the deceased while serving under the terms of this Agreement; but such widow or other person shall not be compensated for accrued leave due and not taken by the deceased. All compensations due the widow, or other person designated by the deceased, under the provisions of this Article, shall be paid within fifteen (15) days of the decease of the said member.

miembro fallecido y para su equipaje, efectos domésticos, y automóvil, de acuerdo con las disposiciones del Artículo 14. Toda remuneración que se adeude al miembro fallecido, incluso su salario por los quince (15) días siguientes a su muerte, y cualquier reembolso que se le adeude por gastos y transporte en viajes realizados en asuntos oficiales de la República de Costa Rica se pagarán a la viuda del miembro fallecido o a cualquiera otra persona que el finado haya designado por escrito mientras servía de conformidad con los términos de este Acuerdo; pero no se pagará a la viuda ni a la otra persona por cualquier licencia acumulada a que tuviere derecho el finado y que no haya disfrutado. Toda remuneración que de conformidad con las disposiciones de este Artículo se adeude a la viuda o a la otra persona designada por el finado, se pagará dentro de quince (15) días después de la muerte del miembro de la Misión.

Compensation due deceased member.

TITLE V

Requisites and Conditions

ARTICLE 20. So long as this Agreement, or any extension thereof, is in effect, the Government of the Republic of Costa Rica shall not engage the services of any personnel of any other foreign government for duties of any nature connected with the Costa Rican Army, except by mutual agreement between the Government of the United States of America and the Government of the Republic of Costa Rica.

ARTICLE 21. Each member of the Mission shall agree not to divulge or in any way disclose to

TÍTULO V

Requisitos y Condiciones

ARTÍCULO 20. Mientras estén en vigor este Acuerdo o cualquier prórroga del mismo, el Gobierno de la República de Costa Rica no contratará personal de ningún gobierno extranjero para prestar servicios de ninguna naturaleza relacionado con el Ejército costarricense, excepto por mutuo acuerdo entre el Gobierno de los Estados Unidos de América y el Gobierno de la República de Costa Rica.

ARTÍCULO 21. Cada miembro de la Misión se comprometerá a no divulgar, ni a revelar por ningún

Services of personnel of other foreign governments, restriction.

Secrecy requirement.

any foreign government or to any person whatsoever any secret or confidential matter of which he may become cognizant in his capacity as a member of the Mission. This requirement shall continue in force after the termination of service with the Mission and after the expiration or cancellation of this Agreement or any extension thereof.

"Family."

ARTICLE 22. Throughout this Agreement the term "family" is limited to mean wife and dependent children.

Annual leave.

ARTICLE 23. Each member of the Mission shall be entitled to one month's annual leave with pay, or to a proportional part thereof with pay for any fractional part of a year. Unused portions of said leave shall be cumulative from year to year during service as a member of the Mission.

ARTICLE 24. The leave specified in the preceding Article may be spent in the Republic of Costa Rica, in the United States of America, or in other countries, but the expense of travel and transportation not otherwise provided for in this Agreement shall be borne by the member of the Mission taking such leave. All travel time shall count as leave and shall not be in addition to the time authorized in the preceding Article.

ARTICLE 25. The leave specified in Article 23 may be spent in foreign countries, subject to the standing instructions of the War Department of the United States of America concerning visits

medio a gobierno extranjero alguno, o a persona alguna, ningún secreto ni asunto confidencial que puedan llegar a su conocimiento en su capacidad de miembro de la Misión. Este requisito continuará siendo obligatorio después de terminar el servicio con la Misión y después de la expiración o cancelación del presente Acuerdo o de cualquier prórroga del mismo.

ARTÍCULO 22. En todo este Acuerdo se entenderá que el término "familia" sólo comprende a la esposa y a los hijos no emancipados.

ARTÍCULO 23. Cada miembro de la Misión tendrá derecho anualmente a un mes de licencia con goce de sueldo, o a una parte proporcional de dicha licencia con sueldo por cualquier fracción de un año. Las partes de dicha licencia que no se usaren podrán acumularse de año en año mientras la persona preste servicios como miembro de la Misión.

ARTÍCULO 24. La licencia que se estipula en el Artículo anterior podrá disfrutarse en la República de Costa Rica, en los Estados Unidos de América, o en otros países, pero los gastos de viaje y de transporte que no sean abonables según las disposiciones de este Acuerdo correrán por cuenta del miembro de la Misión que disfrute la licencia. Todo el tiempo que se emplee en viajar se contará como parte de la licencia, y no se añadirá al tiempo que se autoriza en el Artículo precedente.

ARTÍCULO 25. La licencia especificada en el Artículo 23 podrá disfrutarse en países extranjeros, sujeto a las instrucciones vigentes de la Secretaría de la Guerra de los Estados Unidos de América

abroad. In all cases the said leave or portions thereof, shall be taken by the officers only after consultation with the Ministry of Public Security of the Republic of Costa Rica with a view to ascertaining the mutual convenience of the Government of the Republic of Costa Rica and the officers in respect to this leave.

respecto a viajes al extranjero. En todos los casos, los oficiales tomarán la referida licencia o cualesquiera partes de la misma sólo después de consultar con el Ministerio de Seguridad Pública de la República de Costa Rica con el fin de determinar la conveniencia mutua del Gobierno de la República de Costa Rica y de los oficiales respecto a esta licencia.

ARTICLE 26. Members of the Mission who may be replaced shall terminate their services on the Mission only upon the arrival of their replacements, except when otherwise mutually agreed upon in advance by the respective Governments.

ARTÍCULO 26. Los miembros de la Misión a quienes se reemplace terminarán sus servicios en la Misión solamente cuando lleguen sus reemplazos, excepto cuando los dos Gobiernos convengan de antemano en lo contrario.

Termination of services of replaced members.

ARTICLE 27. The Government of the Republic of Costa Rica shall provide suitable medical attention to members of the Mission and their families. In case a member of the Mission becomes ill or suffers injury, he shall, at the discretion of the Chief of the Mission, be placed in such hospital as the Chief of the Mission deems suitable, after consultation with the Minister of Public Security of the Republic of Costa Rica, and all expenses incurred as the result of such illness or injury while the patient is a member of the Mission and remains in the Republic of Costa Rica shall be paid by the Government of the Republic of Costa Rica. If the hospitalized member is a commissioned officer he shall pay his cost of subsistence, but if he is an enlisted man the cost of subsistence shall be paid by the Government of the Republic of Costa Rica. Families shall enjoy the same privileges agreed upon in this Article for members of the

ARTÍCULO 27. El Gobierno de la República de Costa Rica proporcionará atención médica adecuada a los miembros de la Misión y sus familias. En caso de que un miembro de la Misión se enferme o sufra lesiones, se le hospitalizará, a discreción del Jefe de la Misión, en el hospital que a juicio del Jefe de la Misión se considere adecuado, después de consultar con el Ministerio de Seguridad Pública de la República de Costa Rica; y todos los gastos en que se incurra como resultado de dicha enfermedad o lesiones mientras el paciente sea miembro de la Misión y esté en la República de Costa Rica, correrán por cuenta del Gobierno de la República de Costa Rica. Si el miembro hospitalizado es un oficial del Ejército pagará los gastos de su subsistencia, pero si es un subalterno los gastos de subsistencia correrán por cuenta del Gobierno de la República de Costa Rica. Las familias disfrutará de los mismos privilegios

Medical attention.

Mission, except that a member of the Mission shall in all cases pay the cost of subsistence incident to hospitalization of a member of his family, except as may be provided under Article 9.

convenidos en este Artículo para los miembros de la Misión, excepto que un miembro de la Misión pagará en todos los casos los gastos de subsistencia relacionados con la hospitalización de un miembro de su familia, excepto lo que se dispone en el Artículo 9.

Replacement in case of disability.

ARTICLE 28. Any member of the Mission unable to perform his duties with the Mission by reason of long continued physical disability shall be replaced.

ARTÍCULO 28. Se reemplazará a cualquier miembro de la Misión que no pueda desempeñar sus deberes en la misma por razón de prolongada inhabilidad física.

IN WITNESS WHEREOF, the undersigned, James F. Byrnes, Secretary of State of the United States of America, and Francisco de P. Gutierrez, Ambassador Extraordinary and Plenipotentiary of the Republic of Costa Rica in Washington, duly authorized thereto, have signed this Agreement in duplicate in the English and Spanish languages, at Washington, this tenth day of December, one thousand nine hundred forty-five.

EN TESTIMONIO DE LO CUAL, los infrascritos, James F. Byrnes, Secretario de Estado de los Estados Unidos de América, y Francisco de P. Gutiérrez, Embajador Extraordinario y Plenipotenciario de la República de Costa Rica en Washington, debidamente autorizados para ello, firman este Acuerdo en duplicado, en los idiomas inglés y español, en Washington, hoy día diez de diciembre de mil novecientos cuarenta y cinco.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:
POR EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMÉRICA:

[SEAL]

JAMES F BYRNES

FOR THE GOVERNMENT OF THE REPUBLIC OF COSTA RICA:
POR EL GOBIERNO DE LA REPÚBLICA DE COSTA RICA:

[SEAL]

F GUTIERREZ

Air services transit agreement between the United States of America and other powers. Opened for signature at Chicago December 7, 1944; signed for the United States of America December 7, 1944; accepted by the United States of America February 8, 1945, with an understanding.

December 7, 1944
[E. A. S. 487]

INTERNATIONAL AIR SERVICES TRANSIT AGREEMENT

The States which sign and accept this International Air Services Transit Agreement, being members of the International Civil Aviation Organization, declare as follows:

ARTICLE I

Section 1

Each contracting State grants to the other contracting States the following freedoms of the air in respect of scheduled international air services:

Privileges granted.

- (1) The privilege to fly across its territory without landing;
- (2) The privilege to land for non-traffic purposes.

The privileges of this section shall not be applicable with respect to airports utilized for military purposes to the exclusion of any scheduled international air services. In areas of active hostilities or of military occupation, and in time of war along the supply routes leading to such areas, the exercise of such privileges shall be subject to the approval of the competent military authorities.

Limitations on applicability.

Section 2

The exercise of the foregoing privileges shall be in accordance with the provisions of the Interim Agreement on International Civil Aviation [1] and, when it comes into force, with the provisions of the Convention on International Civil Aviation [2], both drawn up at Chicago on December 7, 1944.

Ante, p. 1516.

Section 3

A contracting State granting to the airlines of another contracting State the privilege to stop for non-traffic purposes may require such airlines to offer reasonable commercial service at the points at which such stops are made.

Commercial service.

Such requirement shall not involve any discrimination between airlines operating on the same route, shall take into account the capacity of the aircraft, and shall be exercised in such a manner as not to prejudice the normal operations of the international air services concerned or the rights and obligations of a contracting State.

¹ [Executive Agreement Series 469.]

² [International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents, pp. 59-86.]

Section 4

Each contracting State may, subject to the provisions of this Agreement,

Designation of route, etc.

(1) Designate the route to be followed within its territory by any international air service and the airports which any such service may use;

Charges.

(2) Impose or permit to be imposed on any such service just and reasonable charges for the use of such airports and other facilities; these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services: provided that, upon representation by an interested contracting State, the charges imposed for the use of airports and other facilities shall be subject to review by the Council of the International Civil Aviation Organization established under the above-mentioned Convention, which shall report and make recommendations thereon for the consideration of the State or States concerned.

Section 5

Withholding or revoking certificate or permit.

Each contracting State reserves the right to withhold or revoke a certificate or permit to an air transport enterprise of another State in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of a contracting State, or in case of failure of such air transport enterprise to comply with the laws of the State over which it operates, or to perform its obligations under this Agreement.

ARTICLE II

Section 1

Examination of action by Council.

A contracting State which deems that action by another contracting State under this Agreement is causing injustice or hardship to it, may request the Council to examine the situation. The Council shall thereupon inquire into the matter, and shall call the States concerned into consultation. Should such consultation fail to resolve the difficulty, the Council may make appropriate findings and recommendations to the contracting States concerned. If thereafter a contracting State concerned shall in the opinion of the Council unreasonably fail to take suitable corrective action, the Council may recommend to the Assembly of the above-mentioned Organization that such contracting State be suspended from its rights and privileges under this Agreement until such action has been taken. The Assembly by a two-thirds vote may so suspend such contracting State for such period of time as it may deem proper or until the Council shall find that corrective action has been taken by such State.

Recommendation to assembly.

Section 2

Disagreement respecting interpretation, etc., of Agreement.

If any disagreement between two or more contracting States relating to the interpretation or application of this Agreement cannot

be settled by negotiation, the provisions of Chapter XVIII of the above-mentioned Convention shall be applicable in the same manner as provided therein with reference to any disagreement relating to the interpretation or application of the above-mentioned Convention.

ARTICLE III

This Agreement shall remain in force as long as the above-mentioned Convention; provided, however, that any contracting State, a party to the present Agreement, may denounce it on one year's notice given by it to the Government of the United States of America, which shall at once inform all other contracting States of such notice and withdrawal.

Duration of Agreement.

ARTICLE IV

Pending the coming into force of the above-mentioned Convention, all references to it herein, other than those contained in Article II, Section 2, and Article V, shall be deemed to be references to the Interim Agreement on International Civil Aviation drawn up at Chicago on December 7, 1944; and references to the International Civil Aviation Organization, the Assembly, and the Council shall be deemed to be references to the Provisional International Civil Aviation Organization, the Interim Assembly, and Interim Council, respectively.

Ante, p. 1516.

ARTICLE V

For the purposes of this Agreement, "territory" shall be defined as in Article 2 of the above-mentioned Convention.

"Territory."

ARTICLE VI

SIGNATURES AND ACCEPTANCES OF AGREEMENT

The undersigned delegates to the International Civil Aviation Conference, convened in Chicago on November 1, 1944, have affixed their signatures to this Agreement with the understanding that the Government of the United States of America shall be informed at the earliest possible date by each of the governments on whose behalf the Agreement has been signed whether signature on its behalf shall constitute an acceptance of the Agreement by that government and an obligation binding upon it.

Any State a member of the International Civil Aviation Organization may accept the present Agreement as an obligation binding upon it by notification of its acceptance to the Government of the United States, and such acceptance shall become effective upon the date of the receipt of such notification by that Government.

This Agreement shall come into force as between contracting States upon its acceptance by each of them. Thereafter it shall become binding as to each other State indicating its acceptance to the Government of the United States on the date of the receipt of the acceptance by that Government. The Government of the United States shall inform all signatory and accepting States of the date of all acceptances

of the Agreement, and of the date on which it comes into force for each accepting State.^[3]

IN WITNESS WHEREOF, the undersigned, having been duly authorized, sign this Agreement on behalf of their respective governments on the dates appearing opposite their respective signatures.

DONE at Chicago the seventh day of December, 1944, in the English language.^[4] A text drawn up in the English, French, and Spanish languages, each of which shall be of equal authenticity, shall be opened for signature at Washington, D.C. Both texts shall be deposited in the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the governments of all the States which may sign and accept this Agreement.

* [Notes of acceptance have been received by the Department of State from the following countries: Afghanistan, on May 17, 1945; Australia, on Aug. 28, 1945; Belgium, on July 19, 1945; Canada, on Feb. 10, 1945; Czechoslovakia, on Apr. 18, 1945; El Salvador, on June 1, 1945; Ethiopia, on Mar. 22, 1945; Greece, on Sept. 21, 1945; Honduras, on Nov. 13, 1945; India, on May 2, 1945, with the reservation that "In signifying their acceptance of these agreements, the Government of India wish me to point out that they do not regard Denmark or Thailand as being parties thereto, or themselves as being in treaty relations with either of these countries as a result of these agreements, since the Danish and Thai ministers in Washington who signed the final act and agreements did not represent the Governments in their own countries, and their signatures are regarded as having been given in their personal capacity only"; Iraq, on June 15, 1945; Liberia, on Mar. 19, 1945; Netherlands, on Jan. 12, 1945; New Zealand, on Apr. 19, 1945, with the reservation that "The Minister is instructed to add that the New Zealand Government does not regard Denmark or Thailand as being parties to the Agreements mentioned and does not regard itself as being in treaty relation with either of those countries with reference to these Agreements"; Norway, on Jan. 30, 1945; Paraguay, on July 27, 1945; Poland, on Apr. 6, 1945; Spain, on July 30, 1945; Sweden, on Nov. 19, 1945; Switzerland, on July 6, 1945; Turkey, on June 6, 1945; Union of South Africa, on Nov. 30, 1945; United Kingdom of Great Britain and Northern Ireland, on May 31, 1945, with the reservation that "In signifying their acceptance of the said Agreement, the Government of the United Kingdom desire to make it clear that they neither regard the Governments of Denmark and Siam as being parties thereto nor consider the United Kingdom as being in treaty relations with either of those countries in respect of the Agreement"; the United States of America, on February 8, 1945, with the understanding that "These acceptances by the Government of the United States of America are given with the understanding that the provisions of Article II, Section 2, of the International Air Services Transit Agreement . . . shall become operative as to the United States of America at such time as the Convention on International Civil Aviation, signed at the International Civil Aviation Conference, shall be ratified by the United States of America".]

⁴ [The present publication was printed from a lithographed certified copy of the signed original, prepared by the Department of State under date of Jan. 22, 1945. Signatures affixed to the original document subsequent to that date do not appear herein, but the dates of those signatures have been indicated in footnotes.]

FOR AFGHANISTAN:

A. HOSAYN AZIZ

FOR THE GOVERNMENT OF THE
COMMONWEALTH OF AUSTRALIA: [⁵]

FOR BELGIUM: [⁶]

FOR BOLIVIA:

TCNL. A. PACHECO.

FOR BRAZIL:

FOR CANADA: [⁷]

FOR CHILE:

R SAENZ

G. BISQUERT.

R MAGALLANES B.

FOR CHINA:

FOR COLOMBIA:

FOR COSTA RICA: [⁸]

FOR CUBA: [⁹]

FOR CZECHOSLOVAKIA: [¹⁰]

FOR THE DOMINICAN REPUBLIC:

FOR ECUADOR:

J. A. CORREA

FRANCISCO GOMEZ JURADO

FOR EGYPT:

M HASSAN

M ROUSHDY

M. A. KHALIFA

FOR EL SALVADOR: [¹¹]

FOR ETHIOPIA: [¹²]

FOR FRANCE:

M. HYMANS

C. LEBEL

BOURGES

P. LOCUSSOL

⁵ [Signed for Australia July 4, 1945.]

⁶ [Signed for Belgium Apr. 9, 1945.]

⁷ [Signed for Canada Feb. 10, 1945.]

⁸ [Signed for Costa Rica Mar. 10, 1945.]

⁹ [Signed for Cuba Apr. 20, 1945.]

¹⁰ [Signed for Czechoslovakia Apr. 18, 1945.]

¹¹ [Signed for El Salvador May 9, 1945.]

¹² [Signed for Ethiopia Mar. 22, 1945.]

FOR GREECE:

D NOTI BOTZARIZ
A. J. ARGYROPOULOS.

FOR GUATEMALA: [13]

FOR HAITI:

EDOUARD ROY

FOR HONDURAS:

E. P. LEFEBVRE

FOR ICELAND: [14]

FOR INDIA:

G BEWOOR

FOR IRAN:

M. SHAYESTEH

FOR IRAQ:

ALI JAWDAT

FOR IRELAND:

FOR LEBANON:

C CHAMOUN
F EL-HOSS

FOR LIBERIA:

WALTER F WALKER

FOR LUXEMBOURG: [15]

FOR MEXICO:

PEDRO A CHAPA

FOR THE NETHERLANDS:

M. STEENBERGHE
COFES
F. E. ARONSTEIN.

FOR THE GOVERNMENT OF NEW ZEALAND:

DANIEL GILES SULLIVAN

FOR NICARAGUA:

R. E. FRIZELL

FOR NORWAY: [16]

FOR PANAMA:

FOR PARAGUAY: [17]

¹³ [Signed for Guatemala Jan. 30, 1945.]

¹⁴ [Signed for Iceland Apr. 4, 1945.]

¹⁵ [Signed for Luxembourg July 9, 1945.]

¹⁶ [Signed for Norway Jan. 30, 1945.]

¹⁷ [Signed for Paraguay July 27, 1945.]

FOR PERU:

A REVOREDO
J. S. KOECHLIN
LUIS ALVARADO.
F ELGUERA
GUILLERMO VAN OORDT.

FOR THE PHILIPPINE COMMONWEALTH:

J HERNANDEZ
URBANO A. ZAFRA
J H FOLEY

FOR POLAND:

ZBYSLAW CIOLKOSZ
Dr. H. J. GORECKI.
STEFAN J. KONORSKI
WITOLD A. URBANOWICZ
LUDWIK H. GOTTLIEB

FOR PORTUGAL:

FOR SPAIN:

E. TERRADAS.
GERMÁN BARAIBAR

FOR SWEDEN:

R. KUMLIN

FOR SWITZERLAND: [¹⁸]

FOR SYRIA: [¹⁹]

FOR TURKEY:

S. KOCAK
F. SAHINBAS
ORHAN H. EROL

FOR THE UNION OF SOUTH AFRICA: [²⁰]

FOR THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND:

I declare that, failing later notification of inclusion, my signature to this Agreement does not cover Newfoundland.[²¹]

SWINTON

FOR THE UNITED STATES OF AMERICA:

ADOLF A BERLE JR
ALFRED L. BULWINKLE
CHAS. A. WOLVERTON
F. LA GUARDIA
EDWARD WARNER
L. WELCH POGUE
WILLIAM A. M. BURDEN

¹⁸ [Signed for Switzerland July 6, 1945.]

¹⁹ [Signed for Syria July 6, 1945.]

²⁰ [Signed for the Union of South Africa June 4, 1945.]

²¹ [Reservation excluding Newfoundland withdrawn Feb. 7, 1945.]

FOR URUGUAY:

CARL CARBAJAL
Col. MEDARDO R. FARIAS

FOR VENEZUELA:

La Delegación de Venezuela firma *ad referendum* y deja constancia de que la aprobación de este documento por su Gobierno está sujeta a las disposiciones constitucionales de los Estados Unidos de Venezuela.

F J SUCRE
J BLANCO USTÁRIZ

FOR YUGOSLAVIA:

FOR DENMARK:
HENRIK KAUFFMANN

FOR THAILAND:
M. R. SENI PRAMOJ

Agreement between the United States of America and other powers respecting air transport. Opened for signature at Chicago December 7, 1944; signed for the United States of America December 7, 1944; accepted by the United States of America February 8, 1945, with an understanding.

December 7, 1944
[E. A. S. 488]

INTERNATIONAL AIR TRANSPORT AGREEMENT

The States which sign and accept this International Air Transport Agreement, being members of the International Civil Aviation Organization, declare as follows:

ARTICLE I

Section 1

Each contracting State grants to the other contracting States the following freedoms of the air in respect of scheduled international air services:

Privileges granted.

- (1) The privilege to fly across its territory without landing;
- (2) The privilege to land for non-traffic purposes;
- (3) The privilege to put down passengers, mail and cargo taken on in the territory of the State whose nationality the aircraft possesses;
- (4) The privilege to take on passengers, mail and cargo destined for the territory of the State whose nationality the aircraft possesses;
- (5) The privilege to take on passengers, mail and cargo destined for the territory of any other contracting State and the privilege to put down passengers, mail and cargo coming from any such territory.

With respect to the privileges specified under paragraphs (3), (4), and (5) of this section, the undertaking of each contracting State relates only to through services on a route constituting a reasonably direct line out from and back to the homeland of the State whose nationality the aircraft possesses.

The privileges of this section shall not be applicable with respect to airports utilized for military purposes to the exclusion of any scheduled international air services. In areas of active hostilities or of military occupation, and in time of war along the supply routes leading to such areas, the exercise of such privileges shall be subject to the approval of the competent military authorities.

Limitations on applicability.

Section 2

The exercise of the foregoing privileges shall be in accordance with the provisions of the Interim Agreement on International Civil Avia-

Ante, p. 1516.

tion [¹] and, when it comes into force, with the provisions of the Convention on International Civil Aviation,^[2] both drawn up at Chicago on December 7, 1944.

Section 3

Commercial service.

A contracting State granting to the airlines of another contracting State the privilege to stop for non-traffic purposes may require such airlines to offer reasonable commercial service at the points at which such stops are made.

Such requirement shall not involve any discrimination between airlines operating on the same route, shall take into account the capacity of the aircraft, and shall be exercised in such a manner as not to prejudice the normal operations of the international air services concerned or the rights and obligations of any contracting State.

Section 4

Each contracting State shall have the right to refuse permission to the aircraft of other contracting States to take on in its territory passengers, mail and cargo carried for remuneration or hire and destined for another point within its territory. Each contracting State undertakes not to enter into any arrangements which specifically grant any such privilege on an exclusive basis to any other State or an airline of any other State, and not to obtain any such exclusive privilege from any other State.

Section 5

Each contracting State may, subject to the provisions of this Agreement,

Designation of route, etc.

(1) Designate the route to be followed within its territory by any international air service and the airports which any such service may use;

Charges.

(2) Impose or permit to be imposed on any such service just and reasonable charges for the use of such airports and other facilities; these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services: provided that, upon representation by an interested contracting State, the charges imposed for the use of airports and other facilities shall be subject to review by the Council of the International Civil Aviation Organization established under the above-mentioned Convention, which shall report and make recommendations thereon for the consideration of the State or States concerned.

Section 6

Withholding or revoking certificate or permit.

Each contracting State reserves the right to withhold or revoke a certificate or permit to an air transport enterprise of another State

¹ [Executive Agreement Series 469.]

² [International Civil Aviation Conference, Chicago, Illinois, November 1 to December 7, 1944, Final Act and Related Documents, pp. 59-86.]

in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of a contracting State, or in case of failure of such air transport enterprise to comply with the laws of the State over which it operates, or to perform its obligations under this Agreement.

ARTICLE II

Section 1

The contracting States accept this Agreement as abrogating all obligations and understandings between them which are inconsistent with its terms, and undertake not to enter into any such obligations and understandings. A contracting State which has undertaken any other obligations inconsistent with this Agreement shall take immediate steps to procure its release from the obligations. If an airline of any contracting State has entered into any such inconsistent obligations, the State of which it is a national shall use its best efforts to secure their termination forthwith and shall in any event cause them to be terminated as soon as such action can lawfully be taken after the coming into force of this Agreement.

Abrogation of inconsistent obligations, etc.

Section 2

Subject to the provisions of the preceding section, any contracting State may make arrangements concerning international air services not inconsistent with this Agreement. Any such arrangement shall be forthwith registered with the Council, which shall make it public as soon as possible.

ARTICLE III

Each contracting State undertakes that in the establishment and operation of through services due consideration shall be given to the interests of the other contracting States so as not to interfere unduly with their regional services or to hamper the development of their through services.

Through services.

ARTICLE IV

Section 1

Any contracting State may by reservation attached to this Agreement at the time of signature or acceptance elect not to grant and receive the rights and obligations of Article I, Section 1, paragraph (5), and may at any time after acceptance, on six months' notice given by it to the Council, withdraw itself from such rights and obligations. Such contracting State may on six months' notice to the Council assume or resume, as the case may be, such rights and obligations. No contracting State shall be obliged to grant any rights under the said paragraph to any contracting State not bound thereby.

Reservation allowable.

Section 2

A contracting State which deems that action by another contracting State under this Agreement is causing injustice or hardship to it,

Examination of action by Council.

may request the Council to examine the situation. The Council shall thereupon inquire into the matter, and shall call the States concerned into consultation. Should such consultation fail to resolve the difficulty, the Council may make appropriate findings and recommendations to the contracting States concerned. If thereafter a contracting State concerned shall in the opinion of the Council unreasonably fail to take suitable corrective action, the Council may recommend to the Assembly of the above-mentioned Organization that such contracting State be suspended from its rights and privileges under this Agreement until such action has been taken. The Assembly by a two-thirds vote may so suspend such contracting State for such period of time as it may deem proper or until the Council shall find that corrective action has been taken by such State.

Recommendation to Assembly.

Section 3

If any disagreement between two or more contracting States relating to the interpretation or application of this Agreement cannot be settled by negotiation, the provisions of Chapter XVIII of the above-mentioned Convention shall be applicable in the same manner as provided therein with reference to any disagreement relating to the interpretation or application of the above-mentioned Convention.

Disagreement respecting interpretation, etc., of Agreement.

ARTICLE V

This Agreement shall remain in force as long as the above-mentioned Convention; provided, however, that any contracting State, a party to the present Agreement, may denounce it on one year's notice given by it to the Government of the United States of America, which shall at once inform all other contracting States of such notice and withdrawal.

Duration of Agreement.

ARTICLE VI

Pending the coming into force of the above-mentioned Convention, all references to it herein other than those contained in Article IV, Section 3, and Article VII shall be deemed to be references to the Interim Agreement on International Civil Aviation drawn up at Chicago on December 7, 1944; and references to the International Civil Aviation Organization, the Assembly, and the Council shall be deemed to be references to the Provisional International Civil Aviation Organization, the Interim Assembly, and the Interim Council, respectively.

Ante, p. 1516.

ARTICLE VII

For the purposes of this Agreement, "territory" shall be defined as in Article 2 of the above-mentioned Convention.

"Territory."

ARTICLE VIII

SIGNATURES AND ACCEPTANCES OF AGREEMENT

The undersigned delegates to the International Civil Aviation Conference, convened in Chicago on November 1, 1944, have affixed their

signatures to this Agreement with the understanding that the Government of the United States of America shall be informed at the earliest possible date by each of the governments on whose behalf the Agreement has been signed whether signature on its behalf shall constitute an acceptance of the Agreement by that government and an obligation binding upon it.

Any State a member of the International Civil Aviation Organization may accept the present Agreement as an obligation binding upon it by notification of its acceptance to the Government of the United States, and such acceptance shall become effective upon the date of the receipt of such notification by that Government.

This Agreement shall come into force as between contracting States upon its acceptance by each of them.^[3] Thereafter it shall become binding as to each other State indicating its acceptance to the Government of the United States on the date of the receipt of the acceptance by that Government. The Government of the United States shall inform all signatory and accepting States of the date of all acceptances of the Agreement, and of the date on which it comes into force for each accepting State.

IN WITNESS WHEREOF, the undersigned, having been duly authorized, sign this Agreement on behalf of their respective governments on the dates appearing opposite their signatures.

DONE at Chicago the seventh day of December 1944, in the English language.^[4] A text drawn up in the English, French, and Spanish languages, each of which shall be of equal authenticity, shall be opened for signature at Washington, D. C. Both texts shall be deposited in the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the governments of all the States which may sign and accept this Agreement.

³ [Notes of acceptance have been received by the Department of State from the following countries: Afghanistan, on May 17, 1945; China, on June 6, 1945, with the understanding that the provisions of Article IV Section 3 of the International Air Transport Agreement shall become operative in so far as the Government of China is concerned at such time as the Convention on International Civil Aviation, signed at the International Civil Aviation Conference, shall be ratified by the Government of China; El Salvador, on June 1, 1945; Ethiopia, on Mar. 22, 1945; Honduras, on Nov. 13, 1945; Liberia, on Mar. 19, 1945; Netherlands, on Jan. 12, 1945, with a reservation regarding the fifth freedom, withdrawn Sept. 21, 1945; Nicaragua, on Dec. 28, 1945; Paraguay, on July 27, 1945; Sweden, on Nov. 19, 1945; Turkey, on June 6, 1945; United States of America on Feb. 8, 1945, "with the understanding that . . . the provisions of Article IV, Section 3 of the International Air Transport Agreement shall become operative as to the United States of America at such time as the Convention on International Civil Aviation, signed at the International Civil Aviation Conference, shall be ratified by the United States of America".]

⁴ [The present publication was printed from a lithographed certified copy of the signed original, prepared by the Department of State under date of Jan. 22, 1945. Signatures affixed to the original document subsequent to that date do not appear herein, but the dates of those signatures have been indicated in footnotes.]

FOR AFGHANISTAN:

A. HOSAYN AZIZ

FOR THE GOVERNMENT OF THE
COMMONWEALTH OF AUSTRALIA:

FOR BELGIUM

FOR BOLIVIA:

TENL. A. PACHECO.

FOR BRAZIL:

FOR CANADA:

FOR CHILE:

FOR CHINA:

CHANG KIA-NGAU

FOR COLOMBIA:

FOR COSTA RICA:[⁵]

FOR CUBA:[⁶]

FOR CZECHOSLOVAKIA:

FOR THE DOMINICAN REPUBLIC:

C. A. McLAUGHLIN

FOR ECUADOR:

J. A. CORREA

FRANCISCO GOMEZ JURADO

FOR EGYPT:

FOR EL SALVADOR:[⁷]

FOR ETHIOPIA:[⁸]

FOR FRANCE:

FOR GREECE:

FOR GUATEMALA:[⁹]

FOR HAITI:

EDOUARD ROY

FOR HONDURAS:

E. P. LEFEBVRE

FOR ICELAND:[¹⁰]

FOR INDIA:

FOR IRAN:

FOR IRAQ:

FOR IRELAND:

⁵ [Signed for Costa Rica Mar. 10, 1945.]

⁶ [Signed for Cuba Apr. 20, 1945.]

⁷ [Signed for El Salvador May 9, 1945.]

⁸ [Signed for Ethiopia Mar. 22, 1945.]

⁹ [Signed for Guatemala Jan. 30, 1945.]

¹⁰ [Signed for Iceland Apr. 4, 1945.]

FOR LEBANON:

Ad referendum concerning the fifth freedom enumerated in Art I section 1.—

C CHAMOUN

FOR LIBERIA:

WALTER F. WALKER

FOR LUXEMBOURG:

FOR MEXICO:

PEDRO A CHAPA

FOR THE NETHERLANDS:

M. STEENBERGHE
F C. ARONSTEIN.

In accordance with the provisions of art IV section 1 of this agreement the Netherlands Delegation hereby accept only the first four privileges in art I section 1.

FOR THE GOVERNMENT OF NEW ZEALAND:

FOR NICARAGUA:

R. E. FRIZELL

FOR NORWAY:

FOR PANAMA:

FOR PARAGUAY: [11]

FOR PERU:

A. REVOREDO
J. S. KOECHLIN
LUIS ALVARADO
F ELGUERA
GILLMO VAN OORDT

FOR THE PHILIPPINE COMMONWEALTH:

FOR POLAND:

FOR PORTUGAL:

FOR SPAIN:

FOR SWEDEN:

R. KUMLIN

FOR SWITZERLAND:

FOR SYRIA: [12]

FOR TURKEY:

S. KOÇAK
F. SAHINBAŞ
ORHAN H. EROL

In accordance with the provisions of Art. IV section 1 of this agreement the Turkish delegation hereby accept only the first four privileges in Art. I sect. 1 and leave the acceptance of the fifth privilege to the discretion of their government.

¹¹ [Signed for Paraguay July 27, 1945]

¹² [Signed for Syria July 6, 1945.]

FOR THE UNION OF SOUTH AFRICA:

FOR THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

FOR THE UNITED STATES OF AMERICA:

ADOLF A. BERLE JR
ALFRED L. BULWINKLE
CHAS. A. WOLVERTON
F. LA GUARDIA
EDWARD WARNER
L. WELCH POGUE
WILLIAM A. M. BURDEN

FOR URUGUAY:

CARL CARBAJAL
COL. MEDARDO R. FARIAS

FOR VENEZUELA:

La Delegación de Venezuela firma *ad referendum* y deja constancia de que la aprobación de este documento por su Gobierno está sujeta a las disposiciones constitucionales de los Estados Unidos de Venezuela.

F J SUCRE
J BLANCO USTÁRIZ

FOR YUGOSLAVIA:

FOR DENMARK:

HENRIK KAUFFMANN

FOR THAILAND:

M. R. SENI PRAMOJ

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland for India respecting jurisdiction over prizes. Effected by exchange of notes signed at London June 10 and September 24, 1943.

June 10 and September 24, 1943
[E. A. S. 489]

The American Ambassador to the British Secretary of State for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 2719

London, June 10, 1943.

SIR:

I have the honor to refer to the arrangement made between the Government of the United Kingdom and the Government of the United States by which, in conformity with the provisions of Public Law 704 enacted by the Seventy-seventh Congress of the United States and approved August 18, 1942, [¹] the courts of the United States were permitted to exercise jurisdiction over prizes taken by United States armed forces and brought into the territorial waters of the United Kingdom and Sierra Leone. A copy of the Act in question is enclosed for your convenient reference. The consent of the Government of the United Kingdom to this arrangement was notified to this Embassy by a note (No. W 13225/279/49) dated November 3, 1942. [²]

56 Stat. 746.
34 U. S. C., Supp.
IV, §§ 1159-1166.

My Government now desires to obtain the consent of the Government of India to a similar arrangement with respect to prizes taken by United States armed forces and brought into the territorial jurisdiction of the Government of India. Permission is desired for special prize commissioners appointed by the district courts of the United States to exercise in India such powers and duties, in addition to those already prescribed for prize commissioners, as may be deemed necessary or proper for carrying out the purposes of Public Law 704. The duties of prize commissioners are set out in Title 34, U.S.C., Section 1138, which reads as follows:

“§ 1138. Duties of prize commissioners. The prize commissioners, or one of them, shall receive from the prize master the documents and papers, and inventory thereof, and shall take the affidavit of the prize master required by section 1134 of this title, and shall forthwith take the testimony of the witnesses sent in, separate from each other, on interrogatories prescribed by the court, in the manner usual in prize courts; and the witnesses shall not be permitted to see the interrogatories, documents, or papers, or to consult with counsel, or with any persons interested

¹ [See also proclamation of November 28, 1943 (57 Stat. 761).]

² [Not printed.]

without special authority from the court; and witnesses who have the rights of neutrals shall be discharged as soon as practicable. The prize commissioners shall also take depositions de bene esse of the prize crew and others, at the request of the district attorney, on interrogatories prescribed by the court. They shall also, as soon as any prize property comes within the district for adjudication, examine the same, and make an inventory thereof, founded on an actual examination, and report to the court whether any part of it is in a condition requiring immediate sale for the interests of all parties, and notify the district attorney thereof; and if it be necessary to the examination or making of the inventory that the cargo be unladen, they shall apply to the court for an order to the marshal to unlade the same, and shall, from time to time, report to the court anything relating to the condition of the property, or its custody or disposal, which may require any action by the court, but the custody of the property shall be in the marshal only. They shall also seasonably return into court, sealed and secured from inspection, the documents and papers which shall come to their hands, duly scheduled and numbered, and the other preparatory evidence, and the evidence taken de bene esse, and their own inventory of the prize property; and if the captured vessel, or any of its cargo or stores, are such as in their judgment may be useful to the United States in war, they shall report the same to the Secretary of the Navy."

56 Stat. 746, 747.
34 U. S. C., Supp.
IV, §§ 1161, 1165.

My Government, upon the receipt from the Government of India of the consent required by Section 3 of Public Law 704, will take appropriate measures in accordance with Section 7 of the same Act to confer reciprocal privileges upon the Government of India with respect to prizes.

I shall be grateful if you will inform the Government of India of my Government's desire and request, on my Government's behalf, the necessary consent to the exercise of such powers by United States courts and by special prize commissioners appointed by them within the territorial jurisdiction of the Government of India

Accept, Sir, the renewed assurances of my highest consideration.

For the Ambassador:

H. FREEMAN MATTHEWS,
Minister-Counselor.

Enclosures:

1/Copy of Public Law 704—
77th Congress, 2nd Session.

The Right Honorable

ANTHONY EDEN, M.C., M.P.,

*Secretary of State for Foreign Affairs,
Foreign Office, S. W. 1.*

*The British Secretary of State for Foreign Affairs to the American
Ambassador*

FOREIGN OFFICE, S.W. 1.

24th September, 1943.

No. W 13056/3214/49

Your Excellency,

With reference to Your Excellency's note No. 2719 of the 10th June last, I have the honour to inform you that the Government of India agree to the proposal of the United States Government whereby the courts of the United States shall be permitted to exercise jurisdiction over prizes taken by the United States armed forces and brought into the territorial jurisdiction of the Government of India.

2. It is understood that the United States Government will take appropriate measures to confer reciprocal privileges upon the Government of India.

I have the honour to be, with the highest consideration,

Your Excellency obedient Servant,

(For the Secretary of State)

J. H. Le ROUGETEL.

His Excellency

The Honourable

JOHN G. WINANT,

etc., etc., etc.,

1, Grosvenor Square, W.1.

September 12, 1944
[E. A. S. 490]

Agreement between the United States of America, the Union of Soviet Socialist Republics, and the United Kingdom and Rumania respecting an armistice. Together with annex and protocol. Signed at Moscow September 12, 1944; effective September 12, 1944. And letter of September 12, 1944.

AGREEMENT

BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE SOVIET UNION, AND THE UNITED KINGDOM ON THE ONE HAND AND THE GOVERNMENT OF RUMANIA ON THE OTHER CONCERNING AN ARMISTICE

Acceptance of armistice terms.

The Government and High Command of Rumania, recognizing the fact of the defeat of Rumania in the war against the Union of Soviet Socialist Republics, the United States of America, and the United Kingdom, and the other United Nations, accept the armistice terms presented by the Governments of the above-mentioned three Allied Powers, acting in the interests of all the United Nations.

Representatives.

On the basis of the foregoing the representative of the Allied (Soviet) High Command, Marshal of the Soviet Union, R. Ya. Malinovski, duly authorized thereto by the Governments of the United States of America, the Soviet Union, and the United Kingdom, acting in the interests of all the United Nations, on the one hand, and the representatives of the Government and High Command of Rumania, Minister of State and Minister of Justice L. Patrascanu, Deputy Minister of Internal Affairs, Adjutant of His Majesty the King of Rumania, General D. Damaceanu, Prince Stirbey, and Mr. G. Popp, on the other hand, holding proper full-powers, have signed the following conditions:

Conditions.

1. As from August 24, 1944, at 4 a. m., Rumania has entirely discontinued military operations against the Union of Soviet Socialist Republics on all theatres of war, has withdrawn from the war against the United Nations, has broken off relations with Germany and her satellites, has entered the war and will wage war on the side of the Allied Powers against Germany and Hungary for the purpose of restoring Rumanian independence and sovereignty, for which purpose she provides not less than 12 infantry divisions with Corps Troops.

Entrance into war against Germany and Hungary.

Rumanian armed forces under Allied (Soviet) High Command.

Military operations on the part of Rumanian armed forces, including Naval and Air Forces, against Germany and Hungary will be conducted under the general leadership of the Allied (Soviet) High Command.

Disarmament and internment of German, etc., forces; internment of German, etc., citizens.

2. The Government and High Command of Rumania undertake to take steps for the disarming and interning of the armed forces of Germany and Hungary on Rumanian territory and also for the interning of the citizens of both states mentioned who reside there. (See Annex to Article 2.)

3. The Government and High Command of Rumania will ensure to the Soviet and other Allied forces facilities for free movement on Rumanian territory in any direction if required by the military situation, the Rumanian Government and High Command of Rumania giving such movement every possible assistance with their own means of communications and at their own expense on land, on water and in the air. (See Annex to Article 3.)

Movement of Allied forces over Rumanian territory.

4. The State frontier between the Union of Soviet Socialist Republics and Rumania, established by the Soviet-Rumanian Agreement of 28th June, 1940, is restored.

Post, p. 1716.

State frontier.

5. The Government and High Command of Rumania will immediately hand over all Soviet and Allied prisoners of war in their hands, as well as interned citizens and citizens forcibly removed to Rumania, to the Allied (Soviet) High Command for the return of these persons to their own country.

Release of Soviet and Allied prisoners of war and internees.

From the moment of the signing of the present terms and until repatriation the Rumanian Government and High Command undertake to provide at their own expense all Soviet and Allied prisoners of war, as well as forcibly removed and interned citizens, and displaced persons and refugees, with adequate food, clothing and medical service, in accordance with hygienic requirements, as well as with means of transport for the return of all these persons to their own country.

6. The Rumanian Government will immediately set free, irrespective of citizenship and nationality, all persons held in confinement on account of their activities in favor of the United Nations or because of their sympathies with the cause of the United Nations, or because of their racial origin, and will repeal all discriminatory legislation and restrictions imposed thereunder.

Release of certain confined persons.

7. The Rumanian Government and High Command undertake to hand over as trophies into the hands of the Allied (Soviet) High Command all war material of Germany and her satellites located on Rumanian territory, including vessels of the fleet of Germany and her satellites located in Rumanian waters.

War material; vessels.

8. The Rumanian Government and High Command undertake not to permit the export or expropriation of any form of property (including valuables and currency) belonging to Germany, Hungary or to their nationals or to persons resident in their territories or in the territories occupied by them without the permission of the Allied (Soviet) High Command. They will keep this property in such manner as may be prescribed by the Allied (Soviet) High Command.

German and Hungarian property in Rumania.

9. The Rumanian Government and High Command undertake to hand over to the Allied (Soviet) High Command all vessels belonging or having belonged to the United Nations which are located in Rumanian ports, no matter at whose disposal these vessels may be, for the use of the Allied (Soviet) High Command during the period of the war against Germany and Hungary in the general interests of the Allies, these vessels subsequently to be returned to their owners.

United Nations vessels in Rumanian ports.

The Rumanian Government bear the full material responsibility for any damage or destruction of the aforementioned property until

Responsibility for damage to property.

the moment of the transfer of this property to the Allied (Soviet) High Command.

Currency payments; use of Rumanian industries, etc.

10. The Rumanian Government must make regular payments in Rumanian currency required by the Allied (Soviet) High Command for the fulfillment of its functions and will in case of need ensure the use on Rumanian territory of industrial and transportation enterprises, means of communication, power stations, enterprises and installations of public utility, stores of fuel, fuel oil, food and other materials, services in accordance with instructions issued by the Allied (Soviet) High Command.

Use of Rumanian merchant vessels.

Rumanian merchant vessels, whether in Rumanian or foreign waters, shall be subject to the operational control of the Allied (Soviet) High Command for use in the general interest of the Allies. (See Annex to Article 10.)

Post, p. 1716.

Reparations.

11. Losses caused to the Soviet Union by military operations and by the occupation by Rumania of Soviet territory will be made good by Rumania to the Soviet Union, but, taking into consideration that Rumania has not only withdrawn from the war, but has declared war and in fact is waging war against Germany and Hungary, the Parties agree that compensation for the indicated losses will be made by Rumania not in full but only in part, namely to the amount of 300 million United States dollars payable over six years in commodities (oil-products, grain, timber products, seagoing and river craft, sundry machinery, *et cetera.*)

Compensation will be paid by Rumania for losses caused to the property of other Allied States and their nationals in Rumania during the war, the amount of compensation to be fixed at a later date. (See Annex to Article 11.)

Post, p. 1716.

Return of certain valuables.

12. The Rumanian Government undertakes within the periods indicated by the Allied (Soviet) High Command to return to the Soviet Union in complete good order all valuables and materials removed from its territory during the war, belonging to State, public and cooperative organizations, enterprises, institutions or individual citizens, such as: factory and works equipment, locomotives, railway trucks, tractors, motor vehicles, historic monuments, museum valuables and any other property.

Restoration of legal rights and property.

13. The Rumanian Government undertakes to restore all legal rights and interests of the United Nations and their nationals on Rumanian territory as they existed before the war and to return their property in complete good order.

Persons accused of war crimes.

14. The Rumanian Government and High Command undertake to collaborate with the Allied (Soviet) High Command in the apprehension and trial of persons accused of war crimes.

Dissolution of fascist organizations.

15. The Rumanian Government undertakes immediately to dissolve all pro-Hitler organizations (of a Fascist type) situated in Rumanian territory, whether political, military or para-military, as well as other organizations conducting propaganda hostile to the United Nations, in particular to the Soviet Union, and will not in future permit the existence of organizations of that nature.

16. The printing, importation and distribution in Rumania of periodical and non-periodical literature, the presentation of theatrical performances and films, the work of wireless stations, post, telegraph and telephone shall be carried out in agreement with the Allied (Soviet) High Command. (See Annex to Article 16.)

Publications, etc.

Post, p. 1716.

17. Rumanian civil administration is restored in the whole area of Rumania separated by not less than 50-100 kilometres (depending upon conditions of terrain) from the front line, Rumanian administrative bodies undertaking to carry out, in the interests of the re-establishment of peace and security, instructions and orders of the Allied (Soviet) High Command issued by them for the purpose of securing the execution of these armistice terms.

Civil administration.

18. An Allied Control Commission will be established which will undertake until the conclusion of peace the regulation of and control over the execution of the present terms under the general direction and orders of the Allied (Soviet) High Command, acting on behalf of the Allied Powers. (See Annex to Article 18.)

Allied Control Commission.

Post, p. 1716.

19. The Allied Governments regard the decision of the Vienna Award regarding Transylvania as null and void and are agreed that Transylvania (or the greater part thereof) should be returned to Rumania, subject to confirmation at the peace settlement, and the Soviet Government agrees that Soviet forces shall take part for this purpose in joint military operations with Rumania against Germany and Hungary.

Transylvania.

20. The present terms come into force at the moment of their signing.

Entry into force.

Done in Moscow, in four copies, each in the Russian, English and Rumanian [¹] languages, the Russian and English texts being authentic.

September 12, 1944.

By authority of
The Governments of the
United States of America,
the Union of Soviet Socialist
Republics and the United Kingdom.

By authority of
The Government and
High Command of
Rumania.

МАЛИНОВСКИ

LUCRETIU PATRAȘCANU
GL. ADJ. DAMACEANU
B. STIRBEY
GH. POPP

[SEAL]

[SEAL]

¹ [Rumanian text not printed.]

ANNEX

TO THE ARMISTICE AGREEMENT BETWEEN THE GOVERNMENTS OF
THE UNITED STATES OF AMERICA, THE SOVIET UNION, AND
THE UNITED KINGDOM ON THE ONE HAND AND THE GOVERN-
MENT OF RUMANIA ON THE OTHER HAND

A. Annex to Article 2.

Ante, p. 1712.

The measures provided for in Article 2 of the Agreement regarding the internment of citizens of Germany and Hungary now in Rumanian territory do not extend to citizens of those countries of Jewish origin.

B. Annex to Article 3.

Ante, p. 1713.

Under cooperation of the Rumanian Government and High Command of Rumania, mentioned in Article 3 of the Agreement, is understood the placing at the disposal of the Allied (Soviet) High Command for use at its discretion during the Armistice all Rumanian military, air and naval constructions and installations, ports, harbors, barracks, warehouses, airfields, means of communication, meteorological stations which might be required for military needs in complete good order and with the personnel required for their maintenance.

Ante, p. 1714.

C. Annex to Article 10.

The Rumanian Government will withdraw and redeem within such time limits and on such terms as the Allied (Soviet) High Command may specify, all holdings in Rumanian territory of currencies issued by the Allied (Soviet) High Command, and will hand over currency so withdrawn free of cost to the Allied (Soviet) High Command.

D. Annex to Article 11.

Ante, p. 1714.

The basis for settlements of payment of compensation provided for in Article 11 of the present Agreement will be the American dollar at its gold parity on the day of signing of the Agreement, i. e. 35 dollars for 1 ounce of gold.

Ante, p. 1715.

E. Annex to Article 16.

The Rumanian Government undertakes that wireless communication, telegraphic and postal correspondence, correspondence in cypher and courier correspondence, as well as telephonic communication with foreign countries of Embassies, Legations and Consulates situated in Rumania, will be conducted in the manner laid down by the Allied (Soviet) High Command.

F. Annex to Article 18.

Ante, p. 1715.

Control over the exact execution of the Armistice terms is entrusted to the Allied Control Commission to be established in conformity with Article 18 of the Armistice Agreement.

The Rumanian Government and their organs shall fulfill all instructions of the Allied Control Commission arising out of the Armistice Agreement.

The Allied Control Commission will set up special organs or sections entrusting them respectively with the execution of various functions. In addition, the Allied Control Commission may have its officers in various parts of Rumania.

The Allied Control Commission will have its seat in the city of Bucharest.

Moscow:

September 12, 1944.

СОГЛАШЕНИЕ

МЕЖДУ ПРАВИТЕЛЬСТВАМИ СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ, СОВЕТСКОГО СОЮЗА И СОЕДИНЕННОГО КОРОЛЕВСТВА, С ОДНОЙ СТОРОНЫ, И ПРАВИТЕЛЬСТВА РУМЫНИИ, С ДРУГОЙ СТОРОНЫ, О ПЕРЕМИРИИ.

Правительство и Главное Командование Румынии, признавая факт поражения Румынии в войне против Союза Советских Социалистических Республик, Соединенного Королевства, Соединенных Штатов Америки и других Объединенных Наций, принимают условия перемирия, предложенные Правительствами упомянутых трех Союзных держав, действующих в интересах всех Объединенных Наций.

На основании вышеизложенного, Представитель Союзного (Советского) Главнокомандования, Маршал Советского Союза - Р.Л.Малиновский, надлежащим образом на то уполномоченный Правительствами Соединенных Штатов Америки, Советского Союза и Соединенного Королевства, действующих в интересах всех Объединенных Наций, с одной стороны, и представители Правительства и Главного Командования Румынии - Государственный Министр и Министр Юстиции - И.Патрашкану, Товарищ Министра Внутренних Дел, адъютант Его Величества Короля Румынии, генерал Д.Дамьяну, г-н Б.Стирбей, г-н Г.Попп, с другой стороны, снабженные надлежащими полномочиями, подписали нижеследующие условия:

I. Румыния с 4 часов 24 августа 1944 года полностью прекратила военные действия против СССР на всех театрах войны, вышла из войны против Объединенных Наций, порвала отношения с Германией и ее сателлитами, вступила в войну и будет вести войну на стороне Союзных держав против Германии и Венгрии в целях восстановления своей независимости и суверенитета, для чего она выставляет не менее 12 пехотных дивизий со средствами усиления.

2.

Военные действия румынских вооруженных сил, включая военно-морской и воздушный флот, против Германии и Венгрии будут вестись под общим руководством Союзного (Советского) Главнокомандования.

2. Правительство и Главное Командование Румынии обязуются принять меры к разоружению и интернированию вооруженных сил Германии и Венгрии, находящихся на румынской территории, а также к интернированию пребывавших здесь граждан обеих названных держав. (См. Приложение к статье 2).

3. Правительство и Главное Командование Румынии обеспечат советским и другим союзным войскам возможность свободного передвижения по румынской территории в любом направлении, если этого потребует военная обстановка, причем Правительство и Главное Командование Румынии окажут этому передвижению всемерное содействие своими средствами сообщения и за свой счет по суше, по воде и по воздуху. (См. Приложение к статье 3).

4. Государственная граница между СССР и Румынией, установленная советско-румынским соглашением от 23 июля 1940 года, восстанавливается.

5. Правительство и Главное Командование Румынии немедленно передадут всех находящихся в их власти советских и союзных военнопленных, а также интернированных и насильственно уведенных в Румынию граждан Союзному (Советскому) Главнокомандованию для возвращения этих лиц на родину.

С момента подписания настоящих условий и впредь до репатриации Правительство и Главное Командование Румынии обязуются обеспечивать за свой счет всех советских и союзных военнопленных, а также насильственно уведенных и интернированных граждан, перемещенных лиц и беженцев достаточным питанием, одеждой, медицинским обслуживанием в соответствии с санитарными требованиями, равно как и средствами транспорта для возвращения всех этих лиц на родину.

6. Румынское Правительство немедленно освободит, независимо от гражданства и национальной принадлежности, всех лиц, содержа-

3.

щихся в заключении в связи с их деятельностью в пользу Об"единенных Наций или за их сочувствие делу Об"единенных Наций или ввиду их расового происхождения, а также отменит всякое дискриминационное законодательство и вытекающие из него ограничения.

7. Правительство и Главное Командование Румынии обязуются передать в качестве трофеев в распоряжение Союзного (Советского) Главнокомандования все находящиеся на территории Румынии военное имущество Германии и ее сателлитов, включая находящиеся в водах Румынии суда флота Германии и ее сателлитов.

8. Правительство Румынии и Главное Командование обязуются не допускать вывоза или экспроприации всякого рода имущества (включая ценности и валюту), принадлежащего Германии и Венгрии или их гражданам или лицам, проживающим на их территориях или на территориях ими занятых, без разрешения Союзного (Советского) Главнокомандования. Они будут хранить это имущество в порядке, устанавливаемом Союзным (Советским) Главнокомандованием.

9. Правительство и Главное Командование Румынии обязуются передать Союзному (Советскому) Главнокомандованию все суда, принадлежащие или принадлежавшие Об"единенным Нациям и находящиеся в портах Румынии, независимо от того, в чьем распоряжении эти суда находятся, для использования Союзным (Советским) Главнокомандованием на время войны против Германии и Венгрии в общих интересах Союзников с последующим возвращением этих судов их собственникам.

Румынское Правительство несет полную материальную ответственность за всякое повреждение или уничтожение перечисленного выше имущества, вплоть до момента передачи его Союзному (Советскому) Главнокомандованию.

10. Румынское Правительство должно регулярно выплачивать денежные суммы в румынской валюте, потребные Союзному (Советскому) Главнокомандованию для выполнения его функций, а также обеспечить, в случае необходимости, использование на территории

4.

Румынии промышленных и транспортных предприятий, средств связи, силовых станций, предприятий и устройств общественного пользования, запасов топлива, горючего, продовольствия и других материалов, предоставление услуг — в соответствии с инструкциями, изданными Союзом (Советским) Главнокомандованием.

Румынские торговые суда, находящиеся как в румынских, так и в иностранных водах, будут подчинены оперативному контролю Союзного (Советского) Главнокомандования, для использования их в общих интересах Союзников. (См. Приложение к статье 10).

11. Убытки, причиненные Советскому Союзу военными действиями и оккупацией Румынией советской территории, будут Румынией возмещены Советскому Союзу, причем, принимая во внимание, что Румыния не просто вышла из войны, а объявила войну и ведет ее на деле против Германии и Венгрии, стороны улаиваются о том, что возмещение указанных убытков будет произведено Румынией не полностью, а только частично, а именно: в сумме 300 млн. амер. долларов с погашением в течение шести лет товарами (нефтепродукты, зерно, лесные материалы, морские и речные суда, различного машинное оборудование и т.п.).

Румыния возместит убытки, причиненные собственностям других союзных государств и их гражданам в Румынии во время войны, причем сумма возмещения будет установлена позже. (См. Приложение к статье 11).

12. Правительство Румынии обязуется в сроки, указанные Союзом (Советским) Главнокомандованием, возвратить Советскому Союзу в полной сохранности вывезенные с его территории во время войны все ценности и материалы, принадлежащие государственным, общественным и кооперативным организациям, предприятиям, учреждениям или отдельным гражданам, как-то: оборудование фабрик и заводов, паровозы, железнодорожные вагоны, тракторы, автомашины, исторические памятники, музейные ценности и всякое другое имущество.

5.

13. Правительство Румынии обязуется восстановить все законные права и интересы Об"единенных Наций и их граждан на румынской территории, как они существовали перед войной, а также вернуть в полной сохранности их собственность.

14. Правительство и Главное Командование Румынии обязуются сотрудничать с Союзным (Советским) Главнокомандованием в деле задержания лиц, обвиняемых в военных преступлениях, и суда над ними.

15. Румынское Правительство обязуется немедленно распустить находящиеся на румынской территории все прогитлеровские (фашистского типа) политические, военные, военизированные, а также другие организации, ведущие враждебную Об"единенным Нациям, в частности, Советскому Союзу, пропаганду, и впредь не допускать существования такого рода организаций.

16. Издание, ввоз и распространение в Румынии периодической и непериодической литературы, постановка театральные зрелищ и кинофильмов, работа радиостанций, почты, телеграфа и телефона происходят по соглашению с Союзным (Советским) Главнокомандованием. (См. Приложение к статье 16):

17. Румынская гражданская администрация восстанавливается во всей полосе Румынии, отстоящей от линии фронта не менее, чем на 50-100 километров (в зависимости от условий местности), причем румынские административные органы обязуются выполнять в интересах восстановления мира и безопасности инструкции и указания Союзного (Советского) Главнокомандования, данные им в целях обеспечения выполнения настоящих условий перемирия.

18. Будет учреждена Совенная Контрольная Комиссия, которая примет на себя на время до заключения мира регулирование и контроль за исполнением настоящих условий под общим руководством и по указаниям Союзного (Советского) Главнокомандования, действующего от имени Союзных держав. (См. Приложение к статье 18).

6.

19. Советские Правительства считают решение Венского Арбитража несуществующим и согласны на то, чтобы Трансильвания (вся или большая часть) была возвращена Румынии, что подлежит утверждению при мирном урегулировании, причем Советское Правительство согласно с тем, чтобы советские войска в этих целях приняли участие в совместных с Румынией военных операциях против Германии и Венгрии.

20. Настоящие условия вступают в силу с момента их подписания.

Составлено в Москве, в четырех экземплярах, каждый на английском, русском и румынском языках, причем тексты на русском и английском языках являются аутентичными.

12 сентября 1944 года.

ПО УПОЛНОМОЧЕНИЮ
ПРАВИТЕЛЬСТВ ССР, СОВЕТА ССР
И СОЕДИНЕННОГО КОРОЛЕВСТВА -

Molotov

ПО УПОЛНОМОЧЕНИЮ
ПРАВИТЕЛЬСТВА И ГЛАВНОГО
КОМАНДОВАНИЯ РУМЫНИИ -

Lucretia Patrascanu
Генерал-адъютант

St. Pop



П Р И Л О Ж Е Н И Я
К СОГЛАШЕНИЮ МЕЖДУ ПРАВИТЕЛЬСТВАМИ СОЕДИНЕННЫХ
ШТАТОВ АМЕРИКИ, СОВЕТСКОГО СОЮЗА И СОЕДИНЕННОГО
КОРОЛЕВСТВА, С ОДНОЙ СТОРОНЫ, И ПРАВИТЕЛЬСТВОМ
РУМЫНИИ, С ДРУГОЙ СТОРОНЫ, О ПЕРЕМИРИИ.

А; Приложение к ст. 2.

Предусмотренные в ст. 2 Соглашения меры по интернированию граждан Германии и Венгрии, находящихся на румынской территории, не распространяются на граждан этих стран еврейской национальности.

В; Приложение к ст. 3.

Под упомянутым в статье 3 Соглашения содействием Румынского Правительства и Главного Командования Румынии имеется в виду предоставление Союзному /Советскому/ Главнокомандованию для использования по его усмотрению, на время перемирия, всех могущих потребоваться для военных нужд румынских военных, воздушных и военно-морских сооружений и устройств, портов, гаваней, каварм, складов, аэродромов, средств связи, метеостанций в полной исправности и с персоналом, необходимым для их обслуживания.

С. Приложение к ст. 10.

Румынское Правительство изымет и выкупит в такие сроки и на таких условиях, которые будут указаны Союзным /Советским/ Главнокомандованием, всю находящуюся на румынской территории валюту, выпущенную Союзным /Советским/ Главнокомандованием, и безвозвратно передаст изъятую таким образом валюту Союзному /Советскому/ Главнокомандованию.

д. Приложение к ст. II.

В основу расчетов по выплате возмещения, предусмотренного в статье II настоящего Соглашения, положен американский доллар по его золотому паритету на день подписания Соглашения, т.е. 35 долларов за I унцию золота.

е. Приложение к ст. I6.

Румынское Правительство обязуется, что радиосвязь, телеграфная и почтовая переписка, шифропереписка и курьерская связь, а также телефонная связь с заграницей посольств, миссий и консульств, находящихся в Румынии, будут осуществляться в порядке, установленном Союзным /Советским/ Главнокомандованием.

ж. Приложение к ст. I8.

На учреждаемую в соответствии со статьей I8-й Соглашения о перемирии Союзную Контрольную Комиссию возлагается контроль за точным выполнением условий перемирия.

Румынское Правительство и его органы обязаны выполнять все указания Союзной Контрольной Комиссии, вытекающие из Соглашения о перемирии.

Союзная Контрольная Комиссия создаст специальные органы или секции, соответственно поручая им выполнение тех или иных функций. Кроме того, Союзная Контрольная Комиссия может иметь своих офицеров в равных местах Румынии.

Союзная Контрольная Комиссия будет иметь своим местопребыванием г. Бухарест.

Москва, " 12 " сентября 1944 года.

P R O T O C O L .

TO THE ARMISTICE AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED KINGDOM, ON THE ONE HAND, AND THE GOVERNMENT OF ROUMANIA, ON THE OTHER HAND.

On the occasion of the signing of an armistice with the Government of Roumania, the Allied Governments signatory thereto are agreed :—

Ante, p. 1713.

1. Paragraph 1 of Article 5 of the Armistice Agreement defines the obligations undertaken by the Roumanian Government in regard to the surrender to the Allied authorities of Allied prisoners of war and Allied citizens interned in or forcibly removed to Roumania. Each Allied Government shall decide which of its nationals shall or shall not be repatriated.

Ante, p. 1713.

2. That the term "war material" used in Article 7 shall be deemed to include all material or equipment belonging to, used by, or intended for use by, enemy military or para-military formations or members thereof.

Ante, p. 1713.

3. That the use by the Allied (Soviet) High Command of Allied vessels handed back by the Government of Roumania in accordance with Article 9 of the armistice and the date of their return to their owners will be matters for discussion and settlement between the Allied Governments concerned and the Government of the Soviet Union.

Done in Moscow in three copies, each in the English and Russian languages, both English and Russian texts being authentic.

12th September, 1944.

BY AUTHORITY OF
THE GOVERNMENT
OF THE UNITED
STATES OF
AMERICA.

BY AUTHORITY OF
THE GOVERNMENT
OF THE UNION
OF SOVIET
SOCIALIST
REPUBLICS

BY AUTHORITY OF
THE GOVERNMENT
OF THE UNITED
KINGDOM

W. A. HARRIMAN

A VYSHINSKY

ARCHIBALD CLARK KERR

[SEAL]

[SEAL]

[SEAL]

ПРОТОКОЛ

К СОГЛАШЕНИЮ О ПЕРЕМИРИИ МЕЖДУ ПРАВИТЕЛЬСТВАМИ
СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ, СОЮЗА СОВЕТСКИХ
СОЦИАЛИСТИЧЕСКИХ РЕСП. БЛИЗ И СОЕДИНЕННОГО КОРО-
ЛЕВСТВА, С ОДНОЙ СТОРОНЫ, И ПРАВИТЕЛЬСТВОМ
РУМЫНИИ, С ДРУГОЙ СТОРОНЫ.

При подписании Соглашения о перемирии с Правительством Румынии, Союзные Правительства, подписавшие Соглашение, согласились о том, что:

1. Параграф 1 статьи 5 Соглашения о перемирии определяет обязательства, взятые на себя Правительством Румынии, относительно передачи Союзным властям союзных военнопленных, а также интернированных или насильственно уведенных в Румынию союзных граждан. Каждое Союзное Правительство решает, какие из их граждан судят и какие не будут репатрированы.

2. Термин "военное имущество", употребляемый в статье 7, будет рассматриваться как включающий все имущество или снаряжение, принадлежащее, используемое, или предназначенное к использованию военными или полувосновными соединениями противника или их членами.

3. Использование Союзным /Советским/ Главнокомандованием союзных судов, возвращенных Правительством Румынии в соответствии со статьей 9 Соглашения о перемирии, и дата их возврата владельцам, будут предметом обсуждения и урегулирования между Правительством Советского Союза и заинтересованными Союзными Правительствами.

Составлено в Москве в трех экземплярах, каждый на английском и русском языках, причем все английские и русские тексты являются аутентичными.

12 сентября 1944 года.

ПО УПОЛНОМОЧЕНИЮ
ПРАВИТЕЛЬСТВА
СОЕДИНЕННЫХ ШТАТОВ
АМЕРИКИ

W. A. Harriman



ПО УПОЛНОМОЧЕНИЮ
ПРАВИТЕЛЬСТВА
СОВЕТСКОГО СОЮЗА

Stalin



ПО УПОЛНОМОЧЕНИЮ
ПРАВИТЕЛЬСТВА
СОЕДИНЕННОГО КОРО-
ЛЕВСТВА

Churchill



The American Ambassador to the Soviet People's Commissar for Foreign Affairs

Moscow, U.S.S.R.

September 12, 1944.

EXCELLENCY:

I have the honor to state that the United States Government hereby authorizes Marshal of the Soviet Union R. Ya. Malinovski to sign on its behalf the armistice to be concluded in Moscow with the Government of Rumania.

Accept, Excellency, the assurances of my most distinguished consideration.

W. A. HARRIMAN

Ambassador of the United States of America

His Excellency

V. M. MOLOTOV,

People's Commissar for Foreign Affairs,

Moscow.

Agreement between the United States of America and the United Kingdom of Great Britain and Northern Ireland respecting an Anglo-American Committee of Inquiry. Effected by exchange of notes signed at Washington December 10, 1945.

December 10, 1945
[E. A. S. 491]

The Secretary of State to the British Ambassador

DEPARTMENT OF STATE
WASHINGTON
December 10, 1945

EXCELLENCY:

I have the honor to inform Your Excellency, with reference to our conversations on the subject, that the Government of the United States agrees to constitute, in cooperation with the Government of the United Kingdom, a joint Anglo-American Committee of Inquiry with the following terms of reference.

1. To examine political, economic and social conditions in Palestine as they bear upon the problem of Jewish immigration and settlement therein and the well-being of the peoples now living therein;
2. To examine the position of the Jews in those countries in Europe where they have been the victims of Nazi and Fascist persecution, and the practical measures taken or contemplated to be taken in those countries to enable them to live free from discrimination and oppression and to make estimates of those who wish or will be impelled by their conditions to migrate to Palestine or other countries outside Europe;
3. To hear the views of competent witnesses and to consult representative Arabs and Jews on the problems of Palestine as such problems are affected by conditions subject to examination under paragraphs 1 and 2 above and by other relevant facts and circumstances, and to make recommendations to the Governments of the United States and of the United Kingdom for ad interim handling of these problems as well as for their permanent solution; and
4. To make such other recommendations to the Governments of the United States and of the United Kingdom as may be necessary to meet the immediate needs arising from conditions subject to examination under paragraph 2 above, by remedial action in the European countries in question or by the provision of facilities for emigration to and settlement in countries outside Europe.

The Committee should be composed of six nationals of the United States, appointed by the Government of the United States, and six nationals of the United Kingdom, appointed by the Government of the United Kingdom, and shall operate under a rotating chairmanship.

The Governments of the United States and of the United Kingdom

shall urge on the Committee the need for the utmost expedition in dealing with the subjects committed to it for investigation and shall request that they may be furnished with its report within 120 days of the inception of the inquiry.

The procedure of the Committee shall be determined by the Committee itself and it will be open to it, if it thinks fit, to deal simultaneously through the medium of subcommittees, with any of the subjects entrusted to its consideration.

Each Government shall be responsible for compensating its own members of the Committee and other personnel selected by it and for paying such other expenses as are not susceptible of being jointly shared by the two Governments. All other expenses of the Committee shall be borne jointly by both Governments in equal proportions.

Accept, Excellency, the renewed assurances of my highest consideration.

JAMES F. BYRNES

His Excellency

The Right Honorable

THE EARL OF HALIFAX, K.G.,

British Ambassador.

The British Ambassador to the Secretary of State

BRITISH EMBASSY,
WASHINGTON 8, D.C.

December 10th, 1945

DEAR MR. SECRETARY,

I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, to inform Your Excellency that His Majesty's Government in the United Kingdom are in agreement with the terms of your note of the 10th December about the Joint Anglo-American Committee of Enquiry to report on the position of the Jews in certain countries of Europe and in Palestine.

I have the honour to be, with the highest consideration, Sir,
Your most obedient, humble servant,

HALIFAX

The Honourable

JAMES F. BYRNES,

Secretary of State of the United States,

Washington, D.C.

Agreement between the United States of America and Italy respecting commercial relations. Effected by exchange of notes signed at Washington December 6, 1945.

December 6, 1945
[E. A. S. 492]

The Secretary of State to the Italian Ambassador

DEPARTMENT OF STATE
WASHINGTON
December 6, 1945

EXCELLENCY:

I have the honor to make the following statement of my understanding of the agreement reached in recent conversations which have taken place between representatives of the Government of the United States of America and the Government of Italy with regard to the resumption of normal commercial relations between our two countries.

These conversations have disclosed a desire on the part of the two Governments to promote reciprocally advantageous economic relations between them and the improvement of world-wide economic relations. To that end the Governments of the United States of America and of Italy propose to cooperate in formulating a program of agreed action, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 14, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom.

55 Stat. 1603.

At the earliest practicable date conversations shall be begun between our two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives.

Accept, Excellency, the renewed assurances of my highest consideration.

JAMES F. BYRNES

His Excellency

ALBERTO TARCHIANI,
Italian Ambassador.

*The Italian Ambassador to the Secretary of State*ROYAL ITALIAN EMBASSY
WASHINGTON, D.C.

#15736

WASHINGTON, D.C.

December 6, 1945

SIR:

I have the honor to refer to your note of december 6th setting forth your understanding of the agreement reached in recent conversations which have taken place between representatives of the Government of Italy and the Government of the United States with regard to the resumption of normal commercial relations between our two countries.

These conversations have disclosed a desire on the part of the two Governments to promote reciprocally advantageous economic relations between them and the improvement of world-wide economic relations. To that end the Governments of Italy and of the United States of America propose to cooperate in formulating a program of agreed action, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of the liberty and welfare of all peoples; to the elimination of all forms of discriminatory treatment in international commerce, and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 14, 1941 by the President of the United States of America and the Prime Minister of the United Kingdom.

55 Stat. 1603.

At the earliest practicable date conversations shall be begun between our two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives.

In informing you that the Italian Government is in agreement with the contents of the above Note, I beg you to accept, Sir, the renewed assurance of my highest consideration.

ALBERTO TARCHIANI

The Honorable JAMES F. BYRNES

*Secretary of State of the United States**Washington, D.C.*

Surrender by Japan. Terms between the United States of America and the other Allied Powers and Japan. Signed at Tokyo Bay September 2, 1945; effective September 2, 1945. Together with proclamation by the Emperor of Japan.

September 2, 1945
[E. A. S. 493]

INSTRUMENT OF SURRENDER

We, acting by command of and in behalf of the Emperor of Japan, the Japanese Government and the Japanese Imperial General Headquarters, hereby accept the provisions set forth in the declaration issued by the heads of the Governments of the United States, China and Great Britain on 26 July 1945, at Potsdam, and subsequently adhered to by the Union of Soviet Socialist Republics, which four powers are hereafter referred to as the Allied Powers.

We hereby proclaim the unconditional surrender to the Allied Powers of the Japanese Imperial General Headquarters and of all Japanese armed forces and all armed forces under Japanese control wherever situated.

We hereby command all Japanese forces wherever situated and the Japanese people to cease hostilities forthwith, to preserve and save from damage all ships, aircraft, and military and civil property and to comply with all requirements which may be imposed by the Supreme Commander for the Allied Powers or by agencies of the Japanese Government at his direction.

We hereby command the Japanese Imperial General Headquarters to issue at once orders to the Commanders of all Japanese forces and all forces under Japanese control wherever situated to surrender unconditionally themselves and all forces under their control.

We hereby command all civil, military and naval officials to obey and enforce all proclamations, orders and directives deemed by the Supreme Commander for the Allied Powers to be proper to effectuate this surrender and issued by him or under his authority and we direct all such officials to remain at their posts and to continue to perform their non-combatant duties unless specifically relieved by him or under his authority.

We hereby undertake for the Emperor, the Japanese Government and their successors to carry out the provisions of the Potsdam Declaration in good faith, and to issue whatever orders and take whatever action may be required by the Supreme Commander for the Allied Powers or by any other designated representative of the Allied Powers for the purpose of giving effect to that Declaration.

We hereby command the Japanese Imperial Government and the Japanese Imperial General Headquarters at once to liberate all allied prisoners of war and civilian internees now under Japanese control and to provide for their protection, care, maintenance and immediate transportation to places as directed.

The authority of the Emperor and the Japanese Government to rule the state shall be subject to the Supreme Commander for the Allied Powers who will take such steps as he deems proper to effectuate these terms of surrender.

Signed at TOKYO BAY, JAPAN at 09 11. 7
on the SECOND day of SEPTEMBER, 1945

重光葵

By Command and in behalf of the Emperor of Japan
and the Japanese Government.

梅津美治郎

By Command and in behalf of the Japanese
Imperial General Headquarters.

Accepted at TOKYO BAY, JAPAN at 09 08 I
on the SECOND day of SEPTEMBER, 1945,
for the United States, Republic of China, United Kingdom and the
Union of Soviet Socialist Republics, and in the interests of the other
United Nations at war with Japan.

Douglas MacArthur
Supreme Commander for the Allied Powers.

W. Nimitz
United States Representative

徐永昌
Republic of China Representative

Bruce Fraser
United Kingdom Representative

Leonid Brezhnev
Union of Soviet Socialist Republics
Representative

Ed Blamey
Commonwealth of Australia Representative

Charles Fogarty
Dominion of Canada Representative

Leclerc
Provisional Government of the French
Republic Representative

M. M. M.
Kingdom of the Netherlands Representative

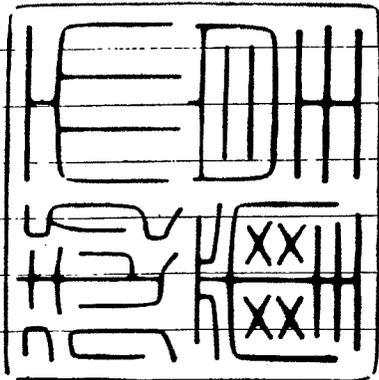
Lemuel K. Felt
Dominion of New Zealand Representative

朕ハ昭和二十年七月二十六日米英支各國
 政府ノ首班カポツダムニ於テ發シ後ニ
 蘇聯邦カ參加シタル旨言ノ掲ケル諸
 條項ヲ受諾シ帝國政府及大本營ニ
 對シ聯合國最高司令官カ提示シタ
 ル降伏文書ニ朕ニ代リ署名シ且聯合
 國最高司令官ノ指示ニ基キ陸海
 軍ニ對スル一般命令ヲ發スヘキコトヲ
 命シタリ朕ハ朕カ臣民ニ對シ敬對行
 爲ヲ直ニ止メ武器ヲ措キ且降伏文書

内閣

ノ一切ノ條項並ニ帝國政府及大本營ノ
 發スル一般命令ヲ誠實ニ履行セム
 コトヲ命ス

裕仁

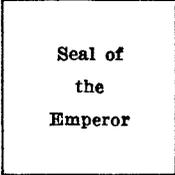


Translation

PROCLAMATION

Accepting the terms set forth in Declaration issued by the heads of the Governments of the United States, Great Britain and China on July 26th, 1945 at Potsdam and subsequently adhered to by the Union of Soviet Socialist Republics, We have commanded the Japanese Imperial Government and the Japanese Imperial General Headquarters to sign on Our behalf the Instrument of Surrender presented by the Supreme Commander for the Allied Powers and to issue General Orders to the Military and Naval Forces in accordance with the direction of the Supreme Commander for the Allied Powers. We command all Our people forthwith to cease hostilities, to lay down their arms and faithfully to carry out all the provisions of Instrument of Surrender and the General Orders issued by the Japanese Imperial Government and the Japanese Imperial General Headquarters hereunder.

This second day of the ninth month of the twentieth year of Syōwa.



Seal of
the
Emperor

Signed: HIROHITO

Countersigned: NARUHIKO-Ō

Prime Minister

MAMORU SHIGEMITSU

Minister for Foreign Affairs

IWAO YAMAZAKI

Minister for Home Affairs

JUICHI TSUSHIMA

Minister of Finance

SADAMU SHIMOMURA

Minister of War

MITSUMASA YONAI

Minister of Navy

CHUZO IWATA

Minister of Justice

TAMON MAEDA

Minister of Education

KENZO MATSUMURA

Minister of Welfare

KOTARO SENGOKU
*Minister of Agriculture
and Forestry*

CHIKUHEI NAKAJIMA
*Minister of Commerce
and Industry*

NAOTO KOBIYAMA
Minister of Transportation

FUMIMARO KONOE
Minister without Portfolio

TAKETORA OGATA
Minister without Portfolio

BINSHIRO OBATA
Minister without Portfolio

September 27, 1945
[E. A. S. 494]

Agreement between the United States of America and other powers concerning a European Central Inland Transport Organization. And protocols. Signed at London September 27, 1945; effective September 27, 1945.

[SEAL]

AGREEMENT CONCERNING THE ESTABLISHMENT OF AN EUROPEAN CENTRAL INLAND TRANSPORT ORGANISATION

WHEREAS, upon the liberation of the territories of the United Nations in Europe, and upon the occupation of the territories of the enemy in Europe, it is expedient for the fulfilment of the common military needs of the United Nations and in the interests of the social and economic progress of Europe, to provide for co-ordination both in the movement of traffic and in the allocation of transport equipment and material with a view to ensuring the best possible movement of supplies both for military forces and the civil population and the speedy repatriation of displaced persons, and also with a view to creating conditions in which the normal movement of traffic can be more rapidly resumed;

The Governments whose duly authorised representatives have signed the present Agreement

Have agreed as follows:—

ARTICLE I

Ante, p. 1362.

There is hereby established the European Central Inland Transport Organisation, hereinafter called "the Organisation," which shall act in accordance with the provisions of the following Articles. The Organisation is established as a co-ordinating and consultative organ. Having regard to the successful completion of the war, it shall co-ordinate efforts to utilise all means of transport for the improvement of communications so as to provide for the restoration of normal conditions of economic life. It shall also provide assistance to the Allied Commanders-in-Chief and to the Occupation Authorities set up by Governments of the United Nations to maintain and improve the carrying capacity of transport.

ARTICLE II. — Membership.

The members of the Organisation shall be the Governments signatory hereto and such other Governments as may be admitted thereto by the Council.

ARTICLE III. — Constitution.

1. The Organisation shall consist of a Council and an Executive Board with the necessary headquarters, regional and local staff. The

Organisation shall concert arrangements for the establishment of regional and local offices with the Member Governments in whose territory the offices are situated and/or in appropriate cases in agreement with the Allied Commander-in-Chief concerned.

The Council.

2. Each member Government shall name one representative and such alternates as may be necessary upon the Council. The Council shall, for each of its sessions, select one of its members to preside. The Council shall determine its own rules of procedure. Unless otherwise provided in this Agreement or by action of the Council, the Council shall vote by simple majority.

3. The Council shall be convened in regular session not less than twice a year by the Executive Board. It may be convened in special session whenever the Executive Board shall deem necessary and shall be convened within thirty days after request by one-third of the members of the Council.

4. The Council shall perform the functions assigned to it under this Agreement and review the work of the Organisation generally to ensure its conformity with the broad policies determined by the Council.

The Executive Board.

5. The Executive Board shall consist of seven members who shall be appointed by the Council. These seven members shall include one member nominated by each of the following Governments: the Provisional Government of the French Republic and the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Each member of the Executive Board shall be provided with an alternate similarly selected, who shall act only in the absence of the member of the Executive for whom he is the alternate. The members and their alternates shall be appointed for not longer than one year. The Executive Board shall choose its own Chairman, subject to confirmation by the Council.

6. The Executive Board shall perform the executive functions assigned to the Organisation within the framework of the broad policies determined by the Council. It shall act in accordance with the ruling of the majority of its members. It shall present to the Council such reports on the performance of its functions as the Council may require.

7. The Executive Board shall appoint a chief officer who shall direct under its supervision the technical and administrative work of the Organisation in conformity with the policies of the Council and the Executive Board as determined by their decisions. This officer shall appoint the staff at headquarters and at regional and local offices, subject to the approval of the Executive Board, taking into account the exigencies of the various branches of transport concerned. The responsibilities of the chief officer and staff shall be exclusively international in character.

8. Each member Government shall appoint one or more representatives for the purpose of consultation and communication with the Executive Board, and with the Chief Officer. Such representatives shall be fully informed by the Board and by the Chief Officer of all activities of the Organisation. Each time that any important question concerning the interests of a member Government is discussed by the Board, the representatives of that Government shall be entitled to take part in the discussions without the right of vote.

ARTICLE IV.

1. The Organisation shall have the capacity to perform any legal act appropriate to its object and purposes, including the power to acquire, hold and convey property, to enter into contracts and undertake obligations, to designate or create subordinate organs and to review their activity. The Organisation shall not, however, have power to own transport equipment and material other than for its own internal or demonstration purposes, except with the unanimous consent of the Council.

2. These powers are vested in the Council. Subject to the provisions of paragraph 2 of Article V, the Council may delegate such of these powers as it may deem necessary to the Executive Board, including the power of subdelegation. The Executive Board shall be responsible to the Council for the upkeep and administration of any property owned by the Organisation.

ARTICLE V. — Finance.

1. The Executive Board shall submit to the Council an initial budget and from time to time such supplementary budgets as may be required, covering the administrative expenses of the Organisation. Upon approval of a budget by the Council, the total amount approved shall be raised in such manner, or be allocated between member Governments in such proportions, as these Governments may agree. Each member Government undertakes, subject to the requirements of its constitutional procedure, promptly to contribute to the Organisation, in such currency or currencies as may be agreed by such Government with the Executive Board, its share of these expenses. Each member Government shall also provide such facilities as are required for the transfer into other currencies of sums so contributed and held by the Organisation in that Government's own currency.

2. The Organisation shall not incur any expenses, other than administrative expenses, except under the authority of the Council. Proposals for such expenses shall be submitted by the Executive Board to the Council and, when approved by the Council, such expenses shall be met by contributions which one or more member Governments may agree to make or in such other manner as may be agreed between member Governments. However, the obligation of transfer into foreign currencies, as defined in paragraph 1 of this Article, does not apply to these contributions.

3. Nothing in this Agreement shall require any member Government or transport administration under its authority to perform services without remuneration.

ARTICLE VI. — Scope of the Organisation.

1. The Organisation shall, after giving notice of its intention, exercise its functions in any territory in Continental Europe, upon the acceptance of this Agreement by the Government of that territory and/or, in appropriate cases, provided that the Allied Commander-in-Chief concerned is satisfied that military exigencies permit and subject to such conditions as he may deem necessary.

2. In respect of any territory in Continental Europe in which any Allied Commander-in-Chief retains responsibility for the direction of the transport system, the Organisation shall on request give advice or assistance to the Allied Commander-in-Chief, and, in consultation with him, to any member Government or to other appropriate authorities of the United Nations, on any question with which it is empowered to deal under Article VII.

3. The Organisation shall treat with any of the Occupation Authorities set up by Governments of the United Nations in respect of any territory in Continental Europe in which such Occupation Authorities are exercising authority.

ARTICLE VII. — Executive Functions of the Organisation.

Introductory.

1. The Organisation shall carry out thorough studies of the technical and economic conditions affecting traffic of an international character and shall give to the Governments concerned with such traffic technical advice and recommendations directed to restoring and increasing the carrying capacity of the transport systems in Continental Europe and to co-ordinating the movement of traffic of common concern on these systems.

2. In case of any member Government meets with difficulties in carrying out these recommendations owing to reasons of a material or economic character, the Organisation shall investigate with member Governments concerned means of practical help.

Information on Transport Equipment and Material.

3. The Organisation shall receive and collect information concerning the requirements of transport equipment and material for Continental Europe.

Realisation of Requirements for Transport Equipment and material.

4. The Organisation shall assist the realisation of requirements of any member Government in Continental Europe for transport equipment and material.

Allocation and Distribution for Use of Transport Equipment and Material.

5. The Organisation shall, within the framework of the priorities determined by the appropriate authorities of the United Nations, de-

termine the allocation, or distribution for use, to Governments in Continental Europe, on such conditions as it may deem necessary, of such transport equipment and material as may be made available for this purpose by the Allied Commanders-in-Chief, by Occupation Authorities, or by agencies of any one or more of the United Nations. To enable the Organisation to carry out this function effectively, it may consult with the Governments concerned on their export possibilities of, and import needs of, transport equipment and material for Continental Europe and will receive from such Governments notification of all arrangements made in respect thereto of which they have notice.

Arrangements to make Mobile Transport Equipment and Material available.

6. In cases where temporary emergency requirements of mobile transport equipment for carrying traffic of common concern arise and the usual arrangements for the interchange of such mobile transport equipment are inadequate, the Organisation shall arrange with member Governments concerned to make available mobile transport equipment for the purpose of meeting such requirements. Such mobile transport equipment shall be made available under arrangements made between the member Governments concerned, with the assistance of the Organisation.

Census of Transport Equipment and Material.

7. The Organisation shall at the earliest practicable time arrange through the member Governments for a census of rolling-stock in Continental Europe and of such other transport equipment and material there as may appear necessary for the proper discharge of its functions.

Identification and Restoration of Transport Equipment and Material.

8. The Organisation shall arrange, as soon as practicable, to restore to any member Government transport equipment and material belonging to it or to its nationals, found outside the territories under its authority and outside its control. Should any difficulties of identification arise, the Organisation shall arrange immediately for such special measures to be taken as may be necessary to meet them. Where such restoration would unduly prejudice the operation of essential transport, the Organisation shall work out agreements with the Governments concerned for the temporary use of transport equipment pending its restoration. The arrangements for restoration shall be made on the basis of the ownership of the property which existed before any territorial changes in Europe, resulting from Axis policy, and in accordance with any general policies which may be determined by the appropriate authorities of the United Nations regarding restoration and restitution of the property removed by the enemy.

Traffic.

9. The Organisation may make such recommendations to the appropriate authorities as it deems necessary with respect to the

method of carrying out projected movements of traffic of common concern, having regard to the transport facilities available for the movement of such traffic.

10. The Organisation shall make recommendations to the Governments concerned in order to ensure the movement of traffic of common concern on all routes of transport in Continental Europe in accordance with the priorities determined by the appropriate authorities of the United Nations. In respect of traffic of military importance sponsored by the Allied Commanders-in-Chief, the appropriate authority for this purpose will be the Allied Commander-in-Chief concerned.

Charges.

11. The Organisation may work out the unification of tariffs, terms and conditions of transport and the like, applicable to traffic of an international character. It shall recommend to the Governments concerned the principles by which reasonable transport charges for traffic of common concern in Continental Europe should be fixed by them in accordance with the provisions of paragraph 9 of Article VIII. This paragraph shall not apply to military traffic under the control of any Allied Commander-in-Chief except at his request.

Post, p. 1748.

Rehabilitation of Transport Systems.

12. The Organisation may study the conditions of transport affecting traffic of an international character in individual countries and make recommendations to the Governments concerned as to technical measures directed to the quickest restoration of transport facilities and their most effective use, and as to the priority in which works or projects in respect of the restoration or improvement of transport facilities shall be carried out.

Operation of Transport

13. While it remains the task of each member Government to provide for the efficient operation of the transport systems in Continental Europe for which it is responsible, the Organisation may exceptionally, at the request of any member Government, give any assistance in its power in the rehabilitation or operation of transport in any territory in Continental Europe under the authority of such Government on such conditions as may be agreed between it and the Organisation, having due regard to the rights of other member Governments.

Co-ordination of European Transport.

14. The Organisation shall work out and co-ordinate common action to secure the inauguration, maintenance, modification, resumption or, where appropriate, suppression, of international arrangements for through working of railways and exchange of rolling-stock of the Continental European countries for carrying out international transport. In particular, it shall ensure a unified clearing system for traffic operations between the different countries in Continental Europe. In general, it shall promote where necessary the establishment of appropriate machinery for co-operation between railway administrations.

15. The organisation shall place its services at the disposal of member Governments and make recommendations with a view to ensuring the most efficient movement of international traffic on waterways. It shall not, however, make recommendations with regard to questions concerning the régimes of the international inland waterways of Continental Europe.

16. The Organisation shall take through the Governments concerned such steps as may be practicable to facilitate international traffic of common concern in lorries and other road vehicles and the co-ordination of road and other means of transport with a view to ensuring the movement of international traffic.

17. In carrying out the functions mentioned in paragraphs 14 and 16 of this Article and in placing its services at the disposal of member Governments as described in paragraph 15 of this Article, the Organisation shall make use, to the extent practicable, of conventions in force between member Governments so as to obtain the greatest benefit therefrom for the fulfilment of this task, provided that the Organisation shall act –

- (a) in accordance with any general policies which may be determined by the appropriate authorities of the United Nations; and
- (b) with due respect for existing rights and obligations.

18. The Organisation shall make recommendations to the Governments concerned designed to promote adequate co-ordination of all European transport for the fulfilment of the common military needs of the United Nations or in the interests of traffic of an international character.

Relations with other Agencies.

19. The Organisation shall co-operate as may be required with the appropriate authorities and agencies of any one or more of the United Nations and with international organisations.

20. The Organisation shall provide all possible assistance to the Allied Commanders-in-Chief in meeting their needs for transport facilities and improving the use of these facilities for the successful fulfilment of military requirements.

21. The Organisation shall arrange for consultation, through appropriate machinery, with representatives of persons employed in inland transport on international questions of mutual concern to the Organisation and such representatives within the field of the Organisation's activities.

Miscellaneous.

22. The Organisation may advise the Governments concerned and the appropriate authorities of the United Nations on the priority to be given, in the interests of the rehabilitation of European transport, to the repatriation of displaced transport personnel and to workers required for the production, maintenance or repair of transport equipment and material.

23. The Organisation shall give all practicable assistance through the appropriate authorities to any member Government at its request in obtaining supplies of fuel, power and lubricants to meet the needs of traffic of common concern, in order that that Government may fulfil its obligations under paragraph 7 of Article VIII.

Post, p. 1748.

ARTICLE VIII. — Obligations of Member Governments.

Information.

1. Every member Government, in respect of any territory which is under its authority and in the field of activity of the Organisation, shall, upon request of the Organisation, provide it with such information as is essential for the performance of its functions.

Census of Transport Equipment and Material.

2. Every member Government undertakes to co-operate fully with the Organisation in arranging any census for which provision is made in paragraph 7 of Article VII.

Ante, p. 1744.

Identification and Restoration of Transport Equipment and Material.

3. Every member Government, in respect of any territory which is under its authority and in the field of activity of the Organisation, undertakes that —

- (i) It will facilitate the execution of paragraph 8 of Article VII.
- (ii) It will not seize:—

Ante, p. 1744.

- (a) transport equipment and material in Continental Europe found outside the territories under its authority, even though such equipment and material may belong to it or to any of its nationals;
- (b) transport equipment and material found within territory under its authority but not belonging to it or any of its nationals;
- (c) transport equipment and material coming within territory under its authority as the result of arrangements made under the auspices of the Organisation for the movement of traffic of common concern;

provided, however:—

- (i) that every member Government shall be permitted to use equipment defined under (b) and (c) above subject to the provisions of paragraphs 5 and 8 of Article VII and, in the case of enemy or ex-enemy transport equipment and material, without prejudice to its ultimate disposal by the appropriate authorities of the United Nations; and
- (ii) that nothing in this paragraph shall debar any member Government or any of its nationals from continuing the management of its or his own inland vessels.

Ante, pp. 1743, 1744

4. The provisions of paragraph 3 of this Article shall not affect the rights of the Allied Commanders-in-Chief within any territory in respect of which the Organisation has not begun to exercise its functions under Article VII.

Traffic.

5. Every member Government undertakes to ensure by any means in its power the best possible movement of traffic of common concern in accordance with the recommendations made by the Organisation under paragraph 10 of Article VII.

Ante, p. 1745.

6. Every member Government undertakes to provide inland vessels under its control in Continental Europe required for traffic of common concern,

- (i) in accordance with the recommendations of the Organisation generally, and
- (ii) if signatory to the Annex to this Agreement, in accordance with its terms.

Provision of Fuel, Power and Lubricants.

7. Every member Government shall take all measures necessary and practicable to ensure, in respect of the territory in Continental Europe under its authority, that adequate supplies of fuel, power and lubricants are available for traffic of common concern, provided that the Organisation has made suitable arrangements with the Government concerned.

Charges.

8. Every member Government undertakes not to levy or permit the levy of customs duties or other charges, other than transport charges, and admissible transit charges on traffic of common concern in transit through territories in Continental Europe under its authority. No discrimination shall be made in respect of import duties levied on goods of common concern, dependent on the route the goods have travelled prior to importation into the country concerned.

9. Every member Government undertakes to secure that transport charges made within territories in Continental Europe under its authority on traffic of common concern, including such traffic in transit through such territories, shall be as low and simple and as uniform with those in other territories, to which this Agreement applies, as is practicable. Every member Government shall give the fullest consideration to recommendations made by the Organisation in accordance with paragraph 11 of Article VII and report to the Organisation on the action taken.

Ante, p. 1745.

Miscellaneous.

10. Every member Government undertakes to co-operate with the Organisation in the exercise of its functions under paragraphs 14 and 16 of Article VII.

Ante, pp. 1745, 1746.

11. Every member Government shall use its best endeavours in its relations with any other international organisations, agencies or authorities to give effect to the provisions of this Agreement.

12. Every member Government shall give the fullest consideration to any recommendations made by the Organisation in accordance with paragraphs 12, 15 and 18 of Article VII and report to the Organisation on the action taken.

Ante, pp. 1745, 1746.

13. Every member Government shall recognise the international personality and legal capacity which the Organisation possesses.

14. Every member Government shall respect the exclusively international character of the members of the Executive Board, the Chief Officer and the staff of the Organisation.

15. Every member Government shall accord to the Organisation the privileges, immunities and facilities which they grant to each other, including in particular—

- (a) immunity from every form of legal process;
- (b) exemption from taxation and customs duties; and
- (c) inviolability of premises occupied by, and of the archives and communications of the Organisation.

16. Every member Government shall accord diplomatic privileges and immunities to persons appointed by other members as their representatives in or to the Organisation, to the members of the Executive Board, and to the higher officials of the Organisation not being their own nationals.

Diplomatic privileges and immunities.

17. Every member Government shall accord to all officials and employees of the Organisation—

- (a) immunity from suit and legal process relating to acts performed by them in their official capacity;
- (b) all such facilities for their movement, and for the execution of their functions, as are deemed necessary by the Organisation for the speedy and effective fulfilment of their official duties; and
- (c) except in the case of their own nationals, exemption from taxation of their official salaries and emoluments.

18. Every member Government shall in territory under its authority take all steps in its power to facilitate the exercise by the Organisation of any of the powers referred to in Article IV.

Ante, p. 1742.

ARTICLE IX.

The Organisation shall be related to any general international organisation to which may be entrusted the co-ordination of the activities of international organisations with specialised responsibilities.

ARTICLE X.

1. The functions of the Organisation shall relate to all forms of transport by road, rail or waterway, within the territories of the Continent of Europe in which the Organisation operates, but not to sea-going shipping, except that the provisions of paragraph 10 of Article VII and paragraph 5 of Article VIII shall apply in respect of such shipping when employed in Continental Europe on inland waterways.

Ante, p. 1745.

Ante, p. 1748.

2. In regard to the handling of traffic in ports where sea-going vessels are discharged or loaded, the Organisation shall co-operate with the appropriate authorities of the member Government concerned and any shipping organisation set up by them to ensure—

- (i) the rapid turn-round of ships;
- (ii) the efficient use of port facilities in the best interests of the prompt clearance of cargo of common concern.

ARTICLE XI.

In the event of there being any direct inconsistency between the provisions of this Agreement and the provisions of any agreement already existing between any of the member Governments, the provisions of this Agreement shall, as between such member Governments, be deemed to prevail, due respect being had to the provisions of paragraph 17 of Article VII, provided, however, that nothing in this Article shall be construed to prevent member Governments from entering into agreements to facilitate the working of traffic across national frontiers.

ARTICLE XII. — Definitions.

1. For the purpose of this Agreement and its Annex, the definitions given in this Article have been adopted.

Ante, p. 1749.

2. The term "inland transport" shall include all forms of transport as referred to in Article X of this Agreement.

3. The term "Continental Europe" shall mean all territories in Europe under the authority or control of member Governments, but shall not extend to territory of the United Kingdom or of the Union of Soviet Socialist Republics.

4. The term "territory under the authority of a member Government" shall be construed to mean territory in Continental Europe either under the sovereignty of a member Government or territory over which a member Government or member Governments is or are exercising authority or control.

5. The term "transport equipment and material" shall include, so far as the Executive Board deems it necessary for the execution of the functions of the Organisation:—

- (i) any items of fixed and mobile equipment, stores (other than fuel), plant and spares and accessories of all kinds specifically intended and required for use of transport undertakings, including equipment required for use in ports, whether ashore or afloat;
- (ii) equipment and material specifically intended and required for the rehabilitation, maintenance or construction of roads, railways, bridges, ports and inland waterways;
- (iii) major plant and tools specifically required for the repair of transport equipment and material for use by transport authorities.

6. The term "traffic of common concern" shall include—

- (i) personnel, stores, supplies or other traffic to be moved in accordance with the requirements of the Allied Commanders-in-Chief;

- (ii) displaced and other persons to be moved in accordance with the priorities determined by the appropriate United Nations authorities;
- (iii) supplies for civil needs to be moved in Continental Europe in accordance with the priorities determined by the appropriate United Nations authorities;
- (iv) property removed by the enemy.

7. The term "transport charges" shall include, in addition to freight or conveyance charges, any other incidental charges, such as tolls, port charges, charges for warehousing and handling goods in transit which may affect the cost of transport.

8. The term "admissible transit charges" means dues intended solely to defray expenses of supervision and administration entailed by the transit traffic concerned.

9. The term "Allied Commander-in-Chief" shall mean any Commander-in-Chief designated for commands on the Continent of Europe by the appropriate authorities of any of the following:—

The French Republic
 The Union of Soviet Socialist Republics
 The United Kingdom of Great Britain and Northern Ireland
 The United States of America.

10. The term "Government" includes any Provisional Government.

ARTICLE XIII.

Until the expiry of the period of two years from this day's date, the provisions of this Agreement may be amended, suspended or terminated only by a unanimous vote of the Council. At any time after that date any provision of this Agreement may be amended, suspended or terminated by a two-thirds majority of the Council, provided that no alteration shall be made in the provisions of this Agreement so as to extend the obligations or financial liability of any member Government without that Government's consent.

Provisions for amendment, etc.

ARTICLE XIV.

1. This Agreement shall come into force for each member Government on the date of signature on its behalf or of its admission to the Organisation under Article II.

Entry into force.

2. It shall remain in force for two years from this day's date. It shall thereafter remain in force, subject to the right of any member Government, after the expiry of eighteen months from this day's date, to give six months' notice in writing to the Council of its intention to withdraw from this Agreement.

Ante, p. 1740.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Agreement.

Done in London on the 27th day of September, 1945, in English, French and Russian, all three texts being equally authentic, in a single copy which shall be deposited in the archives of the Government

of the United Kingdom of Great Britain and Northern Ireland, by whom certified copies shall be transmitted to all Signatory Governments.

For the Government of the United States of America :

JOHN G. WINANT

For the Government of Belgium :

OBERT DE THIEUSIES

For the Government of Czechoslovakia :

BARÁČEK-JACQUIER

For the Provisional Government of the French Republic :

R. MASSIGLI

For the Government of the United Kingdom of Great Britain
and Northern Ireland :

PHILIP NOEL-BAKER

For the Royal Hellenic Government :

TH. AGHNIDES

For the Government of the Grand Duchy of Luxembourg :

A. ALS

For the Government of the Netherlands :

C. C. GISCHLER

For the Government of Norway :

ERIK COLBAN

*Subject to approval by
the Storting*

For the Government of the Polish Republic :

HENRYK STRASBURGER

For the Government of the Union of Soviet Socialist Republics :

F. S. BADULIN

For the Yugoslav Government :

DR. LJUBO LEONTIĆ

For the Royal Danish Government :

E. REVENTLOW

ANNEX.

PROTOCOL RELATING TO TRAFFIC ON INLAND WATERWAYS.

PREAMBLE.

With a view to fulfilling, in respect of traffic on inland waterways, the obligations assumed by the member Governments under the Agreement concerning the establishment of an European Central Inland Transport Organisation (hereinafter referred to as the Agreement), and subject to the conditions set out therein, the Governments signatory hereto have agreed as follows:—

ARTICLE I.

Every Government signatory hereto undertakes to establish appropriate machinery necessary for the application of all the obligations assumed in paragraphs 5 and 6 of Article VIII of the Agreement to traffic on Inland Waterways and to appoint persons or organisations entitled to treat with the Organisation on questions of this nature.

Establishment of machinery.

Ante, p. 1748.

ARTICLE II.

The Governments signatory hereto, taking into account the geographical, technical and other peculiarities connected with traffic on inland waterways and the needs of each of them in these respects, will nominate experts to be consulted by the Organisation on questions of traffic on inland waterways within the various areas of such traffic.

Nomination of experts.

ARTICLE III.

For each waterways traffic area in Continental Europe, the allocation of inland shipping and, if necessary, shipping space for carrying traffic of common concern in accordance with approved programmes will be determined from time to time by the Organisation in agreement with the Governments concerned. In determining this allocation, due account shall be taken of the particulars of the vessel, its equipment and crew and of its normal traffic.

Allocation of shipping, etc.

ARTICLE IV.

The terms of remuneration to be paid by the users of inland vessels for traffic of common concern shall be worked out by the Organisation in agreement with the Governments and/or the authorities concerned on a fair and reasonable basis in such a manner as to give effect to the following two principles:

Terms of remuneration.

- (i) inland vessels of all flags performing the same services should receive the same freights;
- (ii) freights with reference to paragraph 11 of Article VII shall be calculated so as to include, after providing for depreciation of the ship, a reasonable margin of profit.

Ante, p. 1745.

ARTICLE V.

Protocol to remain open for signature.

1. This Protocol shall remain open for signature in London on behalf of any member Government of the European Central Inland Transport Organisation.

Entry into force.

2. This Protocol shall come into force for each Government signatory thereto as from the date of signature on its behalf. Any Government when signing the present Protocol may declare that its signature shall not become effective until this Protocol has been signed by certain other specified Governments.

Duration.

3. This protocol shall remain in force for two years from this day's date. It shall thereafter remain in force subject to the right of any signatory Government, after the expiry of eighteen months from this day's date, to give six months' notice in writing to the Council of the European Central Inland Transport Organisation of its intention to withdraw from this Protocol.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Protocol.

Done in London on the 27th day of September, 1945, in English, French and Russian, all three texts being equally authentic in a single copy which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, by whom certified copies shall be transmitted to all signatory Governments.

For the Government of the United States of America :

JOHN G. WINANT

For the Government of Belgium :

OBERT DE THIEUSIES

For the Government of Czechoslovakia :

For the Provisional Government of the French Republic :

For the Government of the United Kingdom of Great Britain and Northern Ireland :

PHILIP NOEL-BAKER

For the Royal Hellenic Government :

TH. AGHNIDES

For the Government of the Grand-Duchy of Luxembourg :

A. ALS

For the Government of the Netherlands :

C. C. GISCHLER

For the Government of Norway :

For the Government of the Polish Republic :

HENRYK STRASBURGER

For the Government of the Union of Soviet Socialist Republics :

F. S. BADULIN

For the Yugoslav Government :

DR. LJUBO LEONTIĆ

For the Royal Danish Government :

E. REVENTLOW

**ACCORD PORTANT CREATION D'UN OFFICE
CENTRAL DES TRANSPORTS INTÉRIEURS
EUROPÉENS.**

Considérant qu'il est opportun, lors de la libération des territoires des Nations Unies en Europe et de l'occupation des territoires ennemis en Europe, en vue de satisfaire aux besoins militaires communs des Nations Unies et dans l'intérêt du progrès social et économique de l'Europe, de concerter l'action des autorités compétentes en matière de mouvement du trafic et de fourniture de moyens de transport et de matériel et

Estimant qu'ainsi le transport du ravitaillement destiné tant aux armées alliées qu'aux populations civiles sera amélioré autant que possible; que le retour rapide des personnes à rapatrier sera facilité; enfin, que le mouvement normal du trafic pourra être plus rapidement repris,

Les Gouvernements dont les Représentants dûment autorisés ont signé le présent accord

Sont convenus de ce qui suit :

ARTICLE I.

Il est créé par le présent accord un Office Central des Transports Intérieurs Européens, ci-après dénommé "l'Office", qui exercera son activité dans les conditions prévues par les articles qui suivent. L'Office est établi en qualité d'organisme de coordination et de consultation. Etant donné l'heureuse issue de la guerre, il coordonne les efforts tendant à utiliser tous moyens de transport en vue de l'amélioration des communications, de manière à aider au rétablissement des conditions normales de la vie économique. Il aidera également les Commandants en Chef Alliés et les Autorités d'occupation établies par les Gouvernements des Nations Unies à maintenir et à améliorer les possibilités de transport.

ARTICLE II. — Composition.

Sont membres de l'Office les Gouvernements contractants et tels autres Gouvernements qui pourront y être admis par le Conseil.

ARTICLE III. — Constitution.

1. L'Office comporte un Conseil, un Comité Exécutif, et les services centraux, régionaux et locaux nécessaires. En vue de déterminer les modalités d'établissement des bureaux régionaux et locaux, l'Office se consulte avec les Gouvernements contractants sur les territoires desquels ces bureaux sont situés, et, éventuellement, avec le Commandant en Chef Allié dont l'accord est nécessaire.

Conseil.

2. Chaque Gouvernement contractant nomme un représentant au Conseil et autant de suppléants qu'il est nécessaire. Le Conseil choisit l'un de ses membres pour présider chacune de ses sessions. Le Conseil fixe ses propres règles de procédure. A moins qu'il n'en soit disposé autrement dans le présent accord ou par le Conseil, les décisions de ce dernier sont prises à la majorité simple.

3. Le Conseil est réuni en session ordinaire au moins deux fois par an par le Comité Exécutif. Il peut être réuni en session spéciale chaque fois que le Comité Exécutif l'estime nécessaire et se réunira également dans les 30 jours après que la demande en aura été faite par le tiers des membres du Conseil.

4. Le Conseil remplit les fonctions qui lui sont assignées par le présent accord et exerce un contrôle d'ordre général sur l'activité de l'Office, pour en assurer la conformité avec les directives qu'il a lui-même établies.

Comité Exécutif.

5. Le Comité Exécutif est composé de sept membres nommés par le Conseil. Ceux-ci comprennent un membre désigné par chacun des Gouvernements suivants : le Gouvernement Provisoire de la République Française, et les Gouvernements des Etats-Unis d'Amérique, du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et de l'Union des Républiques Sovietistes Socialistes. Chaque membre du Comité Exécutif est pourvu d'un suppléant choisi de la même manière, qui n'exerce ses fonctions qu'en l'absence du membre du Comité dont il est le suppléant. Les membres et leurs suppléants sont désignés pour une période ne dépassant pas un an. Le Comité Exécutif choisit son Président sous réserve de confirmation par le Conseil.

6. Le Comité Exécutif remplit les fonctions de direction assignées à l'Office dans le cadre des directives arrêtées par le Conseil. Il agit en conformité des décisions de la majorité de ses membres. Il présente au Conseil sur l'accomplissement de sa mission les rapports que le Conseil peut lui demander.

7. Le Comité Exécutif désigne un Directeur Général pour diriger, sous son contrôle, le travail technique et administratif de l'Office, dans le cadre des décisions du Conseil et du Comité Exécutif définissant leurs directives. Le Directeur Général nomme le personnel des services centraux, régionaux et locaux sous réserve de l'approbation du Comité Exécutif, en tenant compte des exigences des diverses catégories de transports intéressés. Les responsabilités du Directeur Général et du personnel sont de nature exclusivement internationale.

8. Chaque Gouvernement contractant désigne un ou plusieurs représentants aux fins de se concerter avec le Comité Exécutif et le Directeur Général et de communiquer avec eux. Ces représentants sont tenus pleinement informés par le Comité et par le Directeur Général de toutes les activités de l'Office. Chaque fois qu'une question importante concernant les intérêts d'un Gouvernement contractant est discutée par le Comité, les représentants de ce Gouvernement ont la faculté de prendre part à la discussion, sans droit de vote.

ARTICLE IV.

1. L'Office a le pouvoir d'accomplir tout acte juridique approprié à ses activités, y compris celui d'acquérir des biens, de les conserver et d'en disposer, de signer des contrats, d'assumer des obligations, de désigner ou de créer des organismes subordonnés et de contrôler leur activité. Toutefois, l'Office n'a pas le pouvoir, sauf avec le consentement unanime du Conseil, de posséder du matériel de transport autre que celui destiné à assurer son fonctionnement administratif normal ou à lui permettre de procéder à des démonstrations.

2. Les pouvoirs définis ci-dessus appartiennent au Conseil. Sous réserve des dispositions du paragraphe 2 de l'article V, le Conseil peut déléguer au Comité Exécutif tels de ses pouvoirs qu'il juge utile, y compris le pouvoir de sous-délégation. Le Comité Exécutif est responsable devant le Conseil de l'entretien et de l'administration de tous biens possédés par l'Office.

ARTICLE V. — Ressources.

1. Le Comité Exécutif soumet au Conseil un budget initial et, de temps à autre, en tant que de besoin, des budgets supplémentaires, couvrant les dépenses administratives de l'Office. Après l'approbation d'un budget par le Conseil, le montant total en est perçu suivant les procédures, ou reparté entre les Gouvernements contractants, dans les proportions qui auront pu être fixées d'un commun accord par ces Gouvernements. Chaque Gouvernement contractant s'engage, sous réserve des exigences de sa procédure constitutionnelle, à verser promptement sa part des frais de l'Office en telle monnaie dont il pourra être convenu avec le Comité Exécutif. Chaque Gouvernement contractant doit aussi faciliter, en tant que de besoin, le transfert en d'autres monnaies des sommes ainsi versées dans sa propre monnaie et détenues par l'Office.

2. L'Office n'engage aucune dépense autre que des dépenses administratives, si ce n'est par décision du Conseil. Les autres dépenses font l'objet de propositions soumises par le Comité Exécutif au Conseil et, après approbation par le Conseil, sont couvertes par les contributions qu'un ou plusieurs Gouvernements contractants pourraient consentir à fournir, ou de telle autre manière dont les Gouvernements contractants pourraient convenir. Toutefois, l'obligation relative aux transferts en monnaies étrangères, stipulée au paragraphe 1 du présent article, n'est pas applicable à ces contributions.

3. Aucune disposition du présent accord ne peut être interprétée comme obligeant un Gouvernement contractant, ou une administration de transport placée sous l'autorité de celui-ci, à effectuer des services sans rémunération.

ARTICLE VI. — Champ d'Action de l'Office.

1. Après en avoir avisé le Gouvernement intéressé, l'Office exerce ses activités dans tout territoire de l'Europe Continentale dès l'acceptation du présent accord par ledit Gouvernement, et, éventuellement, dès que le Commandant en Chef Allié intéressé le juge possible

du point de vue des nécessités militaires, et sous réserve des modalités qu'il éstimerait utile de fixer.

2. En ce qui concerne tout territoire de l'Europe Continentale sur lequel un Commandant en Chef Allié conserve la responsabilité de la direction des transports, et sur toutes questions de sa compétence aux termes de l'Article VII, l'Office donne, sur demande, avis ou assistance à ce Commandant en Chef Allié et, en liaison avec lui, à tout Gouvernement contractant ou à toute autre Autorité compétente des Nations Unies.

3. L'Office traite avec toutes Autorités d'occupation établies par les Gouvernements des Nations Unies, en ce qui touche les territoires de l'Europe Continentale sur lesquels ces Autorités d'occupation exercent leurs pouvoirs.

ARTICLE VII. – Fonctions de Direction de l'Office.

Introduction.

1. L'Office procède à des études approfondies des conditions techniques et économiques affectant le trafic de caractère international et donne aux Gouvernements intéressés à ce trafic tous avis techniques et recommandations en vue de rétablir et d'augmenter la capacité des réseaux de transport de l'Europe Continentale et de coordonner les mouvements du trafic d'intérêt commun sur ces réseaux.

2. Lorsqu'un Gouvernement contractant rencontre des difficultés dans l'application de ces recommandations pour des motifs d'ordre matériel ou économique, l'Office recherche avec les Gouvernements contractants intéressés des moyens d'aide pratique.

Renseignements sur le Matériel de Transport.

3. L'Office reçoit et réunit les informations concernant les besoins en matériel de transport de l'Europe Continentale.

Satisfaction des Besoins en Matériel de Transport.

4. L'Office donne son aide à tous les Gouvernements contractants en Europe Continentale en vue de la satisfaction de leurs besoins en matériel de transport.

Attribution et Répartition du Matériel de Transport.

5. Dans le cadre des priorités établies par les Autorités compétentes des Nations Unies, l'Office attribue aux Gouvernements en Europe Continentale ou répartit entre ces Gouvernements pour usage, et sous telles conditions qui peuvent être jugées nécessaires, le matériel de transport qui peut être rendu disponible à cet effet par les Commandants en Chef Alliés, par les Autorités d'occupation ou par les organismes relevant d'une ou de plusieurs des Nations Unies. Pour pouvoir exercer ces fonctions avec efficacité, l'Office peut se concerter avec les Gouvernements intéressés sur leurs possibilités d'exportation et leurs besoins d'importation pour l'Europe Continentale en matériel de transport ; il est avisé par ces Gouvernements de tous arrangements faits à ce sujet dont ils auraient connaissance.

Arrangements en vue de rendre disponible du Matériel de Transport.

6. S'il se présente des besoins urgents et temporaires de matériel mobile de transport pour faire face à un trafic d'intérêt commun, et si les arrangements habituels concernant l'échange de ce matériel se révèlent insuffisants, l'Office s'entend avec les Gouvernements contractants intéressés pour rendre disponibles les moyens de transport nécessaires à la satisfaction de ces besoins. De tels moyens de transport sont rendus disponibles par des arrangements entre les Gouvernements contractants intéressés, avec l'assistance de l'Office.

Recensement du Matériel de Transport.

7. L'Office fait procéder, aussitôt que possible, par l'entremise des Gouvernements contractants, à un recensement du matériel roulant en Europe Continentale et de telles catégories de matériel de transport qui paraîtraient nécessaires pour lui permettre de remplir correctement ses fonctions.

Identification et Restitution du Matériel de Transport.

8. L'Office prend aussitôt que possible les dispositions voulues en vue de la restitution au Gouvernement contractant intéressé du matériel de transport appartenant à ce Gouvernement ou à ses ressortissants et trouvé en dehors des territoires relevant de son autorité, et dans des conditions telles qu'il échappe à son contrôle. Si des difficultés d'identification venaient à apparaître, l'Office veillerait immédiatement à ce que soient prises toutes mesures spéciales qui seraient nécessaires en vue de les résoudre. Au cas où une restitution ainsi opérée entraverait indûment des transports essentiels, l'Office négocierait des accords avec les Gouvernements intéressés pour l'usage temporaire de ce matériel de transport en attendant sa restitution. Il sera procédé aux restitutions sur la base de l'état de propriété existant avant que des modifications territoriales n'aient eu lieu en Europe sous l'effet de la politique de l'Axe et dans le cadre de la politique générale qui pourrait être déterminée par les Autorités compétentes des Nations Unies en ce qui concerne la restitution et le remplacement des biens enlevés par l'ennemi.

Trafic.

9. L'Office peut faire telles recommandations qu'il estime nécessaire aux Autorités compétentes au sujet des modalités des programmes concernant le trafic d'intérêt commun, en tenant compte des moyens et du matériel disponibles pour assurer ce trafic.

10. L'Office fait des recommandations aux Gouvernements intéressés en vue d'assurer le trafic d'intérêt commun sur tous les itinéraires de transport en Europe Continentale, en accord avec les priorités établies par les Autorités compétentes des Nations Unies. En ce qui concerne le trafic d'intérêt militaire relevant des Commandants en Chef Alliés, l'Autorité compétente à cet égard est le Commandant en Chef Allié intéressé.

Tarifs.

11. L'Office peut étudier l'unification des tarifs, des clauses et des conditions de transport applicables au trafic de caractère international, ainsi que les questions connexes. Il recommande aux Gouvernements intéressés les principes d'après lesquels des tarifs raisonnables pour le trafic d'intérêt commun en Europe Continentale devraient être fixés par eux conformément aux dispositions du paragraphe 9 de l'Article VIII. Le présent paragraphe ne s'applique pas au trafic militaire sous le contrôle d'un Commandant en Chef Allié, sauf s'il en fait la demande.

Remise en état des Moyens de Transport.

12. L'Office peut étudier les conditions de transport intéressant le trafic de caractère international dans des pays déterminés et faire aux Gouvernements intéressés des recommandations en ce qui concerne les mesures techniques susceptibles d'assurer le rétablissement rapide des moyens de transport, leur utilisation la plus efficace et les priorités selon lesquelles les travaux ou projets concernant la remise en état ou l'amélioration de ces moyens devraient être exécutés.

Exploitation.

13. Bien qu'il appartienne à chaque Gouvernement contractant d'assurer l'exploitation satisfaisante des moyens de transport dont il est responsable en Europe Continentale, l'Office peut, exceptionnellement, à la demande de l'un quelconque des Gouvernements contractants, donner à celui-ci toute l'aide en son pouvoir pour la remise en état ou l'exploitation des transports dans tous les territoires de l'Europe Continentale sous l'autorité de ce Gouvernement, aux conditions fixées d'accord entre ce Gouvernement et l'Office, compte tenu des droits des autres Gouvernements contractants.

Coordination des Transports Européens.

14. L'Office prépare et coordonne l'action commune en vue d'assurer l'établissement, le maintien, la modification, le rétablissement, ou, s'il est opportun, la suppression d'arrangements internationaux pour l'exploitation en transit des chemins de fer et l'échange du matériel roulant dans les pays de l'Europe Continentale, en vue d'assurer les transports internationaux. En particulier, il établit un système de clearing unifié pour le trafic entre les différents pays de l'Europe Continentale. En général l'Office provoque, là où les circonstances le demandent, l'établissement de procédures appropriées pour la coopération entre les administrations des Chemins de Fer.

15. L'Office met ses services à la disposition des Gouvernements contractants et fait des recommandations en vue d'assurer sur toutes les voies navigables le trafic international de la manière la plus satisfaisante. Il ne fera pas toutefois de recommandations portant sur des questions concernant le régime des voies navigables internationales en Europe Continentale.

16. L'Office prend, par l'entremise des Gouvernements intéressés, toutes mesures pratiquement applicables, de manière à faciliter le

trafic international d'intérêt commun par camions et autres véhicules routiers, et la coordination des moyens de transport routiers avec les autres moyens de transport, en vue d'assurer la circulation du trafic international.

17. En remplissant les fonctions définies aux paragraphes 14 et 16 du présent article et en mettant ses services à la disposition des Gouvernements contractants comme il est dit au paragraphe 15 du présent article, l'Office applique dans la mesure du possible les conventions en vigueur entre les Gouvernements contractants de manière à en tirer le plus grand avantage pour l'accomplissement de sa mission dans ce domaine, et à cet effet l'Office agit —

- (a) en accord avec les directives générales qui peuvent être données par les Autorités compétentes des Nations Unies;
- (b) en respectant les obligations et droits existants.

18. L'Office adresse aux Gouvernements intéressés des recommandations tendant à promouvoir la coordination nécessaire de tous les transports européens, en vue d'assurer les besoins militaires communs des Nations Unies ou dans l'intérêt du trafic de caractère international.

Relations avec les autres Organismes.

19. L'Office coopère, en tant que de besoin, avec les Autorités compétentes ou organismes relevant d'une ou plusieurs des Nations Unies et avec les organisations internationales.

20. L'Office donne toute assistance possible aux Commandants en Chef Alliés pour faire face à leurs besoins en matière de matériel et d'équipement de transport, de manière à améliorer le rendement de ces derniers en vue de la satisfaction des besoins militaires.

21. L'Office prend toutes dispositions pour se concerter, selon les procédures appropriées, avec les représentants des personnes employées dans les transports intérieurs au sujet des questions internationales de la compétence de l'Office et intéressant aussi bien celui-ci que lesdites personnes.

Dispositions diverses.

22. L'Office peut donner des avis aux Gouvernements intéressés et à toutes les Autorités compétentes des Nations Unies sur les priorités à accorder, dans l'intérêt de la réorganisation des transports européens, au rapatriement du personnel des transports déporté et à la main-d'oeuvre exigée pour la production, l'entretien ou les réparations du matériel de transport.

23. L'Office donne toute l'assistance possible, par l'entremise des Autorités compétentes, aux Gouvernements contractants, et à la demande de ceux-ci, pour leur procurer des approvisionnements en combustibles, en carburants, en énergie électrique et en lubrifiants en vue d'assurer les besoins du trafic d'intérêt commun, de telle manière que ces Gouvernements puissent remplir leurs obligations conformément au paragraphe 7 de l'Article VIII.

ARTICLE VIII. – Obligations des Gouvernements contractants.Renseignements.

1. Chaque Gouvernement contractant, pour ce qui concerne tout territoire relevant de son autorité et rentrant dans la compétence de l'Office, fournit à celui-ci, sur sa demande, tous renseignements indispensables à l'exercice des fonctions qui lui sont dévolues.

Recensement du Matériel de Transport.

2. Chaque Gouvernement contractant s'engage à coopérer pleinement avec l'Office pour effectuer tout recensement prévu au paragraphe 7 de l'Article VII.

Identification et Restitution du Matériel de Transport.

3. Chaque Gouvernement contractant, pour ce qui concerne tout territoire relevant de son autorité et rentrant dans la compétence de l'Office, prend l'engagement :

- 1° de faciliter l'exécution du paragraphe 8 de l'Article VII;
- 2° de ne pas saisir :

- (a) du matériel de transport en Europe Continental trouvé en dehors des territoires relevant de son autorité, même si celui-ci lui appartient ou appartient à ses ressortissants;
- (b) du matériel de transport trouvé sur un territoire relevant de son autorité mais qui n'appartient ni à lui-même, ni à ses ressortissants;
- (c) du matériel de transport entrant dans un territoire relevant de son autorité en vertu d'arrangements conclus sous les auspices de l'Office en vue d'améliorer le trafic d'intérêt commun;

Etant entendu toutefois :

- 1) que chaque Gouvernement contractant est autorisé à utiliser le matériel de transport visé sous les alinéas (b) et (c) ci-dessus, sous réserve des stipulations des paragraphes 5 et 8 de l'Article VII et, dans le cas du matériel de transport ennemi ou ex-ennemi, sans préjudice de l'attribution finale de celui-ci par les Autorités compétentes des Nations Unies; et
- 2) qu'aucune disposition du présent paragraphe ne met obstacle à ce qu'un Gouvernement contractant, ou les ressortissants de ce dernier, continuent à gérer leurs bateaux de navigation intérieure.

4. Les dispositions du paragraphe 3 du présent article n'affectent pas les droits des Commandants en Chef Alliés à l'intérieur de tout territoire sur lequel l'Office n'a pas commencé à exercer ses fonctions telles qu'elles sont définies par l'Article VII.

Trafic.

5. Chaque Gouvernement contractant s'engage à assurer, par tous les moyens en son pouvoir, la meilleure circulation possible du trafic

d'intérêt commun, conformément aux recommandations faites par l'Office en vertu du paragraphe 10 de l'Article VII.

6. Chaque Gouvernement contractant s'engage à procurer les bateaux de navigation intérieure nécessaires au trafic d'intérêt commun se trouvant sous son contrôle en Europe Continentale :

- 1° conformément aux recommandations de l'Office d'une manière générale;
- 2° si ce Gouvernement est signataire de l'annexe au présent accord, conformément aux dispositions de celle-ci.

Ravitaillement en Combustibles, Carburants, Energie électrique et Lubrifiants.

7. Chaque Gouvernement contractant prend dans la limite du possible toutes mesures nécessaires en ce qui concerne les territoires de l'Europe Continentale relevant de son autorité, pour qu'un ravitaillement suffisant en combustibles, carburants, énergie électrique et lubrifiants, soit disponible pour le trafic d'intérêt commun, sous réserve que l'Office ait conclu des arrangements adéquats avec le Gouvernement intéressé.

Perceptions.

8. Chaque Gouvernement contractant s'engage à ne pas percevoir et à ne pas autoriser la perception de droits de douane et d'autres droits, si ce n'est les frais de transport et les frais de transit normaux, sur le trafic d'intérêt commun transitant sur les territoires de l'Europe Continentale relevant de son autorité. Aucune discrimination n'est faite en ce qui concerne les droits d'importation perçus sur les matières d'intérêt commun, suivant l'itinéraire que ces matières ont emprunté avant leur importation dans le pays intéressé.

9. Chaque Gouvernement contractant s'engage à prendre des dispositions pour que les tarifs de transport perçus sur les territoires de l'Europe Continentale relevant de son autorité intéressant le trafic d'intérêt commun, y compris le trafic en transit par lesdits territoires, soient aussi modérés, simples et voisins de ceux perçus sur les autres territoires auxquels le présent accord est appliqué, qu'il est possible. Chaque Gouvernement contractant tient le plus grand compte des recommandations faites par l'Office conformément au paragraphe 11 de l'Article VII et rend compte à l'Office des mesures qu'il a prises à cet égard.

Dispositions diverses.

10. Chaque Gouvernement contractant s'engage à coopérer avec l'Office dans l'exercice des fonctions qui lui sont dévolues par les paragraphes 14 et 16 de l'Article VII.

11. Chaque Gouvernement contractant fait tous ses efforts dans ses relations avec tous autres organismes, administrations ou autorités internationales pour donner effet aux dispositions du présent accord.

12. Chaque Gouvernement contractant tient le plus grand compte de toutes recommandations faites par l'Office par application des paragraphes 12, 15 et 18 de l'Article VII et rend compte à l'Office des mesures qu'il a prises à cet égard.

13. Chaque Gouvernement contractant reconnaît la personnalité internationale et la capacité légale de l'Office.

14. Chaque Gouvernement contractant respecte le caractère exclusivement international des membres du Comité Exécutif, du Directeur Général et du personnel de l'Office.

15. Chaque Gouvernement contractant accorde à l'Office les privilèges, immunités et facilités qu'il accorde à un autre Gouvernement, et en particulier :-

- (a) l'immunité judiciaire sous toutes ses formes;
- (b) l'exonération fiscale et douanière;
- (c) l'inviolabilité des locaux occupés par l'Office, ainsi que des archives et de la correspondance de l'Office.

16. Chaque Gouvernement contractant accorde les privilèges et immunités diplomatiques aux personnes nommées par d'autres Gouvernements contractants comme leurs représentants dans l'Office ou auprès de celui-ci, aux membres du Comité Exécutif et au haut personnel de l'Office, à l'exception de ses propres ressortissants.

17. Chaque Gouvernement contractant accorde à tous les fonctionnaires et employés de l'Office :

- (a) l'immunité judiciaire en ce qui concerne les actes accomplis par eux dans l'exercice de leurs fonctions officielles;
- (b) telles facilités, quant à leurs déplacements ou à l'exécution de leurs fonctions, que l'Office estimerait nécessaires en vue de leur permettre de remplir rapidement et efficacement leurs missions officielles;
- (c) sauf en ce qui concerne ses propre ressortissants, l'exonération fiscale quant à leurs traitements et indemnités officiels.

18. Chaque Gouvernement contractant prend, sur les territoires relevant de son autorité, toutes mesures en son pouvoir pour faciliter l'exercice par l'Office de tous les droits énumérés à l'Article IV.

ARTICLE IX.

L'Office sera affilié à toute organisation internationale générale qui viendrait à être chargée de coordonner les activités des organisations internationales à compétence spécialisée.

ARTICLE X.

1. Les attributions de l'Office s'étendent à toutes les formes de transport, par route, rail ou voie navigable à l'intérieur des territoires du Continent européen sur lesquels il exerce son activité. Elles ne s'étendent pas aux navires de mer; toutefois les dispositions du paragraphe 10 de l'Article VII et du paragraphe 5 de l'Article VIII sont applicables à ces navires lorsqu'ils sont employés en Europe Continentale sur des voies de navigation intérieure.

2. En ce qui concerne le trafic dans les ports où des navires de mer sont chargés ou déchargés l'Office coopère avec les administration

compétentes des Gouvernements contractants, et avec toutes organisations établies par ces Gouvernements pour la marine marchande, afin d'assurer :

- (i) une rotation rapide des navires,
- (ii) l'emploi rationnel des installations portuaires dans l'intérêt bien compris d'une rapide réexpédition des cargaisons d'intérêt commun.

ARTICLE XI.

Au cas où une disposition du présent accord serait en contradiction formelle avec les dispositions d'une convention en vigueur entre les Gouvernements contractants ou certains d'entre eux, les dispositions du présent accord prévaudront dans les rapports entre Gouvernements contractants, compte tenu des dispositions du paragraphe 17 de l'Article VII.

Toutefois, aucune disposition du présent article ne pourra être opposée à des Gouvernements contractants pour faire obstacle à la conclusion d'accords destinés à faciliter le passage du trafic aux frontières nationales.

ARTICLE XII. — Définitions.

1. Pour l'application du présent accord et de son annexe, les termes énumérés dans le présent article seront entendus dans le sens indiqué ci-après.

2. Les mots "transports intérieurs" s'entendent de tous les moyens de transport énumérés à l'Article X du présent accord.

3. Les mots "Europe Continentale" s'entendent de tous les territoires d'Europe placés sous l'autorité ou le contrôle des Gouvernements contractants, mais ne s'appliquent pas aux territoires du Royaume Uni et de l'union des Républiques Sovietistes Socialistes.

4. Les mots "territoires sous l'autorité d'un Gouvernement contractant" s'entendent des territoires d'Europe Continentale placés sous la souveraineté d'un Gouvernement contractant, ou sur lesquels un ou plusieurs Gouvernements contractants exercent leur autorité ou leur contrôle.

5. Les mots "matériel de transport" comprennent, dans la mesure où le Comité Exécutif le jugera nécessaire à l'accomplissement des tâches de l'Office :

- (i) Tous articles d'équipement fixe ou mobile, les approvisionnements (autres que le combustible), l'outillage, les pièces détachées et accessoires de toute espèce nécessaires et destinés à l'usage des entreprises de transport, y compris l'outillage nécessaire flottant ou fixe pour usage dans les ports.
- (ii) L'équipement et le matériel spécialement destinés et nécessaires au rétablissement, à l'entretien ou à la construction de routes, voies ferrées, ponts, ports et voies navigables intérieures.
- (iii) Les grands ateliers et outillages spécialement nécessaires à la réparation du matériel de transport à l'usage des Autorités de transport.

6. Les mots "trafic d'intérêt commun" comprennent les transports suivants :

- (i) personnes, approvisionnements, ravitaillement, et toutes autres matières dont le transport doit s'exécuter on fonction des besoins des Commandants en Chef Alliés;
- (ii) personnes à rapatrier et toutes autres personnes à transporter conformément aux priorités établies par les Autorités compétentes des Nations Unies;
- (iii) fournitures pour les besoins civils qui doivent être transportées en Europe Continentale, conformément aux priorités fixées par les Autorités compétentes des Nations Unies;
- (iv) biens emportés par l'ennemi.

7. Les mots "tarifs de transport" comprendront, outre le prix du fret ou des expéditions proprement dites, tous autres frais supplémentaires, tels que redevances, frais de ports, frais de magasinage et de manutention de marchandises en transit qui peuvent affecter le prix du transport.

8. Les mots "frais de transit normaux" visent les droits ayant uniquement pour objet de couvrir les dépenses de contrôle et d'administration entraînées par ce transit.

9. Les mots "Commandant en Chef Allié" visent tout Commandant en Chef Allié investi d'un Commandement par les Autorités compétentes de l'un quelconque des Gouvernements suivants :—

Etats-Unis d'Amérique,
République Française,
Royaume-Uni de Grande-Bretagne et
d'Irlande du Nord,
Union des Républiques Sovietistes
Socialistes.

10. Le terme "Gouvernement" s'entend de tout "Gouvernement Provisoire".

ARTICLE XIII.

Jusqu'à l'expiration d'une période de deux ans à compter de la date de ce jour, un vote unanime du Conseil est nécessaire pour amender, suspendre ou abroger les clauses du présent accord. Passé ce délai, toute clause du présent accord pourra être amendée, suspendue ou abrogée à tout moment par un vote du Conseil pris à la majorité des deux tiers, à condition qu'aucune modification ne soit effectuée dans ladite clause de manière à augmenter les obligations ou les engagements financiers d'un Gouvernement contractant sans le consentement de celui-ci.

ARTICLE XIV.

1. Le présent accord entrera en vigueur, en ce qui concerne chacun des Gouvernements contractants, à la date de sa signature par les représentants de ce Gouvernement, ou, le cas échéant, à la date de l'admission dudit Gouvernement à l'Office dans les conditions prévues par l'Article II.

2. Il restera en vigueur pendant deux années à compter de la date de ce jour. Il demeurera en vigueur par la suite, sous réserve du droit pour tout Gouvernement contractant de notifier par écrit au Conseil, après l'expiration d'un délai de dix-huit mois à compter de la date de ce jour, son intention de le dénoncer; l'accord sera tenu pour caduc à l'égard de ce Gouvernement six mois après une telle notification.

En foi de quoi, les soussignés, dûment autorisés par leurs Gouvernements respectifs, ont signé le présent accord.

Fait à Londres, le 27 septembre 1945, en un seul exemplaire, en langues française, anglaise et russe, dont les trois textes font également foi. Cet exemplaire sera déposé, pour y être conservé, dans les archives du Gouvernement du Royaume-Uni de Grande Bretagne et d'Irlande du Nord, qui en remettra à tous les Gouvernements signataires des copies certifiées conformes.

Pour le Gouvernement des Etats-Unis d'Amérique :

JOHN G. WINANT

Pour le Gouvernement du Royaume de Belgique :

OBERT DE THIEUSIES

Pour le Gouvernement Provisoire de la République Française :

R. MASSIGLI

Pour le Gouvernement du Royaume Uni de Grande Bretagne et d'Irlande du Nord :

PHILIP NOEL-BAKER

Pour le Gouvernement du Royaume Hellénique :

TH. AGHIDES

Pour le Gouvernement du Grand Duché de Luxembourg :

A. ALS

Pour le Gouvernement du Royaume de Norvège :

ERIK COLBAN

Sujet à l'approbation du Storting

Pour le Gouvernement du Royaume des Pays-Bas :

C. C. GISCHLER

Pour le Gouvernement de la République Polonaise :

HENRYK STRASBURGER

Pour le Gouvernement de l'Union des Républiques
Soviétistes Socialistes :

F. S. BADULIN

Pour le Gouvernement de la République Tchécoslovaque :

BARÁČEK — JACQUIER

Pour le Gouvernement de Yougoslavie :

DR. LJUBO LEONTIĆ

Pour le Gouvernement Royal du Danemark :

E. REVENTLOW

A N N E X E

Protocole relatif au Trafic de la
Navigation Intérieure

PRÉAMBULE

En vue de remplir, en ce qui concerne le trafic de la navigation intérieure, les obligations assumées en vertu de l'accord portant création d'un Office Central des Transports Intérieurs Européens (ci-après dénommé "l'accord principal") par les Gouvernements signataires dudit accord, et en conformité avec les dispositions de cet accord, les Gouvernements signataires du présent protocole sont convenus des dispositions suivantes :

ARTICLE I.

Chaque Gouvernement signataire de la présente annexe s'engage à mettre en œuvre l'organisation nécessaire pour remplir les obligations prévues aux paragraphes 5 et 6 de l'Article VIII de l'Accord principal en ce qui concerne la navigation intérieure, et à désigner des personnes ou créer des organisations ayant qualité pour traiter avec l'Office les questions du même ordre.

ARTICLE II.

Les Gouvernements signataires de la présente annexe, prenant en considération les conditions géographiques, techniques et autres ayant trait au trafic de la navigation intérieure, ainsi que les besoins de chacun d'entre eux dans ce domaine, désigneront des experts qui seront consultés par l'office sur certaines questions de trafic de navigation intérieure à traiter dans les zones de ce trafic.

ARTICLE III.

Pour chaque zone de navigation intérieure en Europe Continentale, l'allocation de tonnage de navigation intérieure, et, si nécessaire, de tonnage pour certains programmes approuvés de transport pour le trafic d'intérêt commun, sera déterminée de temps à autre par l'Office en accord avec les Gouvernements intéressés. En fixant cette allocation, compte sera tenu des particularités du bâtiment, de son outillage, de son personnel et de son exploitation normale.

ARTICLE IV.

Les taux de la rémunération qui sera allouée par les utilisateurs des bâtiments de navigation intérieure pour le trafic d'intérêt commun, seront calculés par l'Office en accord avec les Gouvernements aussi

bien qu'avec les autorités intéressés, sur une base juste et raisonnable, de façon à donner effet aux deux principes suivants :

- (a) Les bâtiments de navigation intérieure battant tous pavillons et utilisés d'une manière identique devront recevoir le même fret ;
- (b) Les frets mentionnés au paragraphe 11 de l'Article VII seront calculés sur des bases qui permettront d'inclure une marge raisonnable de bénéfice, après avoir prévu une part d'amortissement du bâtiment.

ARTICLE V.

1. Le présent protocole demeurera ouvert, à Londres, à la signature des représentants de tout Gouvernement participant à l'Office Central des Transports Intérieurs Européens.

2. Le présent protocole entrera en vigueur, en ce qui concerne chacun des Gouvernements signataires, à la date de sa signature par les représentants de ce Gouvernement. En signant le présent protocole, le représentant de tout Gouvernement peut déclarer que sa signature ne prendra effet que lorsque le protocole aura été signé par les représentants de certains Gouvernements nommément désignés.

3. Le présent protocole restera en vigueur pendant deux années à compter de la date de ce jour. Il demeurera en vigueur par la suite, sous réserve du droit pour tout Gouvernement signataire de notifier par écrit au Conseil de l'Office Central des Transports Intérieurs Européens, après l'expiration d'un délai de 18 mois à compter de la date de ce jour, son intention de le dénoncer ; le protocole sera tenu pour caduc à l'égard de ce Gouvernement six mois après une telle notification.

En foi de quoi, les soussignés, dûment autorisés par leurs Gouvernements respectifs, ont signé le présent protocole.

Fait à Londres, le 27 Septembre 1945, en un seul exemplaire, en langues française, anglaise et russe, dont les trois textes font également foi. Cet exemplaire sera déposé, pour y être conservé dans les archives du Gouvernement du Royaume-Uni de Grande Bretagne et d'Irlande du Nord, qui en remettra à tous les Gouvernements signataires des copies certifiées conformes.

Pour le Gouvernement des Etats-Unis d'Amérique :

JOHN G. WINANT

Pour le Gouvernement du Royaume de Belgique :

OBERT DE THIEUSIES

Pour le Gouvernement Provisoire de la République Française :

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PHILIP NOEL-BAKER

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Pour le Gouvernement de Yougoslavie :

DR. LJUBO LEONTIĆ

Pour le Gouvernement Royal du Danemark :

E. REVENTLOW

СОГЛАШЕНИЕ

О СОЗДАНИИ ЕВРОПЕЙСКОЙ ЦЕНТРАЛЬНОЙ ОРГАНИЗАЦИИ
ПО ВНУТРЕННЕМУ ТРАНСПОРТУ.

Поскольку, по освобождении территорий Об"единенных Наций в Европе и по оккупации вражеских территорий в Европе, является целесообразным для удовлетворения общих военных нужд Об"единенных Наций и в интересах социального и экономического прогресса Европы принять меры для координации как работы транспорта, так и распределения транспортного оборудования и материалов в целях обеспечения возможно лучшего передвижения снабжения как для вооруженных сил, так и для гражданского населения и для скорой репатриации перемещенных лиц, а также с целью создания условий, в которых нормальная работа транспорта может быть более скоро возобновлена, Правительства, чьи должным образом уполномоченные представители подписали настоящее Соглашение

согласились о нижеследующем:

СТАТЬЯ I.

Настоящим учреждается ЕВРОПЕЙСКАЯ ЦЕНТРАЛЬНАЯ ОРГАНИЗАЦИЯ ПО ВНУТРЕННЕМУ ТРАНСПОРТУ, далее называемая "Организация", которая должна действовать в соответствии с последующими статьями.

Организация учреждается как координационно-консультативный орган. Имея в виду успешное завершение войны, она должна координировать усилия по использованию всех средств транспорта для улучшения сообщений таким образом, чтобы обеспечить восстановление нормальных условий хозяйственной жизни. Она также должна обеспечить помощь Соединенным Главнокомандующим и Оккупационным властям, установленным правительствами Об"единенных Наций, для поддержания и улучшения провозоспособности транспорта.

СТАТЬЯ II. Членство.

Членами Организации должны быть правительства, подписавшие настоящее Соглашение, и такие другие правительства, которые могут быть допущены к этому Советом.

СТАТЬЯ III. Структура.

I. Организация должна состоять из Совета и Исполнительного Бюро с необходимым центральным аппаратом, региональным и местным штатом.

Организация должна согласовать мероприятия для учреждения региональных и местных контор с правительствами-членами, на территории которых эти конторы располагаются, и/или в надлежащих случаях — по договоренности с соответствующим Соединенным Главнокомандующим.

Совет.

2. Каждое Правительство-член должно назначить одного представителя и таких заместителей, какие могут оказаться необходимыми в Совете. Совет должен для каждой из своих сессий избрать одного из своих членов для председательствования. Совет должен

определить свои собственные процедурные правила. Если настоящим Соглашением или решением Совета не предусмотрено иначе, Совет должен принимать решения простым большинством голосов.

3. Совет должен созываться Исполнительным Бюро на регулярные сессии не реже, чем два раза в год. Он может быть созван на специальную сессию, когда Исполнительное Бюро считает это необходимым, и должен быть созван в течение 30 дней после того, как созыв требуется одной третью членов Совета.

4. Совет должен выполнять функции, возложенные на него настоящим Соглашением, и рассматривать общую работу Организации для обеспечения ее соответствия с общей политикой, определенной Советом.

Исполнительное Бюро.

5. Исполнительное Бюро должно состоять из 7 членов, которые должны быть назначены Советом. Эти семь членов должны включать по одному члену, выделяемому каждым из следующих правительств: Временным Правительством Французской Республики и Правительствами Союза Советских Социалистических Республик, Соединенного Королевства Великобритании и Северной Ирландии и Соединенных Штатов Америки.

Каждый член Исполнительного Бюро должен иметь одного заместителя, подобным же образом выбранного, который должен действовать только в отсутствие того члена Исполнительного Бюро, заместителем которого он является.

Члены Бюро и их заместители должны назначаться не более, чем на один год. Исполнительное Бюро должно избирать своего собственного председателя, подлежащего утверждению Советом.

6. Исполнительное Бюро должно выполнять исполнительные функции, возложенные на Организацию, в рамках общей политики, определенной Советом. Оно должно действовать в соответствии с решением большинства его членов. Оно будет представлять Совету также доклады о выполнении своих функций, какие Совет может потребовать.

7. Исполнительное Бюро должно назначить старшего чиновника, который должен руководить технической и административной работой Организации под его наблюдением, в соответствии с общей политикой Совета и Исполнительного Бюро, как определено их решениями.

Этот старший чиновник должен назначить штат центрального аппарата и региональных и местных отделений, подлежащий утверждению Исполнительным Бюро, принимая во внимание требования различных соответственных отраслей транспорта. Ответственность старшего чиновника и штата должна быть исключительно международной по своему характеру.

8. Каждое Правительство-член должно назначить одного или нескольких представителей для целей консултации и связи с Исполнительным Бюро и старшим чиновником. Такие представители должны быть полностью информированы Бюро и старшим чиновником о всей деятельности Организации. Каждый раз, когда обсуждается важный вопрос, касающийся интересов Правительства-члена, представители этого правительства вправе участвовать в обсуждении без права голосования.

B.-

СТАТЬЯ IV.

1. Организация должна иметь право осуществлять любые юридические акты, соответствующие ее целям и задачам, включая право приобретать, владеть и передавать собственность, входить в соглашения и принимать обязательства, назначать или создавать подчиненные органы и контролировать их деятельность. Организация, однако, не должна иметь права владеть транспортным оборудованием и материалами, кроме как для ее собственных внутренних или демонстрационных целей, за исключением случаев единогласного решения Совета.

2. Этими полномочиями облечен Совет. В соответствии с условиями пункта второго, статьи пятой, Совет может передоверить Исполнительному Бюро такие полномочия, какие он может считать необходимыми, включая право дальнейшего передоверия. Исполнительное Бюро должно быть ответственным перед Советом за содержание и управление любым имуществом, принадлежащим Организации.

СТАТЬЯ V. Финансы.

1. Исполнительное Бюро должно представить Совету начальный бюджет и время от времени такие дополнительные бюджеты, какие могут оказаться необходимыми для покрытия административных расходов Организации. По утверждению бюджетов Советом, общая утвержденная сумма должна быть собрана таким порядком или разверстана между правительствами-членами в таких пропорциях, как эти правительства договариваются. Каждое Правительство-член обязуется, в соблюдением требований его конституционной процедуры, быстро внести Организации свою долю средств на эти расходы в такой валюте или валютах, какие могут быть согласованы этим правительством с Исполнительным Бюро. Каждое Правительство-член также обеспечит такие возможности, какие необходимы для перевода в другие валюты суммы, внесенных таким образом в Организацию и имеющихся у нее в собственной валюте этого Правительства.

2. Организация не должна проиводить никаких других расходов, кроме административных, иначе как по решению Совета. Предложения о таких расходах должны представляться Исполнительным Бюро Совету, и когда они утверждены Советом, подобные расходы должны покрываться взносами, которые одно или несколько Правительств-членов могут согласиться сделать, или таким другим способом, какой может быть согласован между Правительствами-членами.

Обязательство о переводе в другие валюты, как определено в § I настоящей статьи, не распространяется, однако, на эти взносы.

3. Ничто в этом Соглашении не должно требовать от любого Правительства-члена или транспортной администрации под его властью оказания услуг без вознаграждения.

СТАТЬЯ VI. Сфера деятельности Организации.

1. Организация начнет, после извещения о своем намерении, выполнение своих функций на любой территории в континентальной Европе по принятии настоящего Соглашения правительством данной территории и/или, в надлежащих случаях, при условии, что соответствующий Союзный Главнокомандующий найдет, что военные требования это позволяют, и на таких условиях, какие он может найти необходимыми.

2. В отношении любой территории в континентальной Европе, в которой Совязный Главнокомандующий сохраняет ответственность за руководство транспортной системой, Организация должна по требованию давать совет или оказывать помощь Совязному Главнокомандующему и, по консультации с ним, — любому Правительству-члену или другим соответствующим властям Об"единенных Наций по любому вопросу, которым она имеет право заниматься согласно статье седьмой.

3. Организация должна договариваться с любыми оккупационными властями, установленными правительствами Об"единенных Наций, в отношении любой территории в континентальной Европе, на которой такие оккупационные власти осуществляют свою власть.

СТАТЬЯ VII. Исполнительные функции Организации.

Введение.

1. Организация должна заниматься подробным изучением технических и экономических условий, которые связаны с перевозками международного характера, и должна давать заинтересованным в таких перевозках правительствам технические советы и рекомендации, направленные на восстановление и увеличение провозоспособности транспортных систем в континентальной Европе, и координировать перевозки общего значения по этим системам.

2. В случае, если любое Правительство-член встретится с трудностями в выполнении этих рекомендаций по причинам материального или экономического характера, то Организация должна изучить с заинтересованными Правительствами-членами способы практической помощи.

Сведения о транспортном оборудовании и материалах.

3. Организация должна получать и собирать сведения относительно требований на транспортное оборудование и материалы для континентальной Европы.

Реализация требований на транспортное оборудование и материалы.

4. Организация должна содействовать реализации требований любого Правительства-члена в континентальной Европе на транспортное оборудование и материалы.

Размещение и распределение для использования транспортного оборудования и материалов.

5. Организация должна, в рамках приоритетов, определенных соответствующими властями Об"единенных Наций, устанавливать размещение или распределение для использования Правительствами в континентальной Европе на таких условиях, какие она найдет необходимыми, такого транспортного оборудования и материалов, какие могут быть выделены для этой цели Совязными Главнокомандующими, оккупационными властями или органами любой одной или нескольких Об"единенных Наций. Чтобы дать возможность Организации эффективно выполнять эту функцию, она может консультироваться с соответствующими правительствами по поводу их экспортных возможностей и импортных нужд в транспортном оборудовании и материалах для континентальной Европы и будет получать от таких правительств извещение о всех сделанных объявлениях в отношении этого, о которых им известно.

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Мероприятия по предоставлению подвижного транспортного оборудования и материалов.

6. В случае, где возникает временная чрезвычайная потребность в мобильном транспортном оборудовании для выполнения перевозок общего значения и обычные соглашения по обмену таким мобильным транспортным оборудованием являются недостаточными, Организация должна договариваться с заинтересованными Правительствами-членами о выделении мобильного транспортного оборудования для целей удовлетворения таких потребностей. Такое мобильное транспортное оборудование должно быть предоставлено по соглашениям, заключенным между заинтересованными Правительствами-членами с помощью Организации.

Перепись транспортного оборудования и материалов.

7. Организация, в ближайшее практически возможное время, организует через Правительства-члены перепись подвижного состава в континентальной Европе и такого другого транспортного оборудования и материалов там же, какое может оказаться необходимым для должного выполнения ее функций.

Опознавание и возвращение транспортного оборудования и материалов.

8. Организация должна, так скоро как это практически возможно, принять меры для возвращения любому Правительству-члену транспортного оборудования и материалов, принадлежащих ему или его гражданам, найденных вне территории под его властью и вне его контроля. В случае возникновения каких-либо трудностей с опознаванием, Организация должна немедленно договориться о принятии таких специальных мер, какие могут оказаться необходимыми для устранения их. Где такое возвращение чрезмерно ослабило бы работу существенно важного транспорта, Организация должна выработать соглашения с заинтересованными Правительствами о временном использовании транспортного оборудования впредь до его возвращения.

Соглашения о возвращении должны делаться на основе принадлежности имущества, которая существовала до каких-либо территориальных изменений в Европе, возникших в результате политики стран оси, и в соответствии с любой общей политикой, которая может быть определена надлежащими властями Объединенных Наций в отношении возвращения и восстановления имущества, перемещенного врагом.

Д в и ж е н и е.

9. Организация может делать такие рекомендации соответствующим властям, какие она считает необходимым в отношении методов выполнения проектируемого движения перевозок общего значения, имея в виду наличие транспортных средств, доступные для таких перевозок.

10. Организация должна давать рекомендации заинтересованным правительствам для того, чтобы обеспечить движение транспорта общего значения по всем путям сообщения в континентальной Европе, в соответствии с приоритетами, определенными соответствующими властями Объединенных Наций. В отношении перевозок военного значения, выполняемых по указанию Соединенных Главнокомандующих, соответствующей властью для этой цели будет являться соответствующий Соединенный Главнокомандующий.

Сборн.

11. Организация может разрабатывать унификацию тарифов, правил и условий перевозок и тому подобное, применимое к перевозкам международного характера. Она должна рекомендовать заинтересованным Правительствам принципы, на основе которых ими должны устанавливаться приемлемые сборы за перевозки общего значения в континентальной Европе, в соответствии с условиями пункта 9 ст. VIII. Настоящий пункт не распространяется на военные перевозки, совершаемые под контролем любого Соединенного Главного командующего, кроме как по его требованию.

Восстановление транспортных систем.

12. Организация может изучать состояние транспорта, связанного с перевозками международного характера, в отдельных странах и давать рекомендации заинтересованным Правительствам относительно технических мероприятий, направленных к быстрейшему восстановлению транспортных возможностей и их наиболее эффективному использованию, и об очередности, в которой должны выполняться работы или проекты по восстановлению или улучшению транспортных средств.

Эксплоатация транспорта.

13. В то время как обеспечение эффективной деятельности транспортных систем в континентальной Европе, за которые данное Правительство ответственно, остается задачей каждого Правительства-члена, Организация может, в виде исключения, по просьбе любого Правительства-члена, оказывать любое в его власти содействие восстановлению или эксплуатации транспорта на любой территории в континентальной Европе под властью такого Правительства на таких условиях, какие могут быть согласованы между ним и Организацией, учитывая должным образом права других Правительств-членов.

Координация европейского транспорта.

14. Организация должна разрабатывать и согласовывать общие действия для обеспечения открытия, поддержания, модификации, возобновления или, где соответствует, упреждения международных соглашений о окрестной работе железных дорог и обмене подвижного состава стран континентальной Европы для выполнения международных перевозок. В частности, она должна обеспечить унифицированную расчетную систему по транспортным операциям между различными странами в континентальной Европе. В общем, она должна способствовать, где необходимо, установлению соответствующего аппарата для сотрудничества между железнодорожными администрациями.

15. Организация должна предоставлять свои услуги в распоряжение Правительства-членов и давать рекомендации с целью обеспечения наиболее эффективного движения международных перевозок на водных путях.

Она, однако, не должна давать рекомендации в отношении вопросов, касающихся режимов международных внутренних водных путей континентальной Европы.

16. Организация предпримет через соответствующие Правительства такие шаги, какие могут оказаться практичными для способствования международным перевозкам общего значения на грузовиках и других дорожных транспортных средствах и координирования дорожного и других видов транспорта с целью обеспечения международных перевозок.

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17. При выполнении функций, указанных в п.п. 14 и 16 этой статьи, и в предоставлении своих услуг в распоряжение Правительств-членов, как изложено в п.15 этой статьи, Организация должна использовать, в рамках целесообразности, конвенции, находящиеся в силе между Правительствами-членами, с таким расчетом, чтобы получить наибольшую выгоду из них для выполнения этих задач, имея в виду, что Организация должна действовать:

а/ в соответствии с любой общей политикой, которая может быть определена соответствующими властями Об"единенных Наций и

б/ с должным соблюдением существующих прав и обязательств.

18. Организация должна давать заинтересованным Правительствам рекомендации, направленные на обеспечение должного взаимодействия всего европейского транспорта, для удовлетворения общих военных нужд Об"единенных Наций или в интересах перевозок международного характера.

Взаимоотношения с другими органами.

19. Организация должна сотрудничать, так как это может оказаться необходимым, с соответствующими властями и органами любой одной или нескольких Об"единенных Наций и с международными организациями.

20. Организация должна обеспечить всемерную помощь Союзным Главнокомандующим в удовлетворении их нужд в транспортных средствах и в улучшении использования этих средств для успешного выполнения военных требований.

21. Организация должна договариваться через соответствующий аппарат о консультации с представителями лиц, занятых на внутреннем транспорте, по международным вопросам в сфере деятельности Организации, имеющим обобщенное значение для Организации и таких представителей.

Разное.

22. Организация может давать советы заинтересованным Правительствам-членам и соответствующим властям Об"единенных Наций в отношении приоритета, который должен быть предоставлен в интересах восстановления европейского транспорта репатриации перемещенного транспортного персонала и рабочих, потребных для производства, поддержания или ремонта транспортного оборудования и материалов.

23. Организация окажет через посредство соответствующих властей всю практически оправданную помощь любому Правительству-члену, по его требованию, в получении топлива, энергии и смазочных материалов для удовлетворения перевозок общего значения с тем, чтобы это Правительство могло выполнить свои обязательства согласно п.7 статьи УИ.

СТАТЬЯ УШ. Обязательства Правительств-членов.

Информация.

1. Каждое Правительство-член в отношении любой территории, которая находится под его властью и является полем деятельности Организации, должно, по просьбе Организации, обеспечить ее такой информацией, которая является существенной для выполнения ее функций.

Перепись транспортного оборудования и материалов.

2. Каждое Правительство-член обязуется полностью сотрудничать с Организацией в проведении любой переписи, которая предусмотрена в п.7 ст.УП.

Опознавание и возвращение транспортного оборудования и материалов.

3. Каждое Правительство-член в отношении территории, которая находится под его властью и является полем деятельности Организации, обязуется, что:

1/ Оно будет содействовать выполнению п.8 ст.УП.

2/ Оно не будет захватывать:

а/ транспортное оборудование и материалы в континентальной Европе, найденные вне территории под его властью, даже когда такое оборудование и материалы могут принадлежать ему или любому из его граждан;

б/ транспортное оборудование и материалы, найденные в пределах территории под его властью, но не принадлежащие ему или любому из его граждан;

в/ транспортное оборудование и материалы, прибывающие на территорию под его властью, вследствие соглашения, состоявшегося при содействии Организации для осуществления движения перевозок общего значения.

При условии, однако:

1/ что каждому Правительству-члену должно быть разрешено использовать оборудование, определенное в пунктах "б" и "в" выше, в соответствии с условиями п.п.5 и 8 статьи УП, а в отношении вражеского и бывшего вражеского транспортного оборудования и материалов, не предвещая омоничательного его распределения надлежательными властями Об"единенных Наций, и

2/ что в этом параграфе ничто не должно устранять любого Правительства-члена или любого из его граждан от того, чтобы продолжать управлять принадлежащими ему или им судами внутреннего плавания.

4. Условия п.3 этой статьи не должны затрагивать прав Союзных Главнокомандующих внутри любой территории, в отношении которой Организация не приступила к выполнению своих функций по ст.УП.

Перевозки.

5. Каждое Правительство-член обязуется обеспечить любыми средствами, имеющимися в его распоряжении, возможно лучше выполнение перевозок общего значения, в соответствии с рекомендациями, сделанными Организацией, согласно п.10 ст.УП.

6. Каждое Правительство-член обязуется предоставить суда внутреннего плавания, находящиеся под его контролем в континентальной Европе, необходимые для перевозок общего значения,

1/ в соответствии с рекомендациями Организации вообще

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- 2/ если оно подписало приложение к этому Соглашению в соответствии с его условиями.

Обеспечение горючим, энергией и смазочными материалами.

7. Каждое Правительство-член примет в отношении территории в континентальной Европе под его властью все необходимые практически возможные меры, чтобы достаточные запасы топлива, энергии и смазочных материалов имелись в наличии для перевозок общего значения при условии, что Организация достигла надлежащей договоренности с заинтересованным правительством.

С о б о р ы.

8. Каждое Правительство-член обязуется не взимать или не разрешать взимание таможенных пошлин или других сборов, помимо транспортных сборов и допустимых транзитных сборов на транзитные перевозки общего значения через территории в континентальной Европе под его властью. В отношении импортных сборов, взимаемых с грузов общего значения, не должно быть никакой дискриминации в зависимости от пути, по которому эти грузы следовали до их ввоза в соответствующую страну.

9. Каждое Правительство-член обязуется обеспечить, чтобы транспортные сборы, взимаемые с перевозок общего значения в пределах территории в континентальной Европе под его властью, включая перевозки транзитом через такие территории, были настолько низки и просты и настолько единообразны с таковыми на других территориях, на которые распространяется настоящее Соглашение, насколько это практически возможно. Каждое Правительство-член должно уделять наиболее полное внимание рекомендациям, данным Организацией в соответствии с п. II ст. VII, и сообщать Организации о принятых мерах.

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10. Каждое Правительство-член обязуется сотрудничать с Организацией в осуществлении ее функций согласно п. п. I4 и I6 ст. VII.

11. Каждое Правительство-член оделает в своих взаимоотношениях с любыми другими международными организациями, органами и властями все от него зависящее, чтобы провести в жизнь условия настоящего Соглашения.

12. Каждое Правительство-член должно уделять наиболее полное внимание любой рекомендации, сделанной Организацией в соответствии с п. п. I2, I5 и I8 ст. VII, и сообщать Организации о принятых мерах.

13. Каждое Правительство-член должно уважать международный характер и правовое положение Организации.

14. Каждое Правительство-член должно уважать исключительно международный характер членов Исполнительного Бюро, старшего чиновника и штата Организации.

15. Каждое Правительство-член должно предоставлять Организации те привилегии, иммунитеты и условия, которые они разрешают друг другу, включая в частности:

- a/ иммунитет от всяких форм судебных процессов,

- б/ освобождение от налогов и таможенных пошлин и
- в/ неприкосновенность занимаемых помещений, архивов и переписки Организации.

16. Каждое Правительство-член должно предоставить дипломатические привилегии и иммунитеты лицам, назначенным другими членами в качестве их представителей в Организации или при ней, членам Исполнительного Бюро и другим высшим должностным лицам Организации, не являющимся его собственными гражданами.

17. Каждое Правительство-член должно предоставить всем должностным лицам и служащим Организации:

а/ иммунитет от исков и судебных процессов, относящихся к действиям, выполненным ими в качестве должностных лиц;

б/ все такие условия для их передвижения и выполнения их функций, какие считаются необходимыми Организацией, для быстрого и эффективного выполнения их служебных обязанностей, и

в/ за исключением своих собственных граждан, освобождение от налогов их официального жалования и вознаграждения.

18. Каждое Правительство-член должно на территории под его властью предпринимать все зависящие от него меры для содействия осуществлению Организацией любых полномочий, упомянутых в ст. 17.

СТАТЬЯ IX.

Организация будет охвачена с любой общей международной организацией, которой может быть вверена координация деятельности международных организаций со специализированными обязанностями.

СТАТЬЯ X.

1. Функции Организации должны относиться ко всем формам транспорта по дорогам, рельсам или водным путям внутри территории континента Европы, в которых Организация действует, но не относятся к морскому судоходству, за исключением того, что по положению п. 10 ст. VII и п. 5 ст. VIII должно применяться в отношении такого судоходства, когда оно осуществляется в континентальной Европе на внутренних водных путях.

2. В отношении осуществления перевозок в портах, где разгружаются или нагружаются морские суда, Организация должна сотрудничать с соответствующими властями заинтересованного Правительства-члена и с любой созданной ими судоходной организацией для обеспечения:

- а/ быстрого оборота судов,
- б/ эффективного использования портовых средств в интересах скорейшего прохода грузов общего значения.

СТАТЬЯ XI.

В случае наличия любого прямого несоответствия между условиями настоящего Соглашения и условиями любого соглашения, уже существующего между любыми Правительствами-членами, условия настоящего Соглашения, которое заключено между этими Правительствами-членами, должны считаться преобладающими с должным соблюдением условия п. 17 статьи VII, имея в виду, однако, что ничто

II.—

в этой статье не должно быть истолковано как препятствующее Правительствам-членам вступать в соглашения для содействия работе транспорта через национальные границы.

СТАТЬЯ XII.

Определения.

1. Для целей настоящего Соглашения и его Приложения приняты приведенные в этой статье определения.

2. Термин "Внутренний транспорт" включает все формы транспорта, упомянутые в ст. 10 настоящего Соглашения.

3. Термин "Континентальная Европа" означает все территории в Европе, находящиеся под властью или контролем Правительства-членов, но не должен распространяться на территории Соединенного Королевства и Союза Советских Социалистических Республик.

4. Под термином "Территория под властью Правительства-члена" понимается либо территория в континентальной Европе, которая находится под суверенитетом Правительства-члена, либо же территория, над которой Правительство-член или Правительства-члены осуществляют или осуществляют власть или контроль.

5. Термин "Транспортное оборудование и материалы" должен включать, поскольку Исполнительное Бюро считает это необходимым для выполнения функций Организации:

1/ любые наименования недвижимого и мобильного оборудования, складских запасов /за исключением топлива/, установок, специально предназначенных и требуемых для использования транспортными предприятиями, включая оборудование, необходимое для использования в портах на берегу или на плаву;

2/ оборудование и материалы, специально предназначенные и требуемые для восстановления, содержания или постройки дорог, железных дорог, мостов, портов и внутренних водных путей;

3/ установки и инструменты, специально требуемые для ремонта транспортного оборудования и материалов для использования транспортными властями.

6. Термин "перевозки общего значения" должен включать:

1/ перевозки людские, материальной части, снабженческие или других грузов, подлежащих передвижению в соответствии с требованиями Совенных Главнокомандующих;

2/ перемещенные и другие лица, подлежащие перевозке в соответствии с приоритетами, определяемыми соответствующими властями Об"единенных Наций;

3/ снабжение для гражданских нужд, подлежащее перевозке в континентальной Европе в соответствии с приоритетами, определяемыми соответствующими властями Об"единенных Наций;

4/ собственность, перемещенную противником.

7. Термин "Транспортные сборы" должен включать, в дополнение к фрахту и оборам за перевозку, любые другие случайные сборы, как-то: мостовые сборы, портовые сборы, сборы за склад-

окие Хранение и пересылку транзитных грузов, которые могут повлиять на стоимость транспортировки.

8. Термин "допустимые транзитные сборы" обозначает сборы, предназначенные исключительно для покрытия расходов по наблюдению и руководству, вызываемых соответствующими транзитными перевозками.

9. Термин "Созданные Главкомандующие" обозначает любого главнокомандующего, назначенного для командования в континентальной Европе соответствующими властями любым из следующих государств: Французской Республики, Союза Советских Социалистических Республик, Соединенного Королевства Великобритании и Северной Ирландии и Соединенных Штатов Америки.

10. Термин "Правительство" включает любое временное правительство.

СТАТЬЯ XIII.

До истечения двухлетнего периода от даты настоящего Соглашения условия его могут быть изменены, действие их приостановлено или прекращено только при единогласном решении Совета. В любое время после этой даты любые условия настоящего Соглашения могут быть изменены, действие их приостановлено или прекращено большинством двух третей Совета о том, что не будут сделаны такие изменения в условиях настоящего Соглашения, которые расширяют обязательства или финансовую ответственность любого Правительства-члена без согласия этого Правительства.

СТАТЬЯ XIV.

1. Настоящее Соглашение вступает в силу для каждого Правительства-члена со дня подписания по его уполномочию или его допуска в Организацию согласно ст. II.

2. Оно должно оставаться в силе в течение двух лет с даты настоящего Соглашения. Оно будет после этого оставаться в силе с правом каждого Правительства-члена после истечения 18 месяцев с даты настоящего Соглашения дать Совету за 6 месяцев предварительное извещение о его намерении отказаться от настоящего Соглашения,

В УДОСТОВЕРЕНИЕ ЧЕГО

нижеподписавшиеся, надлежащим образом уполномоченные своими соответствующими Правительствами, подписали настоящее Соглашение.

Составлено в Лондоне сентября 27-го дня 1945 года на английском, французском и русском языках, причем все три текста являются одинаково аутентичными, в одном экземпляре, который должен оставаться депонированным в архивах Правительства Соединенного Королевства Великобритании и Северной Ирландии, которое должно передать всем подписавшимся Правительствам заверенные копии.

За Правительство Бельгии:

OBERT de THIEUSIES

За Правительство Голландии:

C. C. GISCHLER

За Правительство Греции:

TH. AGHNIDES

За Правительство Люксембурга:

A. ALS

За Правительство Норвегии:

ERIK COLBAN
Subject to approval
by the Storting

За Правительство Польши:

HENRYK STRASBURGER

За Правительство Соединенного
Королевства Великобритании и
Северной Ирландии:

PHILIP NOEL-BAKER

За Правительства Соединенных
Штатов Америки:

JOHN G. WINANT

За Правительство Союза Советских
Социалистических Республик:

F.S. RADULIN

За Правительство Франции:

R. MASSIGLI

За Правительство Чехословакии:

BARÁČEK-JACQUIER

За Правительство Югославии:

DR. LJUBO LEONTIĆ

За Правительство Королевства Дании:

E. REVENTLOW

ПРИЛОЖЕНИЕ.

**ПРОТОКОЛ,
ОТНОСЯЩИЙСЯ К ПЕРЕВОЗКАМ ПО ВНУТРЕННИМ
ВОДНЫМ ПУТЯМ.**

Преамбула.

С целью выполнения в отношении перевозок по внутренним водным путям обязательств, принятых на себя Правительствами-членами по Соглашению об учреждении Европейской Центральной Организации по внутреннему транспорту /в последующем "Соглашение"/ и на изложенных в нем условиях, подписавшиеся под сим Правительством согласились о нижеследующем:

СТАТЬЯ I.

Каждое Правительство, подписавшееся под настоящим, обязуется создать подходящий аппарат, необходимый для осуществления всех обязательств, принятых в пунктах 5 и 6 статьи VII Соглашения, в отношении перевозок по внутренним водным путям, и назначать лиц или органы, уполномоченных для ведения дел с Организацией по вопросам этого характера.

СТАТЬЯ II.

Подписавшиеся под настоящим Правительства, принимая во внимание географические, технические и другие особенности, связанные с перевозками по внутренним водным путям, и нужды каждого из них в этом отношении, назначат экспертов, которые должны консультироваться Организацией по вопросам перевозок по внутренним водным путям в различных районах таких перевозок.

СТАТЬЯ III.

Для каждого района перевозок по водным путям в континентальной Европе распределение внутреннего судоходства и, если необходимо, тоннажа для выполнения перевозок общего значения, должны быть разработаны Организацией по договоренности с заинтересованными Правительствами в согласии с заинтересованными Правительствами. При определении этого распределения должны быть должным образом учтены особенности судна, его оборудования и команды и его обычное плавание.

СТАТЬЯ IV.

Условия вознаграждения, подлежащего оплате теми, кто пользуется судами внутреннего судоходства для перевозок общего значения, должны быть разработаны Организацией по договоренности с заинтересованными Правительствами и/или с властями на справедливой и разумной основе и таким образом, чтобы выполнить следующие два принципа:

1/ Суды внутреннего судоходства всех флагов, выполняющие одинаковые услуги, должны получать одинаковые фрахтовые ставки;

2/ Фрахтовые ставки в соответствии с пунктом II статьи VII должны быть калькулированы так, чтобы после учета амортизации судна они включали разумную долю прибыли.

2.

СТАТЬЯ У.

1. Этот протокол должен оставаться открытым для подписания в Лондоне по уполномочию любого Правительства-члена Европейской Центральной Организации по внутреннему транспорту.

2. Этот протокол вступит в силу для каждого подписавшего его Правительства со дня подписания по его уполномочию.

Любое правительство может при подписании настоящего протокола заявить, что его подпись не должна считаться действительной до подписания этого протокола определенными другими именовавшими правительствами.

3. Этот протокол должен оставаться в силе в течение двух лет от сего числа. После этого он будет оставаться в силе с тем условием, что любое подписавшее Правительство после истечения восемнадцати месяцев от сего числа направит Совету Европейской Центральной Организации по внутреннему транспорту в письменной форме заявление за шесть месяцев о своем намерении отказаться от этого протокола.

В удостоверение чего нижеподписавшиеся, должным образом уполномоченные своими соответствующими правительствами, подписали настоящий протокол.

Составлено в Лондоне 27-го сентября 1945 года на английском, французском и русском языках, причем все три текста являются одинаково аутентичными, в одном экземпляре, который должен оставаться депонированным в архивах Правительства Соединенного Королевства Великобритании и Северной Ирландии, которое должно передать всем подписавшим правительствам заверенные копии.

За Правительство Бельгии:

OBERT DE THIEUSIES

За Правительство Голландии:

C.C. GISCHLER

3.

За Правительство Греции:

TH. AGNIDIS

За Правительство Люксембурга:

A. ALS

За Правительство Норвегии:

За Правительство Польши:

HENRYK STRASBURGER

За Правительство Соединенного
Королевства Великобритании
и Северной Ирландии:

PHILIP NOEL-BAKER

За Правительство Соединенных Штатов
Америки:

JOHN G. WINANT

За Правительство Союза Советских
Социалистических Республи:

F.S. RADULIN

За Правительство Франции:

За Правительство Чехословакии:

За Правительство Югославии:

DR. LJUBO-LEONTIĆ

За Правительство Королевства
Дании:

E. REVENTLOW

Certified a true copy.



LONDON

D.A. Bigby

17 DEC 1945 Acting Librarian and Keeper of the
Papers at the Foreign Office.

[SEAL]

Protocol relating to the Transfer from the
Provisional Organisation for European Inland Transport
to the European Central Inland Transport Organisation.

The Governments on whose behalf the present Protocol is signed:

Having regard to Article V of the Agreement concerning a Provisional Organisation for European Inland Transport (hereinafter referred to as "the Provisional Organisation") of the 8th May 1945, which provides that "This Agreement shall, in any case, cease to have effect from the date when the Organisation provided for in the Draft Agreement is established",

Ante, p. 1364.

And being desirous to provide for the transfer to the European Central Inland Transport Organisation (hereinafter referred to as "the Definitive Organisation") of the records, assets and liabilities of the Provisional Organisation,

And comprising the members of the Provisional Organisation and all the signatories of the Agreement establishing the Definitive Organisation,

Have agreed as follows:—

ARTICLE I

1. The records, assets and liabilities of the Provisional Organisation shall be transferred to the Definitive Organisation in accordance with the following provisions:

Transfer of records, assets and liabilities.

- (a) The Provisional Organisation shall make available, and, where desired, transfer, to the Definitive Organisation in such a manner as may be convenient, all the records, proceedings and accounts of the Provisional Organisation;
- (b) The Provisional Organisation shall transfer at cost all its assets in the form of motor cars, furniture and office equipment and the benefits of payments, made in advance in respect of rent, insurance etc, to the Definitive Organisation;
- (c) The Provisional Organisation shall transfer to the Definitive Organisation all liabilities in respect of obligations to the staff, such as contributions payable to the proposed Provident Fund, gratuities in respect of services rendered, payment of salaries for periods of leave which have already been earned and other benefits intended to accrue to the staff on completion of their service;
- (d) In so far as members of the staff of the Provisional Organisation are re-engaged as members of the staff of the Definitive Organisation, the respective Councils of the Provisional and

Definitive Organisations shall make such regulations as are appropriate to the matters referred to in (c) above.

2. The Council, Executive and Staff of the Provisional Organisation shall continue their respective functions for such period as is necessary to give effect to the provisions of Paragraph 1 above and all the detailed arrangements of transfer shall be agreed between the Council of the Provisional Organisation and the Council of the Definitive Organisation.

ARTICLE II

Disposition of surplus of funds.

The surplus of the funds available to the Provisional Organisation, after settlement of all liabilities other than those referred to in Article I, Paragraph 1 (c) shall be ascertained and credited to member Governments of the Provisional Organisation, in the same proportions as their respective financial contributions to the Provisional Organisation bear to the total contributions paid to that Organisation, as advances against contributions which these Governments may hereafter agree to make towards the administrative expenses of the Definitive Organisation in accordance with Article V of the Agreement establishing the European Central Inland Transport Organisation.

IN WITNESS whereof the undersigned, duly authorised by their respective Governments, have signed the present Protocol.

Done in London on the 27th day of September, 1945, in English, French and Russian, all three texts being equally authentic, in a single copy which shall remain deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, by whom certified copies shall be transmitted to all Signatory Governments.

For the Government of the United States of America :

JOHN G. WINANT

For the Government of Belgium :

OBERT DE THIEUSIES

For the Government of Czechoslovakia :

BARÁČEK JACQUIER

For the Provisional Government of the French Republic :

R. MASSIGLI

For the Government of the United Kingdom of Great Britain and Northern Ireland :

PHILIP NOEL-BAKER

For the Royal Hellenic Government :

TH. AGHNIDES

For the Government of the Grand-Duchy of Luxembourg :

A. ALS

For the Government of the Netherlands :

C. C. GISCHLER

For the Government of Norway:

ERIK COLBAN

For the Government of the Polish Republic:

HENRYK STRASBURGER

For the Government of the Union of Soviet Socialist Republics:

F. S. BADULIN

For the Yugoslav Government:

DR. LJUBO LEONTIĆ

For the Royal Danish Government:

E. REVENTLOW

**PROTOCOLE RELATIF AU TRANSFERT DE L'OFFICE PROVISOIRE DES
TRANSPORTS INTERIEURS EUROPEENS
A L'OFFICE CENTRAL DES TRANSPORTS INTERIEURS EUROPEENS**

Les Gouvernements dont les représentants dûment autorisés ont signé le présent protocole, comprenant les membres de l'Office Provisoire et tous les signataires de l'Accord portant création de l'Office définitif :

- prenant en considération les dispositions de l'Article V de l'Accord portant création d'un Office Provisoire des Transports Intérieurs Européens (ci-après dénommé l'Office Provisoire) en date du 8 mai 1945, selon lesquelles "Cet Accord devra en tout état de cause, être tenu pour caduc dès la constitution de l'Office prévu au projet d'Accord",
 - et désireux de prendre dès maintenant les mesures nécessaires au transfert à l'Office Central des Transports Intérieurs Européens (ci-après dénommé l'Office Central) des archives, de l'actif et du passif de l'Office Provisoire,
- sont convenus de ce qui suit :

ARTICLE I.

I. Les archives, l'actif et le passif de l'Office Provisoire seront transférés à l'Office Central conformément aux dispositions suivantes :

- a) L'Office Provisoire met à la disposition de l'Office Central et s'il y a lieu, lui transfère les archives, procès-verbaux et comptabilité de l'Office Provisoire, de la manière jugée la plus opportune;
- b) L'Office Provisoire transférera à l'Office Central pour leur valeur d'achat tous ses biens et avoirs tels que : automobiles, mobilier et fournitures de bureau et le bénéfice des paiements anticipés en matière de loyers, d'assurances etc. ;
- c) L'Office Provisoire transférera à l'Office Central toutes ses obligations en ce qui concerne ses engagements envers le personnel, tels que versements à effectuer au fond de Prévoyance, gratifications pour services rendus, paiement des traitements correspondant aux congés auxquels les intéressés peuvent déjà prétendre et autres prestations destinées à revenir au personnel lors de la cessation des fonctions de ce dernier;
- d) Dans la mesure où les membres du personnel de l'Office Provisoire seront engagés à nouveau comme membres du personnel de l'Office Central, les Conseils respectifs de l'Office Provisoire et de l'Office Central établiront toute réglementation appropriée, en ce qui concerne les questions traitées à l'alinéa c) ci-dessus.

2. Le Conseil, l'Exécutif et le personnel de l'Office Provisoire continueront à assurer leurs fonctions respectives aussi longtemps qu'il

sera nécessaire en vue de l'application des dispositions prévues au paragraphe ci-dessus. Les modalités du transfert seront établies d'un commun accord entre le Conseil de l'Office Provisoire et celui de l'Office Central.

ARTICLE II.

Après exécution de toutes les obligations autres que celles visées au paragraphe I c) de l'Article I, le reliquat des sommes restant à la disposition de l'Office Provisoire sera arrêté et porté au crédit des Gouvernements participant à l'Office Provisoire, au pro rata de leurs contributions respectives à cet Office, à valoir sur les contributions que lesdits Gouvernements pourront à l'avenir accepter de fournir pour faire face aux dépenses administratives de l'Office Central, conformément aux dispositions de l'Article V de l'Accord portant création de l'Office Central des Transports Intérieurs Européens.

EN FOI de quoi les soussignés, dûment autorisés par leurs Gouvernements respectifs, ont signé le Présent Protocole.

Fait à Londres le 27 septembre 1945, en un seul exemplaire, en langues anglaise, française et russe, dont les trois textes font également foi.

Cet exemplaire sera déposé, pour y être conservé, dans les archives du Gouvernement du Royaume Uni de Grande Bretagne et d'Irlande du Nord, qui en remettra à tous les Signataires des copies certifiées conformes.

Pour le Gouvernement des Etats-Unis d'Amérique :
JOHN G. WINANT

Pour le Gouvernement du Royaume de Belgique :
OBERT DE THIEUSIES

Pour le Gouvernement Provisoire de la République Française :
R. MASSIGLI

Pour le Gouvernement du Royaume Uni de Grande Bretagne et d'Irlande du Nord :
PHILIP NOEL-BAKER

Pour le Gouvernement du Royaume Hellénique :
TH. AGHNIDES

Pour le Gouvernement du Grand Duché de Luxembourg :
A. ALS

Pour le Gouvernement du Royaume de Norvège :
ERIK COLBAN

Pour le Gouvernement du Royaume des Pays-Bas :
C. C. GISCHLER

Pour le Gouvernement de la République Polonaise :
HENRYK STRASBURGER

Pour le Gouvernement de l'Union des Républiques Sovietistes
Socialistes:

F. S. BADULIN

Pour le Gouvernement de la République Tchécoslovaque:

BARÁČEK JACQUIER

Pour le Gouvernement de Yougoslavie:

DR. LJUBO LEONTIĆ

Pour le Gouvernement Royal du Danemark:

E. REVENTLOW

ПРИЛОЖЕНИЕКОНФЕРЕНЦИЯ ПО ЕВРОПЕЙСКОМУ ВНУТРЕННЕМУ
ТРАНСПОРТУ

П Р О Т О К О Л,

ОТНОСЯЩИХСЯ К ПЕРЕВОДУ ВРЕМЕННОЙ ОРГАНИЗАЦИИ ПО
ЕВРОПЕЙСКОМУ ВНУТРЕННЕМУ ТРАНСПОРТУ В ЦЕНТРАЛЬНУЮ
ОРГАНИЗАЦИЮ ПО ЕВРОПЕЙСКОМУ ВНУТРЕННЕМУ ТРАНСПОРТУ.

Правительства, по уполномочию которых настоящий Протокол подписан,

Имея в виду статью V Соглашения, касающегося Временной Организации по Европейскому Внутреннему Транспорту /далее называемой "Временная Организация"/ от 8 мая 1945 года, которая предусматривает, что "Это соглашение, во всяком случае, прекращает свое действие со дня, когда Организация, предусмотренная в проекте Соглашения будет создана"

И, желая обеспечить передачу Центральной Организации по Европейскому Внутреннему Транспорту /далее называемой "Постоянная Организация"/ дел, имущества и обязательств Временной Организации,

И, представляя членов Временной Организации и всех подписавших Соглашение об учреждении Постоянной Организации,

Согласились о нижеследующем:

СТАТЬЯ I.

I. Дела, имущество и обязательства Временной Организации должны быть переданы Постоянной Организации в соответствии со следующими условиями:

- а/ Временная Организация должна предоставить и, где необходимо, передать Постоянной Организации все дела, протоколы и отчеты Временной Организации в таком порядке, какой может быть удобным;
- б/ Временная Организация должна передать Постоянной Организации по себестоимости все свое имущество в виде автомашин, мебели, канторского оборудования и взносов, произведенных авансом в счет найма помещений, страхования и т.д. ;
- в/ Временная Организация должна передать Постоянной Организации всю задолженность по отношению к личному составу, такую как: взносы, подлежащие уплате в предложенный фонд обеспечения, вознаграждение за оказание услуги, выплата причитающегося залога за отпускное время и другие предполагаемые виды вознаграждения личному составу по их выходе в отставку;

2.

г/ В случае, если сотрудники Временной Организации будут вновь наняты в качестве сотрудников Постоянной Организации, соответствующие Советы Временной и Постоянной Организаций примут такие постановления, какие соответствуют вопросам, предусмотренным выше в п. "д".

2. Совет, Исполнительное Бюро и личный состав Временной Организации должны продолжать выполнение их соответствующих функций в течение такого периода, который необходим для выполнения условий, предусмотренных выше в § 1. Все подробные мероприятия по передаче должны быть согласованы между Советом Временной Организации и Советом Постоянной Организации.

СТАТЬЯ II.

Остатки сумм, имеющиеся у Временной Организации после удовлетворения всей другой задолженности, кроме указанной в статье 1, § 1 "б", должны быть установлены и кредитованы Правительствам-членам Временной Организации в таких же пропорциях, какие их соответствующим денежным взносам во Временной Организации составляют в общих взносах сумм в Временную Организацию как авансы в счет взносов, которые эти правительства могут в дальнейшем согласиться сделать на административные расходы Постоянной Организации в соответствии со статьей V Соглашения об учреждении Центральной Организации по Европейскому Внутреннему Транспорту.

В удостоверение чего нижеподписавшиеся, надлежащим образом уполномоченные своими соответствующими правительствами, подписали настоящий Протокол.

Составлен в Лондоне 27-го сентября 1945 года на английском, французском и русском языках, причем все три текста являются аутентичными, в одном экземпляре, который должен оставаться депонированным в архивах Правительства Соединенного Королевства Великобритании и Северной Ирландии, которое должно передать всем подписавшимся правительствам заверенные копии.

а Правительство Бельгии:

OMERT DE THIEUSIES

За Правительство Голландии:

G. C. GISCHLER

За Правительство Греции:

TH. AGNIDES

За Правительство Люксембурга:

A. ALS

За Правительство Норвегии:

ERIK COLBAN

За Правительство Польши:

HENRYK STRASBURGER

За Правительство Соединенного
Королевства Великобритании
и Северной Ирландии:

PHILIP NOEL-BAKER

За Правительство Соединенных
Штатов Америки:

JOHN G. WINANT

За Правительство Союза Советских
Социалистических Республик:

F.S. BADULIN

За Правительство Франции:

R. MASSIGLI

За Правительство Чехословакии:

BARÁČEK JACQUIER

За Правительство Югославии:

DR. LJUBO LEONTIĆ

За Правительство Королевства
Дании:

E. REVENTLOW.

Certified a true copy.



D. A. Bigby

LONDON

17 DEC 1945

Acting Librarian and Keeper of the
Papers at the Foreign Office.

Agreement between the United States of America and Argentina respecting fuel and vegetable oil. Effected by exchange of notes signed at Buenos Aires May 9, 1945; effective May 9, 1945.

May 9, 1945
[E. A. S. 495]

The Argentine Minister for Foreign Affairs and Worship to the American Chargé d'Affaires ad interim

Ministerio de
Relaciones Exteriores y Culto
D.A.E. N° 346

BUENOS AIRES, mayo 9 de 1945.

SEÑOR ENCARGADO DE NEGOCIOS:

Tengo el honor de dirigirme a V.S. con referencia a las negociaciones realizadas entre S.E. el señor Secretario de Industria y Comercio de la República Argentina, General de Brigada Julio C. Checchi y el señor Randolph Powell Butler, Agente Especial de la U.S. Commercial Company, entidad del Gobierno de los Estados Unidos de América, para dejar constancia de la conformidad de mi Gobierno a las siguientes cláusulas:

A. FUEL OIL Y EMBARQUE

1. La U.S. Commercial Company se compromete a hacer disponible para embarque a la Argentina, tan pronto como sea factible después de la fecha, una cantidad no menor de 500.000 (quinientas mil) toneladas métricas de fuel oil, comprometiéndose por su parte el Gobierno argentino según lo expuesto a continuación, a vender a la U.S. Commercial Company la totalidad del saldo exportable, con las reservas que se establecen más adelante, de semilla de lino y sus sub-productos, procedente de la cosecha 1944/45 o cosechas anteriores, y a dar garantías adicionales, según se expresa en el presente Acuerdo. Además la U.S. Commercial Company se compromete a hacer disponible para embarque a la Argentina, una vez satisfecha la cantidad arriba mencionada y hasta el 31 de diciembre de 1946, una cantidad adicional de 500.000 (quinientas mil) toneladas métricas de fuel oil, o una cantidad de fuel oil equivalente al valor calórico del saldo exportable de semilla de lino y sus sub-productos procedente de la cosecha 1945/46, la que fuese mayor, comprometiéndose por su parte el Gobierno argentino, según lo expuesto a continuación, a vender a la U.S. Commercial Company la totalidad del saldo exportable de semilla de lino y sus sub-productos procedente de la cosecha 1945/46. Queda entendido que en ningún caso se obligará la U.S. Commercial Company a entregar fuel oil de un valor calórico que exceda el valor calórico total de los saldos exportables de lino y sus sub-productos entregados bajo este Acuerdo.

2. La U.S. Commercial Company se compromete a hacer disponible espacio de bodega en barcos rumbo al sur, para la entrega de no menos de 100.000 (cien mil) toneladas métricas de fuel oil, de la partida de

las primeras 500.000 (quinientas mil) toneladas métricas a suministrarse de acuerdo al párrafo A-1 anterior durante el período de 12 (doce) meses a partir de la fecha de este Acuerdo, con un mínimo mensual de aproximadamente 5.000 (cinco mil) toneladas métricas, y se compromete además a hacer disponible espacio de bodega en barcos rumbo al sur para la entrega de no menos de 100.000 (cien mil) toneladas métricas o el 20% (veinte por ciento) de la cantidad de fuel oil a que se refiere el mismo párrafo, correspondiente a la cosecha 1945/46, la que fuese mayor, cuyo espacio se hará disponible en las cantidades mensuales que resulten factibles y que en cualquier caso deberán completarse al 31 de diciembre de 1946.

3. Queda entendido que la U.S. Commercial Company no asume responsabilidad para suministrar medios de transporte para la cantidad restante de fuel oil cuya entrega deberá autorizarse, aunque se tiene la esperanza de que antes de la terminación del período de entrega existan facilidades adicionales a las que actualmente son accesibles al Gobierno de los Estados Unidos de América.

4. Además de las cantidades de fuel oil arriba mencionadas, la cantidad de aproximadamente 15.000 (quince mil) toneladas métricas de fuel oil que actualmente retiene la Compañía Argentina de Navegación Doderó S.A. en Buenos Aires, será librada al consumo interno en la Argentina y queda claramente entendido que una cantidad de semilla de lino y sus sub-productos, de un valor calórico equivalente al fuel oil en cuestión, se hará disponible para su entrega bajo este Acuerdo en el curso de los primeros ocho meses.

5. A cambio del embarque inmediato entre el 15 de mayo y el 15 de junio de 1945 de aproximadamente 7.000 (siete mil) toneladas métricas de fuel oil, que representan la primera entrega, en espacio de bodega de buque petrolero dispuesto por la U.S. Commercial Company de acuerdo al párrafo A-3, el Gobierno argentino se compromete, bajo este Acuerdo, a hacer disponible puntualmente 7.000 (siete mil) toneladas de torta o harina de semilla de lino, y 3.500 (tres mil quinientas) toneladas métricas de aceite de semilla de lino, F.O.B., debiendo suministrarse el saldo del equivalente calórico en entregas subsiguientes durante el primer trimestre.

6. Con respecto al compromiso contraído de acuerdo al párrafo A-1, queda convenido de mútuo acuerdo que el Gobierno argentino hará disponible sobre una base F.O.B. en cada trimestre a partir de la fecha de este Acuerdo, una cantidad de semilla de lino y sus sub-productos aproximadamente equivalente al valor calórico del fuel oil importado bajo este Acuerdo durante dicho período, y que cualquiera diferencia que surgiera será compensada en el período siguiente. A los fines de este Acuerdo los valores calóricos se computarán en la forma siguiente:

Fuel oil — 10,000 (diez mil) calorías por tonelada métrica.

Aceite de Semilla de Lino — 9,500 (nueve mil quinientas) calorías por tonelada métrica.

Semilla de Lino—5,700 (cinco mil setecientas) calorías por tonelada métrica.

Torta de Semilla de Lino y Expellers—4,350 (cuatro mil trescientas cincuenta) calorías por tonelada métrica.

Harina de Semilla de Lino Extraída—3,900 (tres mil novecientas) calorías por tonelada métrica.

7. Las necesidades de fuel oil de la Compañía Argentina de Navegación Dodero S.A. que, según se entiende, son de aproximadamente 70,000 (setenta mil) toneladas métricas por año, se satisfarán además de las cantidades ya mencionadas, y queda entendido como condición esencial de este Acuerdo que se mantendrá la disponibilidad de los petroleros de dicha Compañía para transportar aceites vegetales a los Estados Unidos de América.

8. Queda mutuamente entendido y convenido que las importaciones de fuel-oil serán autorizadas unicamente para aquellas compañías, argentinas, británicas y estadounidenses que figuraban como importadores en el año 1941, o que efectuaron ventas de fuel oil para ser eventualmente importado por industrias consumidoras de este producto en la Argentina durante ese año, y que cada una de esas compañías participará de acuerdo a los porcentajes siguientes:

Astra	2. 25	(dos con veinticinco)
Cia. General de Combustibles	26. 84	(veintiseis con ochenta y cuatro)
Shell Mex	36. 83	(trienta y seis con ochenta y tres).
Cia. Nativa de Petróleo	34. 08	(treinta y cuatro con cero ocho).

El fuel oil en cuestión es fuel oil residual originario de Trinidad, Aruba o Curaçao. En la medida en que se emplee espacio de bodega en petroleros argentinos, la elección del punto de origen queda a opción del Gobierno argentino, pero en lo que respecta al espacio de bodega de petroleros suministrado por la U.S. Commercial Company, dicha elección queda a opción de esta Compañía. Debe notarse que existe una diferencia en las especificaciones entre el fuel oil originario de Trinidad y en el de los otros dos puntos nombrados.

9. El precio del fuel oil suministrado bajo este Acuerdo será el que corresponda al precio corriente de plaza vigente en cada puerto en la fecha de cada embarque, pero no será mayor del precio internacional equivalente.

10. Con respecto al compromiso de la U.S. Commercial Company de hacer disponible fuel oil y de suministrar el espacio de bodega en petroleros para la entrega de cantidades limitadas de dicho producto según se establece en párrafos precedentes, la U.S. Commercial Company se reserva expresamente el derecho de interrumpir el cumplimiento de estas obligaciones unicamente en el caso de que acontecimientos no actualmente previsibles relacionados con nuestro esfuerzo bélico conjunto hicieran necesaria tal interrupción. No obstante, en tal caso la parte restante de esas obligaciones serían cumplidas tan pronto como hubieren desaparecido las causas de la interrupción.

B. SEMILLA DE LINO Y SUS SUB-PRODUCTOS

1. El Gobierno argentino pondrá a disposición de la U.S. Commercial Company y la U.S. Commercial Company comprará la totalidad del saldo exportable, según se definirá a continuación, de semilla de lino, aceite, torta y harina de semilla de lino, procedente de las cosechas 1944/45 y 1945/46, y cosechas anteriores.

2. Con sujeción a las disposiciones vigentes sobre el canje de valores calóricos contenidos en el párrafo A-2 del presente Acuerdo, todo el saldo exportable de la cosecha 1944/45 quedará disponible para ser cargado F.O.B. Buenos Aires a más tardar al 31 de diciembre de 1945, y análogamente todo el saldo exportable de la cosecha 1945/46 a más tardar el 31 de diciembre de 1946.

3. El término "saldo exportable" se define como significando toda la semilla de lino (y el aceite, torta y harina de semilla de lino sujetos a las limitaciones que se establecerán en el párrafo B-4) que se encuentre en existencia o que proceda de la nueva producción entregable durante el periodo mencionado y en la forma especificada en el párrafo B-1 del presente Acuerdo, y que en ningún caso será menos que

133,000 (ciento treinta y tres mil) toneladas métricas de semilla de lino,

179,000 (ciento setenta y nueve mil) toneladas métricas de torta y harina de semilla de lino, y

88,000 (ochenta y ocho mil) toneladas métricas de aceite de semilla de lino,

de la cosecha 1944/45, y cosechas anteriores, que no sea necesario para

- (a) las necesidades del mercado local argentino fuera de lo requerido como combustible;
- (b) las exportaciones normales destinadas al consumo en otros países latino-americanos basadas sobre el volúmen de dichas exportaciones a cada país en años anteriores; y
- (c) las exportaciones normales destinadas al consumo en países europeos basadas sobre el volúmen de las exportaciones a cada uno de dichos países en años anteriores, sujetas a las siguientes limitaciones:
 - (1) no se aprobará ninguna exportación de esta naturaleza salvo a pedido expreso del gobierno de la nación europea interesada;
 - (2) el representante de la U.S. Commercial Company será informado inmediatamente de toda licencia de exportación solicitada de acuerdo con la cláusula precedente;
 - (3) se tomarán las disposiciones necesarias para mantener informado al Gobierno Argentino de las cuotas establecidas por la Combined Food Board a favor de naciones europeas para productos argentinos incluídos en este párrafo;
- (d) El mínimo indispensable de consumo para combustible en la Argentina hasta el momento en que los suministros de fuel oil aludidos en este Acuerdo hagan innecesario el uso de dicho producto;

(e) El reemplazo de las necesidades esenciales argentinas de diesel oil que se entienden ser aproximadamente 4.000 (cuatro mil) toneladas métricas mensuales de aceite de lino. Sin embargo la U.S. Commercial Company se reserva el derecho de hacer disponible diesel oil en lugar de fuel oil hasta el límite mensual indicado, en cuyo caso no podrá ser deducido del saldo exportable la cantidad de aceite de lino reservado por este inciso en la medida que ingrese diesel oil a la Argentina.

4. En lo que respecta a la cosecha 1944/45, y cosechas anteriores, no menos de un tercio del total del saldo exportable será entregado como semilla de lino, debiendo el remanente ser elaborado en la Argentina y todo el aceite y harina y torta resultantes deberán suministrarse según este acuerdo, a la U.S. Commercial Company. En cuanto a la cosecha 1945/46, no menos de la mitad del saldo exportable deberá ser entregado como semilla de lino, debiendo elaborarse el remanente en la Argentina y todo el aceite y harina y torta resultantes deberán suministrarse según este Acuerdo a la U.S. Commercial Company. Queda entendido que el Gobierno argentino se reserva el derecho de elegir, antes del 1° de marzo de 1946 o antes de la primera exportación de la cosecha 1945/46, cual acontezca primero, el aumentar la cantidad mínima de la semilla de lino para no menos de dos tercios del total de la cosecha 1945/46, y en tal caso el precio aplicable a aceite de lino derivado de esa cosecha será U\$S 0.09½ (cero coma cero nueve y medio) por libra en lugar del precio de U\$S 0.09 (cero coma cero nueve) por libra especificado en el párrafo B-5 de este Acuerdo.

5. Los precios y las especificaciones serán como se dan a continuación:

Semilla de Lino, de calidad término medio, que no contenga más de 4% (cuatro por ciento) de cuerpos extraños, cuyo peso y análisis efectuado en el puerto de descarga sea garantizado por el vendedor: U\$S 1.66 (uno coma sesenta y seis) por bushel de 56 (cincuenta y seis) libras cada una, a granel, F.O.B. Buenos Aires.

Aceite de semilla de lino, según las Especificaciones Federales estadounidenses, asignando hasta un medio (½) por ciento de la merma producida en la descarga por cuenta del vendedor, siendo el análisis efectuado en el puerto de descarga garantizado por el vendedor: U\$S 0.09½ (cero coma cero nueve y medio) por libra, para la cosecha 1944/45 y cosechas anteriores y U\$S 0.09 (cero coma cero nueve) por libra para la cosecha 1945/46, ambos a granel, F.O.B. Buenos Aires.

Torta y harina de semilla de lino, todos los precios que se dan a continuación rigen para F.O.B. Buenos Aires, por tonelada métrica, a granel:

39% (treinta y nueve por ciento) de proteína y grasa del cual 7% (siete por ciento) corresponde a grasa.

U \$ S

Torta y Expeller, sin moler,	25, 30	(veinticinco con treinta)
Torta y Expeller, molido	27, 70	(veintisiete con setenta)

33/34% (treinta y tres/treinta y cuatro por ciento) de proteína y grasa del cual $\frac{1}{2}$ (un medio por ciento) es grasa.

U \$ S

Harina extraída, sin moler, 22, 35 (veintidos con treinta y cinco)
Harina extraída, molida, 24, 70 (veinticuatro con setenta).

6. El Gobierno argentino tendrá la opción de entregar la semilla de lino y sus productos incluídos en el presente Acuerdo, directamente sobre una base F.O.B. o por medio de exportadores, entendiéndose que en la práctica, es la intención actual del Gobierno argentino hacer estas entregas mediante exportadores, en cuyo caso el Gobierno argentino venderá el producto a los exportadores a los precios F.O.B. indicados en el presente Acuerdo, deducido el costo calculado desde el punto de entrega en cada caso hasta la colocación de la mercadería F.O.B. Buenos Aires.

C. MANÍ Y ACEITES COMESTIBLES.

1. La U.S. Commercial Company comprará los saldos exportables según se definen más adelante, de maní descascarado, aceite de semilla de girasol, aceite de semilla de nabo, y aceite de semilla de algodón, proveniente de las existencias actuales, como también de la producción futura que pueda hacerse disponible para cargar F.O.B. Buenos Aires hasta el 1° de Julio de 1946, de acuerdo a las especificaciones y a los precios indicados a continuación:

Maní descascarado, sano, seco, de calidad término medio, y de la cosecha correspondiente a la época del embarque, con una tolerancia de no más del 2% (dos por ciento) de cuerpos extraños: U\$S 85,87 (ochenta y cinco coma ochenta y siete) por tonelada métrica, a granel, F.O.B. Buenos Aires.

Aceite de semilla de girasol, semi-refinado, color colorado 4 (cuatro), amarillo 35 (treinta y cinco); con un máximo de $\frac{1}{4}$ % (un cuarto por ciento) de acidez; con un máximo de $\frac{1}{2}$ % (un medio por ciento) de humedad e impurezas: U\$S 0.09 $\frac{1}{2}$ (cero coma cero nueve y medio) por libra, a granel, F.O.B. Buenos Aires.

Aceite de semilla de nabo, especificaciones "Texas" excepto 105 (ciento cinco) iodo, con máximo de 5° (cinco grados) F punto de fluidez: U\$S 0.11 $\frac{1}{2}$ (cero coma once y medio) por libra, a granel, F.O.B. Buenos Aires.

Aceite de semilla de algodón, semi-refinado, $\frac{1}{2}$ % (un medio por ciento) de acidez, de color colorado 7.6 (siete con seis), amarillo 35, (treinta y cinco), calidad de acuerdo a la regla N° 61 (sesenta y uno) de la "National Cottonseed Products Association"; U\$S 0.10 (cero coma diez) por libra a granel, F.O.B. Buenos Aires.

2. Se entiende por "saldos exportables" todo el maní descascarado, aceite de semilla de girasol, aceite de semilla de nabo, y aceite de semilla

de algodón en existencia, o aquel que pueda surgir de nueva producción entregable durante el período indicado y en la forma especificada en el párrafo C-1 del presente Acuerdo, que no sea necesario para

- (a) las necesidades del mercado interno argentino, aparte de las necesidades de combustible,
- (b) exportaciones normales para consumo en otros países latino-americanos, sobre la base del volúmen de tales exportaciones hechas a cada uno de esos países en años anteriores,
- (c) las exportaciones normales para consumo a países europeos, basadas sobre el volúmen de las exportaciones hechas a cada uno de dichos países en años anteriores, sujeto a las siguientes limitaciones:
 - (1) No se aprobará ninguna exportación de esta naturaleza excepto a solicitud expresa del gobierno de la nación europea interesada;
 - (2) El representante de la U.S. Commercial Company será inmediatamente informado de las licencias de exportación solicitadas de acuerdo con la cláusula precedente;
 - (3) Se tomarán disposiciones para mantener informado al Gobierno argentino de las cuotas establecidas por la Combined Food Board a favor de naciones europeas para productos argentinos incluidos en este párrafo.

3. El Gobierno argentino se compromete mediante este Acuerdo a facilitar por todos los medios a su alcance la realización de las compras a los precios aquí indicados, y particularmente la disponibilidad de los productos incluidos en este párrafo, a fin de asegurar el cargamento de los barcos especialmente los de la Compañía Argentina de Navegación Doderó S.A. que han sido contratados por el Gobierno de los Estados Unidos de América para ese objeto.

D. ENVASES

En caso de que fuera necesario comprar todo o parte de los productos incluidos en este Acuerdo, en bolsas, el Gobierno Argentino se comprometerá a suministrar bolsas nuevas o usadas de arpillera o bolsas nuevas de algodón a los exportadores, a un precio que resulte un recargo no mayor de U\$S 6,55 (seis coma cincuenta y cinco) por las bolsas de arpillera y de U\$S 8,33 (ocho coma treinta y tres) por las de algodón, ambos por tonelada métrica de producto F.O.B. Buenos Aires, sobrecargado a los precios precitados.

E. DESTINO Y FORMAS DE PAGO

Los destinos de los productos que se propone exportar de la Argentina bajo el presente Acuerdo, serán determinados por la U.S. Commercial Company, y el Gobierno argentino se compromete a aceptar el pago por compras hechas por la U.S. Commercial Company por cuenta de otras naciones que no sean los Estados Unidos, especialmente, Bélgica, Francia, Países Bajos, Noruega, Canadá, Gran Bretaña, España, Suiza, Suecia y el Estado Libre de Irlanda, a base

de los precios F.O.B. en dólares especificados en el presente Acuerdo como sigue:

- (1) De conformidad con cualquier convenio de cambio existente entre la Argentina y dichas naciones;
- (2) A falta de un convenio de cambio existente, el pago en primera instancia será hecho en las condiciones y términos usuales y en las divisas de tales naciones debiendo ser determinado el precio F.O.B. en divisas de dichas naciones mediante el tipo de conversión corriente en el momento de cada transacción que rija entre las divisas de esas naciones y el dólar estadounidense.
- (3) El pago arriba expuesto podrá quedar sujeto a ajuste cuando así lo requiera el Gobierno argentino, a realizar de acuerdo con los convenios de cambio que se pudieran celebrar entre la Argentina y el país de destino de la mercadería antes del 31 de diciembre de 1946, o con los acuerdos internacionales multilaterales que se concluyan antes del 31 de diciembre de 1946, en los cuales participe la Argentina y el país de destino y se fijen paridades de cambio de carácter general. En tal caso aquellos acuerdos se aplicarán retroactivamente a dichos pagos. Queda entendido que en ninguna circunstancia se demorará un embarque a la espera de la finalización de los convenios de cambio contemplados en el párrafo E-(3).

La U.S. Commercial Company garantiza por el presente Acuerdo que no menos de 75% (setenta y cinco por ciento) del valor total en dólares de las exportaciones argentinas bajo este Acuerdo será pagadero en dólares estadounidenses, dólares canadienses o libras esterlinas.

Esta nota, y la respuesta de V.S. constituirán un Acuerdo entre nuestros Gobiernos, que estará en pleno vigor desde la fecha.

Saludo a V.S. con mi más alta y distinguida consideración.

CESAR AMEGHINO

A S.S. el Señor Encargado de Negocios
de los Estados Unidos de América,
Dr. EDWARD LYNDAL REED.
Capital Federal

Translation

MINISTRY OF
FOREIGN AFFAIRS AND WORSHIP

D.A.E. No. 346

BUENOS AIRES, *May 9, 1945*

MR. CHARGÉ D'AFFAIRES:

I have the honor to address you with reference to the negotiations carried on between His Excellency the Secretary of Industry and Commerce of the Argentine Republic, Brigadier General Julio C.

Checchi and Mr. Randolph Powell Butler, Special Agent of the U. S. Commercial Company, an agency of the Government of the United States of America, to express my Government's agreement to the following clauses:

[For English version of sections A through E see note No. 980 of May 9, 1945 from the American Chargé d'Affaires ad interim to the Argentine Minister for Foreign Affairs and Worship.]

Infra.

This note and your reply will constitute an Agreement between our Governments which will take effect from this date.

I greet you with my highest and most distinguished consideration.

CESAR AMEGHINO

MR. EDWARD LYNDAL REED,
*Chargé d'Affaires of the
United States of America,
Federal Capital*

*The American Chargé d'Affaires ad interim to the Argentine Minister
for Foreign Affairs and Worship*

EMBASSY OF THE
UNITED STATES OF AMERICA
BUENOS AIRES, *May 9, 1945.*

No. 980

EXCELLENCY,

I have the honor to address Your Excellency with reference to the negotiations carried out between Mr. Randolph Powell Butler, Special Agent of the U.S. Commercial Company, an agency of the Government of the United States of America, and His Excellency The Secretary of Industry and Commerce of the Republic of Argentina, Brigadier-General Julio C. Checchi, and to express the agreement of my Government to the following clauses:

A. FUEL OIL AND SHIPPING

1. The U.S. Commercial Company agrees to make available for shipment to Argentina, as soon as practicable after this date, not less than 500,000 (Five Hundred Thousand) metric tons of fuel oil, in consideration of the Argentine Government's agreement hereafter set forth to sell to the U.S. Commercial Company the entire exportable surplus, subject to the reservations hereafter established, of flaxseed and its products, arising from the 1944-1945 or prior crops, and to extend other guaranties as herein outlined. Furthermore, the U.S. Commercial Company agrees to make available for shipment to Argentina, upon completion of the foregoing quantity and up to December 31, 1946, an additional 500,000 (Five Hundred Thousand) metric tons of fuel oil, or a quantity of fuel oil equivalent to the caloric value of the 1945-1946 exportable surplus of flaxseed and its products, whichever is higher, in consideration of the Argentine Government's agreement hereafter set forth to sell to the U.S. Commercial Company the entire exportable surplus of flaxseed and its products, aris-

ing from the 1945-1946 crop; provided that in no event shall the U.S. Commercial Company be required to deliver fuel oil of a caloric value in excess of the total caloric value of the exportable surpluses of all of the flaxseed or its products delivered under this contract.

2. The U.S. Commercial Company agrees to make available southbound tank space for delivery of not less than 100,000 (One Hundred Thousand) metric tons of fuel oil, applying to the first quantity of 500,000 (Five Hundred Thousand) metric tons to be supplied under Paragraph A-1 above, during a twelve-months period counted from the date of this agreement with a monthly minimum of approximately 5000 (Five Thousand) tons and, in addition, southbound tank space for delivery of not less than 100,000 (One Hundred Thousand) tons or 20% (Twenty Percent), whichever is higher, of the quantity of fuel oil provided in that paragraph as applying to the 1945-1946 crop, such space to be made available in the monthly amounts which may prove feasible, and in any event to be completed by December 31, 1946.

3. It is understood that as to the remainder of the fuel oil to be supplied, no responsibility for providing transportation rests with the U.S. Commercial Company, although it is hoped that facilities in addition to those now available to the United States Government may present themselves before the conclusion of the period.

4. Also, in addition to the foregoing quantities of fuel oil, the quantity of approximately 15,000 (Fifteen Thousand) metric tons of fuel oil now held by the *Compañía Argentina de Navegación Dodero, S.A.* in Buenos Aires will be released for internal consumption in Argentina and it is clearly understood that a quantity of flaxseed and its products, equivalent to the caloric value of this fuel oil, will be made available for delivery under this agreement in the course of the first eight months.

5. In consideration of the immediate shipment between May 15 and June 15, 1945 of approximately 7,000 (Seven Thousand) metric tons of fuel oil, representing the first delivery, in tank space arranged for by the U.S. Commercial Company, in accordance with Paragraph A-3, the Argentine Government will promptly make available, f.o.b., under the agreement, 7,000 (Seven Thousand) tons of linseed cake or meal and 3,500 (Three Thousand Five Hundred) metric tons of linseed oil, the balance of the caloric equivalent to be made up in subsequent deliveries during the first three-months period.

Supra.

Ante, p. 1807.

6. In connection with the commitment contained in Paragraph A-1, it is mutually agreed that the Argentine Government will make available on an f.o.b. basis, in each three-months period, counted from the date of this agreement, a quantity of flaxseed and its products approximately equivalent to the caloric value of the fuel oil imported under the agreement during such period, and that any differences shall be compensated in the ensuing period. For the purpose of this agreement, caloric values shall be computed as follows:

Fuel Oil—10,000 (Ten Thousand) calories per metric ton

Linseed oil—9,500 (Nine Thousand Five Hundred) calories per metric ton

Flaxseed—5,700 (Five Thousand Seven Hundred) calories per metric ton

Linseed Cake & Expellers—4,350 (Four Thousand Three Hundred and Fifty) calories per metric ton

Extracted Linseed Meal—3,900 (Three Thousand Nine Hundred) calories per metric ton

7. The fuel oil requirements of the *Compañía Argentina de Navegación Doderó, S.A.*, which are understood to be approximately 70,000 (Seventy Thousand) metric tons per annum, will be supplied in addition to the foregoing quantities and it is understood that the continued availability of this Company's tankers to carry vegetable oils to the United States of America is a necessary condition of this proposal.

8. It is mutually understood and agreed that imports of fuel oil will be authorized only through those oil companies, Argentine, British and American, who figured as importers in the year 1941, and/or who made sales of fuel oil for subsequent importation by consuming industries in Argentina during that year, and that each such company shall share in accordance with the following percentages:

ASTRA	2.25%	(Two and twenty-five hundredths percent)
Cía. General de Combustibles	26.84%	(Twenty-six and eighty-four hundredths percent)
Shell-Mex	38.83%	(Thirty-six and eighty-three hundredths percent)
Cía. Nativa de Petroleos	34.08%	(Thirty-four and eight hundredths percent)

The fuel oil in question is residual fuel oil originating in Trinidad, Aruba or Curacao. To the extent that Argentine tank space is employed, the choice of point of origin shall be at the option of the Argentine Government but to the extent that tank space is arranged by the U.S. Commercial Company, such choice shall be at the option of the U.S. Commercial Company. It should be noted that there is a difference in specifications between the oil originating in Trinidad and in the other two named sources.

9. The f.o.b. price of all fuel oil supplied hereunder will be the current market price ruling at each port on the date of each loading, but in no event higher than the equivalent world price.

10. In connection with the commitment of the U.S. Commercial Company to make available fuel oil and to provide tank space for delivery of limited quantities thereof contained in the preceding paragraphs, the U.S. Commercial Company specifically reserves the right to interrupt the discharge of these commitments only in case presently unforeseen developments in connection with our joint war effort should render such interruption necessary. In such event,

Price.

Interruption of commitments.

however, the remainder of such commitments would be discharged as soon as the causes of interruption had been removed.

B. FLAXSEED AND ITS PRODUCTS

Purchase of flax-
seed, etc.

1. The Argentine Government will make available to the U.S. Commercial Company and the U.S. Commercial Company will purchase the entire exportable surplus as hereafter defined of flaxseed, linseed oil, and cake, and meal, arising from the 1944-1945 crop and the 1945-1946 crop, and prior crops.

2. Subject to the provision governing exchange of caloric values contained in Paragraph A-2 hereof, all of the exportable surplus of the 1944-1945 crop shall be made available for loading f.o.b. vessel Buenos Aires, not later than December 31, 1945 and similarly, all of the exportable surplus of the 1945-1946 crop, not later than December 31, 1946.

"Exportable sur-
plus."

3. The term "exportable surplus" is defined to mean all flaxseed, (and linseed oil and cake and meal subject to limitation hereafter provided in Paragraph B-4) in stock or from new production deliverable during the period mentioned and in the manner specified in Paragraph B-1 hereof, and in no event to be less than

133,000 (One Hundred Thirty-three Thousand) metric tons of flaxseed

179,000 (One Hundred Seventy-nine Thousand) metric tons of linseed cake and meal, and

88,000 (Eighty-eight Thousand) metric tons of linseed oil,

in the case of the 1944-1945 crop and prior crops, and which is not required for

(a) the needs of the Argentine domestic market other than fuel requirements,

(b) normal exports for consumption in other Latin-American countries, based on volume of such exports to each country in prior years, and

(c) normal exports for consumption in European countries, based on volume of exports to each such country in prior years, subject to the following limitations:

(i) no such export will be approved except at the express request of the government of the European nation involved;

(ii) the U. S. Commercial Company representative will be informed promptly of all export licenses applied for in accordance with the preceding clause;

(iii) arrangements will be made to keep the Argentine Government informed of quotas established by the Combined Food Board in favor of European nations for Argentine products covered by this paragraph;

(d) the unavoidable minimum of consumption for fuel in Argentina until such time as fuel oil supplies under this agreement render such use of the product unnecessary,

(e) the replacement of essential Argentine requirements for diesel oil, which are understood to be approximately 4,000 (Four Thousand) tons monthly; provided, however, that the U. S. Commercial Company reserves the right to make available quantities of diesel oil in lieu of fuel oil up to such monthly amount, in which case the amount of linseed oil reserved by this subparagraph as a deduction from the exportable surplus shall be reduced to the extent that arrivals of diesel oil in Argentina take place.

4. As to the 1944-1945 crop, and prior crops, not less than one-third of the total exportable surplus shall be delivered as flaxseed, the remainder to be crushed in Argentina and all of the resultant oil and meal or cake to be tendered to the U.S. Commercial Company hereunder.

As to the 1945-1946 crop, not less than one-half shall be tendered as flaxseed, the remainder to be crushed in Argentina and all of the resultant oil and meal or cake to be tendered to the U.S. Commercial Company hereunder; provided, however, that the Argentine Government reserves the right to elect, prior to March 1, 1946, or prior to the first exportation of the 1945-1946 crop, whichever shall first occur, to increase the minimum amount of flaxseed to not less than two-thirds of the total 1945-1946 crop and in that event the price for linseed oil arising from that crop shall be US \$ 9-1/2¢ (Nine and one-half cents) per pound instead of the US \$ 9¢ (Nine cents) per pound specified in Paragraph B-5 hereof.

5. Prices and specifications shall be as follows:

Prices and specifications.

Flaxseed—Fair average quality, not in excess of 4% (Four percent) foreign matter; weight and analysis at port of discharge guaranteed by Seller: US \$1.66 (One dollar and sixty-six cents) per bushel of 56 (Fifty-six) pounds each, in bulk, f.o.b. Buenos Aires.

Linseed Oil—U. S. Federal Specifications, outturn storage up to 1/2% (One-half percent) for Seller's account, analysis at port of discharge guaranteed by Seller: US \$ 9-1/2¢ (Nine and one-half cents) per pound for the 1944-1945 crop and prior crops, and US \$ 9¢ (Nine cents) per pound for the 1945-1946 crop, both in bulk f.o.b. Buenos Aires.

Linseed Cake and Meal—all the following prices f.o.b. Buenos Aires, per metric ton, in bulk:

39% (Thirty-nine percent) Protein and Fat, of which 7% (Seven percent) Fat

US \$

Cake and Expellers, not ground 25.30 (Twenty-five dollars and Thirty cents)

Cake and Expellers, ground 27.70 (Twenty-seven dollars and Seventy cents)

33 3/4% (Thirty-three/Thirty-Four percent) Protein and Fat, of which 1/2% (One-half percent) Fat

Extracted Meal, not ground 22.35 (Twenty-two dollars and Thirty-five cents)

Extracted Meal, ground 24.70 (Twenty-four dollars and Seventy cents)

6. The Argentine Government shall have the option of delivering the flaxseed and products hereunder directly on an f.o.b. basis or through exporters, the understanding being that in practice it is the present intention of the Argentine Government to make such deliveries through exporters, in which case the Argentine Government will sell the products to the exporters at f.o.b. prices herein named, less the calculated costs involved from point of delivery in each instance up to the placing of the merchandise f.o.b. Buenos Aires.

C. PEANUTS AND EDIBLE OILS

Purchase of exportable surpluses.

1. The U.S. Commercial Company will purchase the exportable surpluses, as hereinafter defined, of shelled peanuts, sunflowerseed oil, rapeseed oil and cottonseed oil, arising from present stocks as well as future production, which can be made available for loading f.o.b. Buenos Aires up to July 1, 1946, according to the specifications and at the prices set forth below:

Shelled Peanuts—Sound, dry, fair average quality of the season at time of shipment, basis 2% (Two percent) foreign materials: US \$85.87 (Eighty-five dollars and eighty-seven cents) per metric ton in bulk, f.o.b. Buenos Aires.

Sunflowerseed Oil—Semi-refined; color 4 (Four) red, 35 (Thirty-five) yellow; maximum $\frac{1}{4}\%$ (One-quarter percent) free fatty acids; maximum $\frac{1}{2}\%$ (One-half percent) moisture and impurities: US \$ 9- $\frac{1}{2}\phi$ (Nine and one-half cents) per pound in bulk, f.o.b. Buenos Aires.

Rapeseed oil—Texas specifications except 105 (One Hundred Five) Iodine; maximum 5° (Five degrees) Fahrenheit Four test: US \$ 11- $\frac{1}{2}\phi$ (Eleven and one-half cents) per pound in bulk, f.o.b. Buenos Aires.

Cottonseed Oil—Semi-refined; $\frac{1}{2}\%$ (One-half percent) free fatty acids; color 7.6 (Seven and six-tenths) red, 35 (Thirty-five) yellow; quality as per Rule 61 (Sixty-One) of the National Cottonseed Products Association: US \$ 10¢ (Ten cents) per pound in bulk, f.o.b. Buenos Aires.

"Exportable surpluses."

2. The term "exportable surpluses" is defined to mean all shelled peanuts, sunflowerseed oil, rapeseed oil and cottonseed oil in stock or from new production deliverable during the period mentioned and in the manner specified in Paragraph C-1 hereof, which is not required for

- (a) the needs of the Argentine domestic market other than fuel requirements,
- (b) normal exports for consumption in other Latin-American countries, based on the volume of such exports to each such country in prior years,
- (c) normal exports for consumption in European countries, based on volume of exports to each such country in prior years, subject to the following limitation:
 - (i) no such export will be approved except at the express request of the government of the European nation involved;

(ii) the U.S. Commercial Company representative will be promptly informed of all export licenses applied for in accordance with the preceding clause.

(iii) arrangements will be made to keep the Argentine Government informed of quotas established by the Combined Food Board in favor of European nations for Argentine products covered by this paragraph.

3. The Argentine Government hereby undertakes to facilitate by all the means in its power the consummation of the purchases at the prices herein named and particularly the availability of the products covered by this paragraph to meet necessary loadings of vessels, especially those of the *Compañía Argentina de Navegación Dodero S.A.*, which are under contract to the Government of the United States of America for that purpose.

D. CONTAINERS

In the event that it should prove necessary to purchase all or part of the solid products covered herein in bags, the Argentine Government will agree to supply new or used burlap bags and/or new cotton bags to exporters at a price which will result in a surcharge of not more than US \$6.55 (Six dollars and fifty-five cents) for the burlap bags and US \$8.33 (Eight dollars and thirty-three cents) for the cotton bags per metric ton of product, f.o.b. Buenos Aires, added to the foregoing prices.

E. DESTINATIONS AND FORMS OF PAYMENT

The destinations of the products which it is proposed to export from Argentina under the present agreement, will be determined by the U.S. Commercial Company, and the Argentine Government agrees to accept payment for purchases made by the U.S. Commercial Company for the account of nations other than the United States of America, particularly Belgium, France, The Netherlands, Norway, Canada, Great Britain, Spain, Switzerland, Sweden and the Free State of Ireland, on the basis of the f.o.b. prices in dollars stipulated in this agreement, as follows:

(1) In accordance with any existing exchange agreements between Argentina and such nations;

(2) In the absence of an existing exchange agreement, the payment shall in the first instance be made upon the usual terms and conditions and in the currencies of such nations, the f.o.b. price in the currencies of such nations to be determined by applying to the basic dollar f.o.b. prices named herein, the rate of conversion current at the time of each transaction between the currencies of such nations and the U.S. dollar;

(3) Payments as set forth in sub-paragraph 2 above may, if so stipulated at the time by the Argentine Government, be made subject to a readjustment to be carried out in accordance with any exchange agreements which may be concluded prior to December 31, 1946 between Argentina and the country of destination of the

merchandise, or any multilateral international agreements which may be concluded prior to December 31, 1946, to which Argentina and the country of destination are parties, and in which exchange parities of a general character are fixed; in that case such agreements shall be applied retroactively to the said payments.

It is understood that under no circumstances shall a shipment be delayed awaiting the conclusion of any exchange agreement as provided in sub-paragraph 3 above.

The U.S. Commercial Company guarantees by the present agreement, that not less than 75% (Seventy-five percent) of the total value in dollars of the Argentine exports under this agreement shall be paid in U.S. dollars, Canadian dollars, or pounds sterling.

Your Excellency's note and this note, both of even date, constitute an agreement between our respective Governments which will take effect from this date.

I avail myself of this opportunity to reiterate to Your Excellency the assurances of my most distinguished consideration.

EDWARD L. REED

Chargé d'Affaires ad interim

His Excellency

DOCTOR CÉSAR AMEGHINO,

Minister for Foreign Affairs and Worship,

Etc., Etc., etc.

Agreement respecting commercial relations between the United States of America and Colombia relating to waiver in respect of tariff preferences accorded Ecuador by Colombia under a treaty of commerce between Colombia and Ecuador signed July 6, 1942, as amended October 14, 1943. Effected by exchange of notes signed at Bogotá April 17, 1945.

April 17, 1945
[E. A. S. 496]

The Colombian Minister for Foreign Affairs to the American Ambassador

MINISTERIO DE
RELACIONES EXTERIORES

Bogotá, abril 17 de 1945

CM. 415.—

SEÑOR EMBAJADOR:

En relación con la fórmula contractual sobre tarifas preferenciales entre países limítrofes o vecinos, prevista tanto en la Resolución Número LXXX de la Séptima Conferencia Interamericana, aprobada el 24 de diciembre de 1933, como en la Recomendación adoptada por el Comité Consultivo Financiero Económico Interamericano el 18 de septiembre de 1941, tengo el honor de manifestar a Vuestra Excelencia lo siguiente:

En el Artículo 5° del Tratado de Comercio entre Colombia y Ecuador de 6 de julio de 1942—que con su Convención Adicional de 14 de octubre de 1943 fué aprobado por el Congreso Nacional según ley 103 de 1944—, se permite la entrada a Colombia, libre de derechos de importación, de ciertos productos originarios y provenientes del Ecuador, especificados en una lista.

Pero como quiera que el artículo VII del Convenio Comercial entre Colombia y los Estados Unidos, firmado el 13 de septiembre de 1935, dispone que cada uno de los dos países conceda al otro el tratamiento incondicional e irrestricto de la nación más favorecida en todos los asuntos relacionados con las aduanas, muy atentamente ruego a Vuestra Excelencia comunicarme si el Gobierno de los Estados Unidos convendría en no acogerse a esta disposición con el propósito de reclamar el beneficio de las preferencias arancelarias exclusivas otorgadas por Colombia al Ecuador.

Al formular esta consulta, aprovecho la oportunidad para reiterar al Gobierno de los Estados Unidos, por el alto conducto de Vuestra Excelencia, la seguridad de que mi Gobierno está en un todo de acuerdo con el principio del tratamiento incondicional de la nación más favorecida para el desarrollo multilateral del comercio internacional, y que estima muy claramente que la excepción propuesta ahora a dicho principio, se cifie tanto a lo expresado en la mencionada Resolución LXXX de Montevideo, como a los tres siguientes requisitos de la Recomendación del Comité Consultivo Financiero Económico Interamericano:

“Que cualquiera preferencia arancelaria, de esta índole, para constituir un instrumento destinado a fomentar firmemente el comercio, debería ser hecha efectiva por acuerdos comerciales que incluyan reducciones o exenciones arancelarias;

“Que las partes contratantes deben reservarse el derecho de reducir o eliminar los derechos aduaneros a las importaciones similares de otros países; y

“Que tales preferencias arancelarias regionales no deben impedir ningún amplio programa de reconstrucción económica que contemple la reducción de aranceles y la reducción o eliminación de preferencias tarifarias y otras preferencias comerciales con el propósito de lograr el más amplio desarrollo del comercio internacional sobre una base multilateral e incondicional de la nación más favorecida”.

Ruego a Vuestra Excelencia aceptar las seguridades de mi más elevada y distinguida consideración,

ALBERTO LLERAS

A Su Excelencia el Señor

JOHN C. WILEY,

*Embajador Extraordinario y
Ministro Plenipotenciario de
los Estados Unidos de América.*

Presente.

Translation

MINISTRY OF
FOREIGN AFFAIRS

Bogotá, April 17, 1945

CM. 415.-

MR. AMBASSADOR:

With reference to the contractual formula for preferential tariffs between contiguous or neighboring countries, contemplated in Resolution Number LXXX of the Seventh Inter-American Conference, approved December 24, 1933, as well as in the Recommendation adopted by the Inter-American Financial and Economic Advisory Committee September 18, 1941, I have the honor to make the following statement to Your Excellency:

In Article 5 of the Treaty of Commerce between Colombia and Ecuador of July 6, 1942- which with its Additional Convention of October 14, 1943 was approved by the National Congress according to Law 103 of 1944-, the entry into Colombia is permitted, free of import duties, of certain products originating in and coming from Ecuador, as itemized in a list.

However, since Article VII of the Trade Agreement between Colombia and the United States, signed September 13, 1935, provides that each of the two countries shall grant the other unconditional and unrestricted most-favored-nation treatment in all customs matters, I very respectfully request Your Excellency to inform me whether the Government of the United States would agree not to resort to this

provision for the purpose of claiming the benefit of the exclusive customs tariff preferences granted by Colombia to Ecuador.

In formulating this inquiry, I avail myself of the opportunity to reiterate to the Government of the United States, through the high intermediary of Your Excellency, the assurance that my Government is completely in accord with the principle of unconditional most-favored-nation treatment for the multilateral development of international trade, and that it has very clearly in mind that the exception now proposed to said principle is limited to what is set forth in the aforementioned Resolution LXXX of Montevideo, as well as to the three following requirements of the Recommendation of the Inter-American Financial and Economic Advisory Committee:

“That any such tariff preferences, in order to be an instrument for sound promotion of trade, should be made effective through trade agreements embodying tariff reductions or exemptions;

“That the parties to such agreements should reserve the right to reduce or eliminate the customs duties on like imports from other countries; and

“That any such regional tariff preferences should not be permitted to stand in the way of any broad program of economic reconstruction involving the reduction of tariffs and the scaling down or elimination of tariff and other trade preferences with a view to the fullest possible development of international trade on a multilateral unconditional most-favored-nation basis.”

I beg Your Excellency to accept the assurance of my highest and most distinguished consideration.

ALBERTO LLERAS

His Excellency JOHN C. WILEY,
Ambassador Extraordinary and
Minister Plenipotentiary of the
United States of America.
City.

The American Ambassador to the Colombian Minister for Foreign Affairs

EMBASSY OF THE
 UNITED STATES OF AMERICA

No. 27

Bogotá, April 17, 1945.

EXCELLENCY:

I have the honor to acknowledge receipt of Your Excellency's note no. CM-415 of April 17, 1945, in which you mention the contractual formula for tariff preferences to contiguous countries contemplated in Resolution LXXX of the Seventh Inter-American Conference, which was approved on December 24, 1933, and in the recommendation adopted by the Inter-American Financial and Economic Advisory Committee on September 18, 1941. In this connection you refer to

Department of
 State Publication
 666.

the exclusive tariff preferences to Ecuador provided for in Article V of the Treaty of Commerce between Colombia and that country signed on July 6, 1942 and amended on October 14, 1943.

You inquire whether the Government of the United States of America will agree, on the basis of this formula, to refrain from claiming, under the provisions of Article VII of the trade agreement between our two countries signed on September 13, 1935, the benefit of the tariff preferences to Ecuador specifically provided for in the above-mentioned treaty.

49 Stat. 3882.

I have the honor to state that my Government, while recognizing its adherence to the formula recommended by the Inter-American Financial and Economic Advisory Committee, desires to call attention to the fact that, mindful of the fourth and fifth principles of the Atlantic Charter, it attaches great importance to the final requirement quoted in Your Excellency's note which states that regional preferences should not be permitted to stand in the way of any broad program of economic reconstruction involving the reduction of tariffs and the scaling down or elimination of tariff and other trade preferences with a view to the fullest possible development of international trade on a multilateral unconditional most-favored-nation basis.

With these considerations in view, the Government of the United States agrees not to invoke the pertinent provisions of the trade agreement between our two countries for the purpose of claiming the benefit of the tariff preferences to Ecuador provided in Article V of the Treaty of Commerce between Colombia and Ecuador.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN C. WILEY

His Excellency

ALBERTO LLERAS CAMARGO,

Minister of Foreign Affairs of Colombia.

Agreement between the United States of America and Norway respecting relations between armed forces in Iceland. Effected by exchange of notes signed at London August 28, 1942; effective August 28, 1942.

August 28, 1942
[E. A. S. 497]

*The American Ambassador to the Norwegian Minister for
Foreign Affairs*

EMBASSY OF THE
UNITED STATES OF AMERICA
near the Royal Norwegian Government.

No. 101.

LONDON, August 28, 1942.

EXCELLENCY:

Acting under instructions from my Government, I have the honor to signify my Government's agreement to the following arrangements for regulating military relations between the Armed Forces of the United States and of Norway in Iceland.

Recognizing the advantages of preserving the principle of unity of command in Iceland, it is agreed that since the British Forces in Northeast Iceland have been relieved by United States troops, the independent Norwegian Company stationed at Akureyri, formerly under British command, shall be placed under the operational control of the Commanding General, United States Army Iceland Base Command.

The Norwegian Company shall be placed at the disposal of the United States Commanding General as a Norwegian training unit in winter warfare and for carrying out winter patrol missions in the Akureyri area. However, since the original purpose of the Company was to serve as a depot for the Norwegian detachment garrisoning Jan Mayen Island, the United States Commanding General shall make use of the Company in such a way that this purpose is fulfilled.

The Norwegian Company in Iceland shall be furnished by the Norwegian Government with necessary clothing, equipment and weapons. However, special winter equipment shall be issued by the United States authorities to the extent that the United States Commanding Officer deems desirable. The United States authorities shall provide the Company with rations, quarters and medical service, on the same scale as furnished American forces stationed in Iceland, and also effect repairs to clothes and equipment, insofar as facilities permit. The cost to the United States of all such equipment, supplies and services shall be refunded by the Norwegian Government, which shall also be responsible for the pay of Norwegian personnel. However, transportation essential for the employment of the Company by United States military authorities shall be at the expense of the United States.

The personnel of the Norwegian Company shall continue to be subject to Norwegian civil and military jurisdiction and Norwegian disciplinary authority.

The Norwegian Government reserves to itself the right to withdraw this personnel, in whole or in part, if a situation should develop rendering advisable its detail to other tasks.

The foregoing arrangement shall enter into effect as of this date and shall remain in force until either party notifies the other of its desire to terminate or modify it.

Accept, Excellency, the renewed assurances of my highest consideration.

A. J. DREXEL BIDDLE, Jr.

His Excellency

Monsieur TRYGVE LIE,

*Royal Norwegian Minister for Foreign Affairs,
London.*

*The Norwegian Minister for Foreign Affairs to the American
Ambassador*

ROYAL NORWEGIAN MINISTRY
OF FOREIGN AFFAIRS

KINGSTON HOUSE,
PRINCES GATE,
LONDON, S.W.7.

28th August 1942

YOUR EXCELLENCY,

I have the honour to signify my Government's agreement to the following arrangements for regulating military relations between the Armed Forces of the United States and of Norway in Iceland.

Recognising the advantages of preserving the principle of unity of command in Iceland, it is agreed that since the British Forces in Northeast Iceland have been relieved by United States troops, the independent Norwegian Company stationed at Akureyri, formerly under British command, shall be placed under the operational control of the Commanding General, United States Army Iceland Base Command.

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scale as furnished American forces stationed in Iceland, and also effect repairs to clothes and equipment, insofar as facilities permit. The cost to the United States of all such equipment, supplies and services shall be refunded by the Norwegian Government, which shall also be responsible for the pay of Norwegian personnel. However, transportation essential for the employment of the Company by United States military authorities shall be at the expense of the United States.

The personnel of the Norwegian Company shall continue to be subject to Norwegian civil and military jurisdiction and Norwegian disciplinary authority.

The Norwegian Government reserves to itself the right to withdraw this personnel, in whole or in part, if a situation should develop rendering advisable its detail to other tasks.

The foregoing arrangement shall enter into effect as of this date and shall remain in force until either party notifies the other of its desire to terminate or modify it.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

TRYGVE LIE

His Excellency

The Hon. ANTHONY J. DREXEL BIDDLE, Jr.,

Ambassador of the United States of America,

etc., etc., etc.

Agreement between the leaders of the three Great Powers—the United States of America, the Union of Soviet Socialist Republics, and the United Kingdom of Great Britain and Northern Ireland regarding Japan. Signed at Yalta February 11, 1945.

February 11, 1945
[E. A. S. 498]

AGREEMENT REGARDING JAPAN

- 1 Signed English Text
- 2 Signed Soviet Text

AGREEMENT

The leaders of the three Great Powers – the Soviet Union, the United States of America and Great Britain – have agreed that in two or three months after Germany has surrendered and the war in Europe has terminated the Soviet Union shall enter into the war against Japan on the side of the Allies on condition that:

1. The status quo in Outer-Mongolia (The Mongolian People's Republic) shall be preserved;

2. The former rights of Russia violated by the treacherous attack of Japan in 1904 shall be restored, viz:

(a) the southern part of Sakhalin as well as all the islands adjacent to it shall be returned to the Soviet Union,

(b) the commercial port of Dairen shall be internationalized, the preeminent interests of the Soviet Union in this port being safeguarded and the lease of Port Arthur as a naval base of the USSR restored,

(c) the Chinese-Eastern Railroad and the South-Manchurian Railroad which provides an outlet to Dairen shall be jointly operated by the establishment of a joint Soviet-Chinese Company it being understood that the preeminent interests of the Soviet Union shall be safeguarded and that China shall retain full sovereignty in Manchuria;

3. The Kuril islands shall be handed over to the Soviet Union.

It is understood, that the agreement concerning Outer-Mongolia and the ports and railroads referred to above will require concurrence of Generalissimo Chiang Kai-Shek. The President will take measures in order to obtain this concurrence on advice from Marshal Stalin.

The Heads of the three Great Powers have agreed that these claims of the Soviet Union shall be unquestionably fulfilled after Japan has been defeated.

For its part the Soviet Union expresses its readiness to conclude with the National Government of China a pact of friendship and alliance between the USSR and China in order to render assistance to China with its armed forces for the purpose of liberating China from the Japanese yoke.

February 11, 1945

И. СТАЛИН [1]
FRANKLIN D ROOSEVELT
WINSTON S. CHURCHILL

¹[Romanization: J. STALIN]

СОГЛАШЕНИЕ.

Руководители трех Великих Держав — Советского Союза, Соединенных Штатов Америки и Великобритании — согласились в том, что через два-три месяца после капитуляции Германии и окончания войны в Европе Советский Союз вступит в войну против Японии на стороне Союзников при условии:

1. Сохранения status quo Внешней Монголии (Монгольской Народной Республики);

2. Восстановления принадлежавших России прав, нарушенных восстанием Японии в 1904 г., а именно:

а) возвращения Советскому Союзу южной части о. Сахалина и всех прилегающих к ней островов;

б) интернационализация торгового порта Дайрена с обеспечением преимущественных интересов Советского Союза в этом порту и восстановление аренды на Порт-Артур, как на военноморскую базу СССР;

в) совместной эксплуатации Китайско-Восточной железной дороги и Южно-Манчжурской железной дороги, дающей выход на Дайрен, на началах организации смешанного Советско-Китайского Общества с обеспечением преимущественных интересов Советского Союза, при этом имеется в виду, что Китай сохраняет в Манчжурии полный суверенитет.

3. Передачи Советскому Союзу Курильских островов.

Предполагается, что соглашение относительно Внешней Монголии и вышеупомянутых портов и железных дорог потребует согласия генералиссимуса Чан Кай-ши. По совету Маршала И. В. Сталина Президент примет меры к тому, чтобы было получено такое согласие.

Главы Правительств трех Великих Держав согласились в том, что эти претензии Советского Союза должны быть безусловно удовлетворены после победы над Японией.

Со своей стороны Советский Союз выражает готовность заключить с Национальным Китайским Правительством пакт о дружбе и союзе между СССР и Китаем для оказания ему помощи своими вооруженными силами в целях освобождения Китая от японского ига.

1945, 11 февраль

И. Сталин.

FRANKLIN D ROOSEVELT

WINSTON S. CHURCHILL

Agreement between the United States of America and Guatemala respecting parcel post. Signed at Guatemala October 25, 1945, and at Washington November 30, 1945; effective August 1, 1945.

October 25, 1945, and
November 30, 1945
[E. A. S. 499]

**ACUERDO RELATIVO A ENCOMIENDAS POSTALES
ENTRE LA REPUBLICA DE GUATEMALA Y
LOS ESTADOS UNIDOS DE AMERICA.**

**PARCEL POST AGREEMENT BETWEEN
THE REPUBLIC OF GUATEMALA AND
THE UNITED STATES OF AMERICA.**



ACUERDO RELATIVO A ENCOMIENDAS POSTALES ENTRE LA REPUBLICA DE GUATEMALA Y LOS ESTADOS UNIDOS DE AMERICA.

Con el propósito de llegar a un convenio para la extensión del servicio de paquetas postales entre los Estados Unidos de América (incluyéndose Alaska, Hawaii, Puerto Rico, Guam, Samoa y las Islas Vírgenes de los Estados Unidos) y la República de Guatemala, en virtud del cual debe quedar comprendido el aseguramiento, el suscrito,

Director General de Correos de los Estados Unidos de América, y de la República de Guatemala, debidamente investidos con la autoridad necesaria, acuerdan aprobar los siguientes artículos:

ARTÍCULO 1.

Declaración de valor.

1. Las Administraciones de los Estados Unidos de América, incluyéndose Alaska, Hawaii, Puerto Rico, Guam, Samoa y las Islas Vírgenes de los Estados Unidos, por una parte, y de la República de Guatemala, por otra parte, convienen en realizar el servicio de encomiendas con valor declarado hasta el límite máximo de \$100.00, previo pago por el remitente de las tasas especiales suplementarias que cada uno de los mencionados países de origen establezca en su propia jurisdicción. Estos derechos suplementarios quedan a beneficio exclusivo de la Administración de origen.

Maximum limit.

PARCEL POST AGREEMENT BETWEEN THE REPUBLIC OF GUATEMALA AND THE UNITED STATES OF AMERICA.

For the purpose of concluding arrangements for the extension of the parcel-post service between the United States of America (including Alaska, Hawaii, Puerto Rico, Guam, Samoa and the Virgin Islands of the United States) and the Republic of Guatemala, to include the insurance of parcels, the undersigned,

Postmaster General of the United States of America, and of the Republic of Guatemala, by virtue of authority vested in them, have agreed upon the following articles:

ARTICLE 1.

Insurance.

1. The Administrations of the United States of America (including Alaska, Hawaii, Puerto Rico, Guam, Samoa, and the U. S. Virgin Islands) on one hand and of the Republic of Guatemala on the other hand, agree to execute the service of parcels with an insured value up to the maximum limit of \$100.00, upon payment by the sender of such special additional fees as each of the countries of origin mentioned may establish in its own service. Such additional fees accrue in their entirety to the Administration of origin.

2. Las encomiendas que contengan piezas de moneda, metales preciosos, joyas o demás objetos preciosos, deberán obligatoriamente expedirse con valor declarado.

3. El remitente podrá declarar las encomiendas facultativamente por el valor total de su contenido o por una parte de tal valor solamente.

ARTÍCULO 2.

Indemnizaciones.

1. Salvo los casos previstos en el artículo siguiente, las Administraciones responderán por la pérdida de las encomiendas con valor declarado depositadas en uno de los países contratantes para ser entregadas en el otro país y por la pérdida, expoliación o avería de su contenido o una parte de él.

El remitente o otra persona autorizada tendrá derecho a una indemnización que corresponda al monto efectivo de la pérdida, expoliación o avería. La indemnización se calculará de acuerdo con el valor efectivo (el precio corriente) de las mercaderías de la misma clase en el lugar y en la época en que las mismas hayan sido aceptadas para el transporte, siempre que la indemnización no podrá en ningún caso exceder del monto de que la encomienda fué asegurada y en que el derecho de seguro ha sido cobrado, o el monto máximo de \$100.00. A falta de precios corrientes, la indemnización se calculará de acuerdo con el valor ordinario de la mercancía avaluada sobre las mismas bases.

2. No se pagara ninguna indemnización por la avería indirecta ni por los beneficios no realizados que resulten de la pérdida, de la expo-

2. Parcels containing coin, precious metals, jewelry, or other precious articles must be sent insured.

3. Parcels may be insured for their total value or for only part of their total value, at the option of the sender.

ARTICLE 2.

Indemnity.

1. Except in the cases mentioned in the article following, the Administrations are responsible for the loss of insured parcels mailed in one of the two contracting countries for delivery in the other and for the loss, abstraction of, or damage to their contents, or a part thereof.

The sender, or other rightful claimant, is entitled to compensation corresponding to the actual amount of the loss, abstraction or damage. The amount of indemnity is calculated on the basis of the actual value (current price, or, in the absence of current price, the ordinary estimated value) at the place where and the time when the parcel was accepted for mailing, provided in any case that the indemnity may not be greater than the amount for which the parcel was insured and on which the insurance fee has been collected, or the maximum amount of \$100.00.

2. No indemnity is paid for indirect damages or loss of profits resulting from the loss, rifling, damage, non-delivery, misdelivery,

Coin, precious metals, etc.

Compensation.

Indirect damages, etc.

liación, de la avería, de la falta de entrega, de la entrega errónea, o de la demora de una encomienda con valor declarado expedida de acuerdo con las estipulaciones de este acuerdo.

Return of postal charges.

3. En el caso de que hubiere de pagarse una indemnización por la pérdida de una encomienda o por la destrucción o expoliación completa de todo su contenido, el expedidor tendrá además derecho a la devolución de las tasas postales cuando las reclame. Sin embargo, los derechos de seguro no se devolverán en ningún caso.

3. In the case where indemnity is payable for the loss of a parcel or for the destruction or abstraction of the whole of the contents thereof, the sender is entitled to return of the postal charges, if claimed. However, the insurance fees are not in any case returned.

Loss of transit insured parcels.

4. A falta del acuerdo en contrario entre los países interesados (acuerdo que puede hacerse por correspondencia) no se pagará indemnización por la pérdida, la expoliación o la avería de encomiendas con valor declarado en tránsito, esto es, por las encomiendas con valor declarado originarias de uno de los dos países contratantes y destinadas a otros países que no participaren en este acuerdo, o por los envíos asegurados originarios de algún otro país que no participare en este acuerdo y destinados a uno de los dos países contratantes.

4. In the absence of special agreement to the contrary between the countries involved, which agreement may be made by correspondence, no indemnity will be paid by either country for the loss, rifling, or damage of transit insured parcels, that is, parcels originating in a country not participating in this agreement and destined for one of the two contracting countries or parcels originating in one of the two contracting countries and destined for a country not participating in this agreement.

Insured parcels re-forwarded or returned to a third country.

5. Cuando una encomienda originaria de un país destinada al otro país se reexpida desde el país de destinación primitiva a un tercer país o se devuelva a un tercer país, a solicitud del remitente o del destinatario, el reclamante autorizado tendrá derecho solamente a tal indemnización por cualquiera pérdida, expoliación o avería que ocurra después de la reexpedición o devolución del envío por el país de su primitiva destinación, y que el país en donde ocurriere la pérdida, expoliación o avería deseara pagar o estuviere obligado a pagar de conformidad

5. When an insured parcel originating in one country and destined to be delivered in the other country is reforwarded from there to a third country or is returned to a third country at the request of the sender or of the addressee, the party entitled to indemnity in case of loss, rifling, or damage occurring subsequent to the reforwarding or return of the parcel by the original country of destination, can lay claim, in such a case, only to the indemnity which the country where the loss, rifling, or damage occurred consents to pay, or which that country is obliged

con algún acuerdo existente entre los países directamente interesados en la reexpedición o devolución. Cualquier país adherido a este acuerdo que indebidamente reexpida una encomienda con valor declarado a un tercer país, será responsable dentro de los mismos límites que el país de origen para con el remitente, quedando sujeto a las restricciones, fijadas por el presente acuerdo.

6. El remitente será responsable de los defectos en el embalaje y de la insuficiencia del cierre y de los sellos de las encomiendas con valor declarado. Además, las dos Administraciones estarán exentas de toda responsabilidad en caso de pérdida, expoliación o avería que sea causada por defectos que no se noten en la época del depósito.

to pay in accordance with the agreement made between the countries directly interested in the reforwarding or return. Either of the two countries signing the present agreement which wrongly forwards an insured parcel to a third country is responsible to the sender to the same extent as the country of origin, that is, within the limits of the present agreement.

6. The sender is responsible for defects in the packing and insufficiency in the closing and sealing of insured parcels. Moreover, the two Administrations are released from all responsibility in case of loss, rifling, or damage caused by defects not noticed at the time of mailing.

Defects in packing.

ARTÍCULO 3.

Excepciones al principio de la responsabilidad.

Las Administraciones estarán exentas de toda responsabilidad:

(a) De las encomiendas cuyas destinatarios hayan aceptado la entrega sin reservas. En caso de las encomiendas dirigidas "en cargo", la responsabilidad cesará cuando ellas hayan sido entregadas al destinatario mencionado en primer término y su recibo haya sido obtenido.

(b) En caso de la pérdida o avería debida a un caso de fuerza mayor.

(c) Cuando no puedan dar cuenta de las encomiendas por causa de la destrucción de los archivos debido a un caso de fuerza mayor, y siempre que la prueba de su responsabilidad no puede comprobarse en cualquiera otra forma.

ARTICLE 3.

Exceptions to the principle of responsibility.

The Administrations are released from all responsibility:

(a) In case of parcels of which the addressee has accepted delivery without reservation. In the case of "in care" parcels, responsibility ceases when delivery has been made to the addressee first mentioned and his receipt has been obtained.

(b) In case of loss or damage through force majeure.

(c) When, their responsibility not having been proved otherwise, they are unable to account for parcels in consequence of the destruction of official documents through force majeure.

(d) Cuando el daño haya sido causado por falta o negligencia del remitente, del destinatario o del representante de uno u otro o provenga de la naturaleza del objeto.

(d) When the damage has been caused by the fault or negligence of the sender or the addressee or the representative of either, or when it is due to the nature of the article.

(e) Cuando se trate de encomiendas que contengan los objetos prohibidos.

(e) For parcels which contain prohibited articles.

(f) En caso de que el remitente de una encomienda con valor declarado, con la intención de defraudar pretende que el contenido valga más que su valor real; este artículo no podrá perjudicar ningún procedimiento judicial necesitado por la legislación del país de origen.

(f) In case the sender of an insured parcel, with intent to defraud, declares the contents to be above their real value; this rule, however, shall not prejudice any legal proceedings necessitated by the legislation of the country of origin.

(g) Cuando se trate de encomiendas confiscadas por la aduana debido a falsa declaración de su contenido.

(g) For parcels seized by the Customs because of false declaration of contents.

(h) Cuando ninguna reclamación o aplicación de indemnización haya sido presentada por el interesado o por su representante dentro de un año a contarse desde el día siguiente al de la imposición de la encomienda con valor declarado.

(h) When no inquiry or application for indemnity has been made by claimant or his representative within a year commencing with the day following the posting of the insured parcel.

(i) De las encomiendas que contengan artículos de ningún valor intrínseco, o sujetos a descomposición o que no se conformaren a las estipulaciones de este acuerdo, o que no hubieren sido depositadas en la forma prescrita; pero el país responsable de la pérdida, expropiación o avería, puede pagar indemnización por dichas encomiendas, sin necesidad de recurso a la otra Administración.

(i) For parcels which contain matter of no intrinsic value, or perishable matter, or which did not conform to the stipulations of this agreement, or which were not posted in the manner prescribed; but the country responsible for the loss, rifling, or damage may pay indemnity in respect of such parcels without recourse to the other Administration.

ARTÍCULO 4.

ARTICLE 4.

Cese de la responsabilidad.

Termination of responsibility.

Las Administraciones dejarán de ser responsables por las en-

Administrations cease to be responsible for parcels of which they

comiendas cuya entrega hubieren efectuado en las condiciones prescritas por sus reglamentos internos para los envíos de la misma naturaleza.

Sin embargo, la responsabilidad se mantendrá cuando el destinatario o, en caso de devolución, el remitente, formule reservas al recibir una encomienda expoliada o averiada.

have effected delivery in accordance with their internal regulations for parcels of the same nature.

Responsibility is, however, maintained when the addressee or, in case of return, the sender makes reservations in taking delivery of a parcel the contents of which have been abstracted or damaged.

ARTÍCULO 5.

Pago de la indemnización.

La obligación de pagar una indemnización así como las tasas postales que deban restituirse, corresponderá a la Administración de la cual dependa la oficina expedidora de la encomienda, conservando dicha Administración el derecho de recurrir contra la Administración responsable. Sin embargo, en casos en donde la indemnización haya sido pagada al destinatario de acuerdo con el segundo párrafo del parágrafo 1, artículo 2, corresponderá a la Administración destinataria.

ARTÍCULO 6.

Plazo para el pago de la indemnización.

1. El pago de la indemnización deberá efectuarse al interesado lo más pronto posible, y a más tardar en el plazo de un año a partir del día siguiente al de la reclamación.

La Administración a la cual corresponda dicho pago, podrá posponerlo excepcionalmente más allá de este plazo, cuando a la expiración de ese plazo, no ha podido deslindarse la cuestión de la responsabilidad o de la disposición que se hubiere dado al artículo en cuestión.

ARTICLE 5.

Payment of indemnity.

The obligation to pay compensation, as well as the postage charges due to be refunded, rests with the Administration to which the office of origin of the parcel is subordinate. However, in cases where the compensation is paid to the addressee in accordance with Article 2, Section 1, second paragraph, the obligation shall rest with the Administration of destination. The paying Administration retains the right to make a claim against the Administration responsible.

ARTICLE 6.

Period for payment of compensation.

1. The payment of compensation for an insured parcel shall be made to the rightful claimant as soon as possible and at the latest within a period of one year counting from the day following that on which the application is made.

However, the Administration responsible for making payment may exceptionally defer payment of indemnity for a longer period than that stipulated if, at the expiration of that period, it has not been able to determine the disposition made of the article in question or the responsibility incurred.

Ante, p. 1829.

2. Salvo los casos en donde se ha pospuesto el pago según las disposiciones del segundo párrafo del párrafo precedente, la Administración postal que asume el pago de la indemnización estará autorizada para indemnizar al interesado por cuenta de la Administración que reglamentariamente requerida, ha dejado transcurrir nueve meses sin solucionar el asunto.

ARTÍCULO 7.

Determinación de la responsabilidad.

1. Hasta prueba en contrario, la responsabilidad corresponderá a la Administración que, habiendo recibido la encomienda sin observación alguna y estando en posesión de todos los medios reglamentarios de investigación, no pueda comprobar la disposición de la encomienda.

2. Cuando la pérdida, la expoliación o la avería de una encomienda con valor declarado sea descubierta al abrir el receptáculo en la oficina destinataria de cambio y haya sido señalado a la oficina de cambio expedidora, la responsabilidad corresponderá a la Administración de que dependa la oficina de cambio expedidora, a no ser que se comprueba que la irregularidad ha ocurrido en el servicio de la Administración destinataria.

3. Si la pérdida, expoliación o avería se produce en el curso del transporte, sin que fuere posible comprobar en el territorio o servicio de qué país ocurrió el hecho, las Administraciones en causa soportarán el perjuicio por partes iguales.

4. La Administración que hubiere efectuado el pago de la indemnización quedará subrogada, hasta

2. Except in cases where payment is exceptionally deferred as provided in the second paragraph of the foregoing section, the Postal Administration which undertakes payment of compensation is authorized to pay indemnity on behalf of the Office which, after being duly notified of the application for indemnity, has let nine months pass without settling the matter.

ARTICLE 7.

Fixing of responsibility.

1. Until the contrary is proved, responsibility for an insured parcel rests with the Administration which, having received the parcel without making any reservations and being put in possession of all the regulation means of investigation, cannot establish the disposal of the parcel.

2. When the loss, rifling, or damage of an insured parcel is detected upon opening the receptacle at the receiving exchange office, and has been regularly pointed out to the dispatching exchange office, the responsibility falls on the Administration to which the latter office belongs, unless it be proved that the irregularity occurred in the service of the receiving Administration.

3. If the loss, rifling, or damage has taken place in the course of transportation, without its being possible to establish on the territory or in the service of which country the act took place, the Offices involved bear the loss in equal shares.

4. The Administration paying compensation takes over, to the extent of the amount paid, the

conurrencia del monto de dicha indemnización, en los derechos de la persona que la hubiere recibido, para todo recurso eventual, ya fuere contra el destinatario, contra el remitente o contra terceros.

5. En caso de localización ulterior de una encomienda considerada como extraviada, la persona a quien se hubiere pagado la indemnización deberá ser avisada de que puede tomar posesión del envío contra la restitución del monto cobrado.

rights of the person who has received it, in any action which may be taken against the addressee, the sender, or a third party.

5. If a parcel which has been regarded as lost is subsequently found, the person to whom compensation has been paid must be informed that he is at liberty to take possession of the parcel against repayment of the amount of compensation.

ARTÍCULO 8.

Reembolso de la compensación.

1. La Administración responsable de la pérdida, la expoliación, o la avería o por cuenta de la cual se hubiere efectuado el pago estará obligada a reembolsar al país que haya efectuado el pago, dentro de un plazo de nueve meses a contar del envío de la notificación del pago, el monto de la indemnización efectivamente pagada.

2. El reembolso a la Administración acreedora se efectuará sin gastos para la misma, ya sea mediante un giro postal o cheque en moneda de curso legal en el país acreedor o por cualquier otro medio que se haya convenido mutuamente por correspondencia.

ARTÍCULO 9.

Acondicionamiento de las encomiendas.

1. Como en caso de las encomiendas ordinarias, el nombre y dirección del remitente y del destinatario deberá escribirse en caracteres claros y correctos sobre la misma encomienda o sobre un rótulo atado sólidamente a esta última. En los casos de las encomiendas que llevan la dirección inscrita tan solo en el rótulo por

ARTICLE 8.

Repayment of compensation.

1. The Administration responsible for the loss, rifling, or damage and on whose account the payment is effected, is bound to repay the amount of the indemnity to the country which has effected payment. This reimbursement must take place without delay and, at the latest, within the period of nine months after notification of payment.

2. These repayments to the creditor Administration must be made without expense for that Office by money order or draft, in money valid in the creditor country, or in any other way to be mutually agreed upon by correspondence.

ARTICLE 9.

Preparation of parcels.

1. As in the case of ordinary parcels, the name and address of the sender and of the addressee must be legibly and correctly written in every case, on the parcel itself, when possible, or on a label gummed thereto. In the case of parcels addressed by tag only, because of their shape or size, the name and address of the

razones de su forma o tamaño, el nombre y la dirección del remitente y destinatario deberán inscribirse, además, por separado, en una faja de papel que deberá incluirse dentro del envío aunque se recomendará incluir esas fajas también en toda clase del envío.

No se admitirán las encomiendas que estuvieren dirigidas con iniciales a menos de que esas iniciales correspondan o estén adoptadas como equivalentes de los nombres de los remitentes y destinatarios.

Los remitentes de encomiendas dirigidas a bancos u otras organizaciones similares, para ser luego entregadas a segundos destinatarios, declararán en las cubiertas de sus envíos los nombres exactos y las direcciones completas de las personas destinatarias.

No se admitirán direcciones escritas a lápiz; sin embargo, se aceptarán las encomiendas cuya dirección halle escrita a lápiz indeleble sobre un fondo previamente mojado.

2. Como en caso de encomiendas ordinarias, las encomiendas con valor declarado deberán embalarse de acuerdo con la seguridad del contenido y la duración del transporte.

3. En cuanto de encomiendas con valor declarado la declaración del valor deberá expresarse en la moneda del país de origen y inscribirse sobre la encomienda en caracteres latinos. El monto de la declaración de valor deberá inscribirse también en la declaración de aduana.

4. Las encomiendas con valor declarado deberán sellarse mediante de sellos de cera o por cualquier otro medio, aunque el país destinatario podrá abrirlos a fin de inspeccionar el contenido. Las encomiendas abiertas con ese

sender and of the addressee must also be written on a separate slip which slip must be enclosed in the parcel, but it is recommended that such address slips be enclosed in all parcels.

Parcels will not be accepted when sent by or addressed to initials, unless the initials are the adopted trade name of the senders or addressees.

The senders of parcels addressed to banks or other organizations for delivery to second addressees will be obliged to state, on the labels or wrappers thereof, the exact names and addresses of the persons for whom such parcels are intended.

Addresses in ordinary pencil are not allowed, but indelible pencil may be used on a previously dampened surface.

2. As in the case of ordinary parcels, every insured parcel shall be packed in a manner adequate for the protection of the contents and the length of the journey.

3. For insured parcels, the amount of insured value must appear on the parcel in currency of the country of origin and in Roman letters. The amount of the insured value must also be indicated on the customs declaration.

4. Insured parcels must be closed and securely sealed with wax or otherwise, but the country of destination shall have the right to open them (including the right to break the seals) in order to inspect the contents. Parcels

motivo han de cerrarse luego y sellarse de oficio.

Cualquiera de las Administraciones podrá exigir que los remitentes utilicen una marca o impresión especial para sellar sus encomiendas con valor declarado, como medida de seguridad.

5. Las encomiendas con valor declarado deberán ir provistas de una marca, un rótulo o un sello que lleve la mención "Insured" o "Valeur déclarée" (valor declarado) de manera distinguible y clara sobre la cara de la dirección. El número correspondiente al de aseguramiento, se lo pondrá luego a continuación, sobre cada una de las encomiendas. La declaración de aduana, si no estuviere pegada al envío, deberá igualmente marcarse, rotularse o sellarse con la misma mención.

6. Los rótulos o sellos postales colocados sobre las encomiendas con valor declarado deberán espaciarse de tal manera que no puedan esconder ninguna lesión del embalaje. No deberán tampoco colocarse sobre las dos fases del embalaje, de tal manera que cubran el borde.

ARTÍCULO 10.

Avisos de recibo y reclamaciones.

1. El remitente de una encomienda con valor declarado podrá obtener un aviso de recibo mediante el pago de tal derecho adicional, si hubiere alguno, cual el país de origen de la encomienda exija.

2. Un derecho podrá ser percibido a juicio de la Administración del país de origen por cada solicitud de información relativa a la disposición ulterior que se hubiere dado a la encomienda

which have been so opened shall be closed again and officially sealed.

Either Administration may require a special impress or mark of the sender in the sealing of insured parcels mailed in its service, as a means of protection.

5. Each insured parcel must be marked or labeled or stamped "Insured" or "Valeur déclarée" (valor declarado) in a conspicuous manner on the address side and in close proximity to such indorsement there must appear the insurance number given the parcel. The customs declaration, if not gummed to the parcel, must also be marked or labeled or stamped "Insured" or "Valeur déclarée" (valor declarado).

6. The labels or stamps on insured parcels must be so placed that they cannot serve to conceal injuries to the covers. They must not be folded over two sides of the cover so as to hide the edge.

ARTICLE 10.

Return receipts and inquiries.

1. The sender of an insured parcel may obtain an advice of delivery upon payment of such additional charge, if any, as the country of origin of the parcel shall stipulate.

2. A fee may be charged, at the option of the country of origin, on a request for information as to the disposal of the insured parcel made after it has been posted if the sender has not already paid the

con valor declarado introducida con posterioridad al deposito de la misma si el expedidor no hubiere pagado ya el derecho especial correspondiente a un aviso de recibo.

También se cobrará un derecho, a juicio del país de origen, por concepto de quejas o irregularidades que se presentaren y que a primera vista no implicaren falta del servicio postal.

3. Cada vez que se desee obtener un aviso de recibo, el remitente o la oficina de origen, escribirá o sellará sobre la encomienda, de manera clara, la mención "Se solicite aviso de recibo" o "Se requiere aviso de entrega" o simplemente las letras "A. R."

special fee to obtain an advice of delivery.

A fee may also be charged, at the option of the country of origin, in connection with any complaint of any irregularity which prima facie was not due to the fault of the Postal Service.

3. When an advice of delivery is desired, the sender or office of origin shall write or stamp on the parcel in a conspicuous manner, the words "Return receipt requested", "Advice of delivery requested" or, boldly, the letters "A. R."

ARTÍCULO 11.

Intercambio de encomiendas.

Las encomiendas con valor declarado deberán encerrarse en sacos separados de aquellos en que se ponen las ordinarias. Los rótulos correspondientes a los sacos que contienen las encomiendas con valor declarado, deberán marcarse con símbolos distintivos y en conformidad con lo que se resolviere oportunamente.

ARTÍCULO 12.

Inscripción en las hojas de ruta.

1. Las encomiendas con valor declarado se inscribirán individualmente en hojas de ruta distintas. Los siguientes datos relativos a cada encomienda con valor declarado han de inscribirse en la hoja de ruta: el número de serie del envío asegurado y la oficina (estado o país) de origen, así como la división de peso del envío lo mismo que en caso de las encomiendas ordinarias.

ARTICLE 11.

Exchange of parcels.

Insured parcels shall be inclosed in separate sacks from those in which ordinary parcels are contained and the labels of sacks containing insured parcels shall be marked with such distinctive symbols as may be agreed upon from time to time.

ARTICLE 12.

Billing of parcels.

1. Insured parcels shall be entered on separate parcel bills and shall be listed individually. The entries shall show in respect to each insured parcel the insurance number and the office (and state or country) of origin as well as an indication of the weight division to which the parcel belongs, the same as in the case of ordinary parcels.

2. En la entrada de la hoja de ruta correspondiente a una encomienda devuelta o reexpedida se expresará esa circunstancia.

3. Cada oficina de cambio expedidora deberá numerar las hojas de ruta poniendo el número correspondiente en la esquina izquierda superior, comenzándose cada año una nueva serie, para cada oficina de cambio destinataria. El último número del año deberá mencionarse en la primera hoja de ruta del año siguiente.

ARTÍCULO 13.

Verificación por las oficinas de cambio.

1. Al recibo de un despacho de encomiendas con valor declarado, la oficina de cambio destinataria procederá a verificarlo. Las inscripciones en las hojas de ruta serán exactamente verificadas. Cada error u omisión se comunicará inmediatamente a la oficina expedidora mediante un boletín de verificación. Si ningún boletín de verificación se confeccionará, se estimará que el despacho está en buen estado en todos respectos.

Si un error o irregularidad se notare al recibo de un despacho todas las piezas que se relacionen con las investigaciones que se hicieren con posterioridad, o con los exámenes de demandas por el pago de indemnización, serán conservadas.

2. La oficina de cambio expedidora a la cual se dirija un boletín de verificación lo devolverá lo más rápidamente posible, después de haberlo examinado y de haber mencionado sus observaciones, si hubiere lugar. Los boletines devueltos se anexarán a las hojas de ruta a que se refieran. Se con-

2. The entry on the bill of any returned or redirected parcel must be followed by the word "Returned" or "Redirected" as the case may be.

3. Each dispatching exchange office shall number the parcel bills in the upper left-hand corner, commencing each year a fresh series for each exchange office of destination. The last number of the year shall be shown on the parcel bill of the first dispatch of the following year.

ARTICLE 13.

Verification by the exchange office.

1. Upon receipt of a dispatch of insured parcels, the receiving exchange office proceeds to verify it. The entries in the parcel bill must be verified exactly. Each error or omission must be brought immediately to the knowledge of the dispatching exchange office by means of a bulletin of verification. A dispatch is considered as having been found in order in all regards when no bulletin of verification is made up.

If an error or irregularity is found upon receipt of a dispatch, all objects which may serve later on for investigations, or for examination of requests for indemnity, must be kept.

2. The dispatching exchange office to which a bulletin of verification is sent, returns it after having examined it and entered thereon its observations, if any. That bulletin is then attached to the parcel bills of the parcels to which it relates. Corrections made on a parcel bill which are

siderarán como nulas las correcciones efectuadas en una hoja de ruta sin estar respaldadas por piezas justificativas.

3. La oficina de cambio expedidora podrá además, si el caso así lo requiere, ser avisada por telegrama, por cuenta de la Administración que lo expida.

4. En caso de falta de una hoja de ruta, se hace confeccionar un duplicado, remitiendo una copia del mismo a la oficina de cambio de origen del despacho.

5. La oficina de cambio que recibiere de una oficina correspondiente una encomienda insuficientemente embalada o averiada, deberá darle curso después de haberla empacado de nuevo, si hubiere lugar, conservando hasta donde fuere posible el embalaje primitivo.

Si la avería fuere de tal naturaleza que el contenido del envío hubiere podido sustraerse, la oficina deberá proceder ante todo a la apertura de oficio de la encomienda y a la verificación de su contenido.

En los dos casos el peso de la encomienda deberá comprobarse antes y después del nuevo embalaje y indicarse sobre la envoltura misma de la encomienda. Esta indicación irá acompañada de la mención "Repacked at . . ." (Reempacada en . . .) junto con la firma de los empleados que hayan efectuado el reempaque.

ARTÍCULO 14.

Reexpedición.

1. Una encomienda con valor declarado reexpedida dentro del país de destino, o entregada a algún destinatario suplente en la oficina original de destino se

not justified by supporting papers are considered as devoid of value.

3. If necessary, the dispatching exchange office may also be advised by telegram, at the expense of the office sending such telegram.

4. In case of shortage of a parcel bill, a duplicate is prepared, a copy of which is sent to the exchange office of origin of the dispatch.

5. The exchange office which receives from a corresponding office a parcel which is damaged or insufficiently packed must re-dispatch such parcel after repacking, if necessary, preserving the original packing as far as possible.

If the damage is such that the contents of the parcel may have been abstracted, the office must first officially open the parcel and verify its contents.

In either case, the weight of the parcel will be verified before and after repacking, and indicated on the wrapper of the parcel itself. That indication will be followed by the note "Reempacada en . . ." (Repacked at . . .) and the signature of the agents who have effected such repacking.

ARTICLE 14.

Redirection.

1. An insured parcel redirected within the country of destination or delivered to an alternate addressee at the original office of address shall be liable, the same

gravará con tal derechos adicionales cual la Administración destinataria exija, lo mismo que las encomiendas ordinarias.

2. Cuando una encomienda con valor declarado fuere reexpedida a cualquier de los dos países, éste deberá despacharse en la misma clase de correo en que fué recibida, esto es, con valor declarado y nuevos derechos de seguridad podrán ser cobrados si éstos no nubieren sido previamente cubiertos, que se harán efectivos en el momento de entrega, lo mismo que la tasa postal adicional, en beneficio de la Administración que los recaudare y fijare la cuantía.

3. Las encomiendas con valor declarado no serán reexpedidas no devueltas a otro país, a menos de que sean devueltas como encomiendas con valor declarado.

A menos que los remitentes expresen por escrito su deseo de que las encomiendas con valor declarado no sean reexpedidas a un país que no sea el país de destinación original, las encomiendas podrán reexpedirse a un tercer país, siempre que para ellas se observen las formalidades necesarias relativas a despachos de encomiendas con valor declarado.

Las encomiendas con valor declarado podrán ser devueltas al remitente en un tercer país siempre que se exprese ese deseo mediante una anotación sobre la encomienda y siempre que se reexpidan como encomiendas con valor declarado. En los casos de pérdida, expoliación o avería de una encomienda con valor declarado que ha sido reexpedida o devuelta a un tercer país, las indemnizaciones a percibirse deberán sujetarse a las estipulaciones del Artículo 2, parágrafo 5, de este acuerdo.

as ordinary parcels, to such additional charges as may be prescribed by the Administration of that country.

2. When an insured parcel is re-directed to either country it must be dispatched in the same kind of mails as received, that is, insured, and new insurance fees may, if not prepaid, be collected upon delivery as well as additional postage and retained by the Administration making the collection. The Administration making delivery shall fix the amount of such fees and postage when not prepaid.

3. Insured parcels shall not be forwarded or returned to another country unless they are forwarded or returned as insured mail.

Unless senders indorse insured parcels to indicate that they do not wish them forwarded to any country other than that of mailing or within the country of original address, they may be forwarded to a third country if they are forwarded as insured mail.

Insured parcels may be returned to the sender in a third country, in accordance with a return address on the parcels, if they can be returned as insured mail. In case of loss, rifling, or damage of an insured parcel forwarded or returned to a third country, indemnity will be paid only in accordance with the stipulations of Article 2, Section 5, of this agreement.

ARTÍCULO 15.

Falta de entrega.

1. Las encomiendas con valor declarado que no hubieren sido entregadas al destinatario, serán devueltas al remitente (en la misma forma en que fueron recibidas, o sea, como encomiendas con valor declarado), como las encomiendas ordinarias que no puedan ser entregadas. Se percibirán nuevos derechos de seguro así como también nuevas tasas postales que las cubrirá el remitente en beneficio de la oficina que efectuare el cobro.

Las encomiendas con valor declarado que no hayan sido entregadas estarán sujetas a los mismos derechos de reexpedición que las encomiendas ordinarias que no hayan sido entregadas.

2. La Administración de origen será notificada cada vez que una encomienda con valor declarado, que no ha sido entregada o devuelta, caiga en el caso de ser puesto a disposición o en él de venta por remate.

ARTÍCULO 16.

Encomiendas recibidas con falsa dirección.

Las encomiendas con valor declarado recibidas con falsa dirección, no podrán ser reexpedidas a sus destinaciones respectivas a menos de que se los trate como a tales, es decir, enviándolas como encomiendas con valor declarado. Si no se pudiere cumplir con ese requisito según sea que se trate de encomiendas con valor declarado, serán devueltas a su origen.

ARTICLE 15.

Non-delivery.

1. An insured parcel which cannot be delivered shall be returned to the sender (in the same kind of mail as received, that is, insured mail) under the same circumstances as in the case of an ordinary parcel which cannot be delivered. New insurance fees, as well as new postage may be collected from the sender and retained by the Administration making the collection.

Insured parcels which cannot be delivered will be subject to the same charges on return as ordinary parcels which are undeliverable.

2. The Administration of origin shall be notified when an insured parcel which is not delivered or is not returned to the country of origin is disposed of at auction or otherwise.

ARTICLE 16.

Missent parcels.

Missent insured parcels shall not be forwarded to their destination unless they are forwarded as insured mail. If they cannot be forwarded as insured mail, they shall be returned to the country of origin.

ARTÍCULO 17.

ARTICLE 17.

Asuntos no previstos en el acuerdo. Matters not provided for in the agreement.

1. Todos los asuntos relativos a las solicitudes de retiro del servicio o devolución de encomiendas con valor declarado, y la obtención y disposición de avisos de recibo de las mismas y el arreglo de indemnizaciones que se solicitaren por dichas encomiendas, que no se hallaren consultados en este acuerdo, serán regidos por las estipulaciones de la Convención américo-español de Paquetes Postales y de la Convención Postal Universal y de su Reglamento de Detalle, hasta donde puedan ser estas aplicables y que no sean incompatibles con las estipulaciones de este acuerdo, y luego también para el caso de que no exista otro arreglo regirá la legislación interna, reglamentos y disposiciones dictadas por los Estados Unidos y la República de Guatemala, en conformidad con el país interesado.

2. El Director General de Correos de los Estados Unidos de América y el de la República de Guatemala quedan autorizados para hacer de acuerdo, cada vez que les pareciere oportuno, y por correspondencia, cambios, modificaciones y más regulaciones de orden y detalle que estimaren necesarias para facilitar la operación de los servicios que motiva el presente acuerdo.

3. Las Administraciones se comunicarán entre ellas, cada vez que juzgaren oportuno, las nuevas disposiciones de sus leyes y reglamentos aplicables a la conducción de paquetes por los correos asegurados.

1. All matters concerning requests for recall or return of insured parcels and obtaining and disposition of return receipts therefor, and the adjustment of indemnity claims in connection therewith, not covered by this agreement, shall be governed by the provisions of the American-Spanish Parcel Post Convention and the Universal Postal Union Convention and the Detailed Regulations for its Execution, respectively, in so far as they are applicable and are not inconsistent with the provisions of this agreement, and then, if no other arrangement has been made, the internal legislation, regulations, and rulings of the United States of America and the Republic of Guatemala, according to the country involved, shall govern.

2. The Postmaster General of the United States of America and the of the Republic of Guatemala shall have authority to make from time to time by correspondence, such changes and modifications and further regulations of order and detail as may become necessary to facilitate the operation of the services contemplated by this agreement.

3. The Administrations shall communicate to each other from time to time the provisions of their laws or regulations applicable to the conveyance of parcels by insured mail.

ARTÍCULO 18.

Duración del Acuerdo.

1. El presente acuerdo se pondrá en vigencia y las diversas operaciones de que se ocupa comenzarán a surtir efecto desde la fecha fijada mutuamente entre las dos Administraciones.

2. Permanecerá en vigor hasta que una de las Administraciones contratantes haya participado a la otra, con seis meses de anticipación, su intención de terminarlo.

Cualquiera de las dos Administraciones puede suspender temporalmente los servicios de seguro, de una manera general o parcial, siempre que mediaren razones para ello, o restringirlo tan solo a ciertas oficinas; para lo cual se han de enviar las notificaciones previas y oportunas de haberse adoptado esa medida a la otra Administración, noticia que se debe enviar por la vía más expedita, si ello fuere necesario.

3. En la fecha de vigencia del servicio de seguros estipulado por este acuerdo, se discontinuará el intercambio de encomiendas registradas proporcionado por el Acuerdo Relativo a Encomiendas Postales de la Unión Postal de las Américas y España.

Hecho por duplicado y firmado en Guatemala el día 25 de octubre de 1945, y en Washington el día 30 de Noviembre de 1945.

EL DIRECTOR GENERAL
HUMBERTO DIAZ
CORONEL DE ESTADO MAYOR
LUIS HUMBERTO DIAZ

*Director General de Comunicaciones
de la República de Guatemala.*

[SEAL]

ROBERT E HANNEGAN
*Postmaster General of the
United States of America.*

ARTICLE 18.

Duration of the Agreement.

1. This agreement shall take effect and operations thereunder shall begin on a date to be mutually settled between the Administrations of the two countries.

2. It shall remain in force until one of the two contracting Administrations has given notice to the other, six months in advance, of its intention to terminate it.

Either Administration may temporarily suspend the insured service in whole or in part, when there are special reasons for doing so, or restrict it to certain offices; but on condition that previous and opportune notice of such a measure is given to the other Administration, such notice to be given by the most rapid means, if necessary.

3. On the effective date of the insurance service provided for by this agreement, the exchange of registered parcels provided by the Americo-Spanish Parcel Post Agreement will be discontinued.

Done in duplicate and signed at Guatemala the 25 day of octubre 1945, and at Washington the 30 day of November 1945.

[SEAL]

ROBERT E HANNEGAN
*Postmaster General of the
United States of America.*

EL DIRECTOR GENERAL
HUMBERTO DIAZ
CORONEL DE ESTADO MAYOR
LUIS HUMBERTO DIAZ

*Director General de Comunicaciones
de la República de Guatemala.*

[SEAL]

Signatures.

The foregoing Parcel Post Agreement between the United States of America and the Republic of Guatemala, signed at Guatemala on October 25, 1945, and at Washington on November 30, 1945, has been negotiated and concluded with my advice and consent and is hereby approved and ratified.

Approval and ratification.

IN TESTIMONY WHEREOF I have caused the Seal of the United States of America to be hereunto affixed.

HARRY S TRUMAN

[SEAL]

By the President:

DEAN ACHESON

Acting Secretary of State.

Washington, January 11, 1946

December 6, 1945
[E. A. S. 500]

Agreement between the United States of America and Portugal respecting air transport. Signed at Lisbon December 6, 1945; effective December 6, 1945. And exchange of notes.

AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND PORTUGAL

Having in mind the resolution recommending a standard form of agreement for provisional air routes and services, included in the Final Act of the International Civil Aviation Conference signed at Chicago on December 7, 1944, and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States and Portugal, the two Governments parties to this arrangement agree that the further development of air transport services between their respective territories shall be governed by the following provisions:

Department of
State Publication
2232.

ARTICLE 1

Specified rights
granted.
Post, p. 1849.

The contracting parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date, as established in paragraph (b) of Article 2.

ARTICLE 2

Operation of air
services upon author-
ization for airline; pre-
requisites.

Post, p. 1848.

(a) Subject to the other provisions of this agreement, each of the air services so described shall be placed in operation as soon as the contracting party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the contracting party granting the rights shall, subject to Article 7 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airline so designated may be required to qualify before the competent aeronautical authorities of the contracting party granting the rights under the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this agreement.

Exercise of commer-
cial rights.

(b) It is understood that either contracting party granted commercial rights under this agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

ARTICLE 3

The terms and conditions of operating rights which may have been granted previously by either contracting party to the other

[SEAL]

contracting party or to an airline of such other contracting party shall not be abrogated by the present agreement, except for any provisions included in the agreement conferring such operating rights which would prevent any airline designated under Article 2 above from operating under the present agreement.

ARTICLE 4

In order to prevent discriminatory practices and to assure equality of treatment, it is agreed that:

(a) Each of the contracting parties may impose or permit to be imposed just and reasonable charges for the use of public airports, and other facilities under its control. Each of the contracting parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

Charges for use of facilities.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one contracting party by the other contracting party or its nationals, and intended solely for use by aircraft of such other contracting party shall be accorded national treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the contracting party whose territory is entered.

Duties on fuel, lubricating oils and spare parts.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one contracting party authorized to operate the routes and services described in the Annex shall, upon arriving in or leaving the territory of the other contracting party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by such aircraft on flights in that territory.

Post, p. 1849.

ARTICLE 5

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one contracting party shall be recognized as valid by the other contracting party for the purpose of operating the routes and services described in the Annex. Each contracting party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

Recognition of validity of certain certificates and licenses.

Post, p. 1849.

ARTICLE 6

(a) The laws and regulations of one contracting party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other contracting party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of that party.

Laws and regulations.

(b) The laws and regulations of one contracting party as to the admission to or departure from its territory of passengers, crew, or cargo

of aircraft, such as regulations, relating to entry, clearance, immigration, passports, customs, and quarantine, shall be complied with by or on behalf of such passengers, crew, or cargo of the other contracting party upon entrance into or departure from, or while within the territory of the first party.

ARTICLE 7

Certain rights reserved.

Each contracting party reserves the right to withhold or revoke a certificate or permit to an airline of the other party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either party to this agreement, or in case of failure of an airline to comply with the laws of the State over which it operates, as described in Article 6 hereof, or to perform its obligations under this agreement.

ARTICLE 8

Registration of agreement.

This agreement and all contracts connected therewith, shall be registered with the Provisional International Civil Aviation Organization.

ARTICLE 9

Post, p. 1849.

In the event either of the contracting parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both contracting parties, such consultation to begin within a period of sixty days from the date of the request. When the aforementioned authorities mutually agree on new or revised conditions affecting the attached Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ARTICLE 10

Termination of agreement.
Ante, p. 1846.

This agreement or any of the rights for air transport services granted thereunder may, without prejudice to Article 3 above, be terminated by either contracting party upon giving one year's notice to the other contracting party.

ARTICLE 11

Entry into force.

This agreement including the provisions of the Annex thereto, will come into force on the day it is signed.

Done at Lisbon in duplicate in the English and Portuguese languages, each of which shall be of equal authenticity, this 6th day of December, 1945.

For the Government of the
United States of America

HERMAN B BARUCH

[SEAL]

For the Government of
Portugal

OLIVEIRA SALAZAR

ANNEX TO AIR TRANSPORT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND PORTUGAL

A. Airlines of the United States of America authorized under the present agreement are accorded rights of transit and non-traffic stop in Portuguese territory. The right to pick up and discharge international traffic in passengers, cargo and mail at the Azores, Lisbon and Macao is granted on the following routes:

Rights accorded.

1. United States to the Azores to Lisbon and beyond to (a) London and (b) Barcelona and points beyond; in both directions.

2. United States to Lisbon (the airline operating this route will have the right of non-traffic stop at the Azores) thence to Madrid and points beyond; in both directions.

3. United States via intermediate points in the Pacific to Macao thence to Hongkong (and/or Canton); in both directions.

B. Airlines of Portugal authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of the United States, as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at New York, on the following route:

1. Lisbon via the Azores and Bermuda to New York; in both directions.

December 6, 1945.

ACÔRDO DE TRANSPORTES AÉREOS ENTRE PORTUGAL E OS ESTADOS UNIDOS DA AMÉRICA

Tendo em atenção a resolução que recomenda o modelo de acôrdo para rotas e serviços aéreos provisórios, incluído na acta final da Conferência Internacional de Aviação Civil assinada em Chicago em 7 de Dezembro de 1944, e o desejo de mutuamente estimular e promover o sã desenvolvimento económico do transporte aéreo entre Portugal e os Estados Unidos, os dois Governos partes neste acôrdo acordam em que o ulterior desenvolvimento dos serviços de transporte aéreo entre os seus respectivos territórios seja subordinado às seguintes disposições:

ARTIGO 1

As partes contratantes concedem os direitos especificados no Anexo junto, necessários para o estabelecimento de rotas e serviços aéreos civis internacionais, ali descritos, quer êsses serviços sejam inaugurados imediatamente quer mais tarde, conforme o estabelecido no parágrafo (b) do Artigo 2.

ARTIGO 2

(a) Sem prejuízo das outras disposições dêste acôrdo, cada um dos serviços aéreos descritos deverá entrar em execução logo que a parte contratante a quem foi concedido pelo Artigo 1 o direito de designar uma linha ou linhas aéreas para a respectiva rota tenha autorizado uma linha aérea para tal rota, e a parte contratante que concede o direito deverá, de harmonia com o Artigo 7, dar a conveniente autorização de exploração à linha ou linhas aéreas previstas; ficando entendido que a linha aérea assim designada fica obrigada a provar, perante as autoridades aeronáuticas competentes da parte contratante que concede o direito, que se encontra em condições de cumprir as leis e regulamentos normalmente aplicados por aquelas autoridades, antes de lhe ser permitido iniciar a exploração prevista neste acôrdo.

(b) Qualquer das partes contratantes a quem são concedidos direitos por êste acôrdo, deverá pô-los em execução o mais cedo possível, excepto em caso de impossibilidade temporária.

ARTIGO 3

Os termos e condições de exercício dos direitos que prèviamente tenham sido concedidos por cada uma das partes contratantes à outra parte contratante, ou a uma linha aérea desta outra parte contratante, não serão revogados pelo presente acôrdo, excepto quanto àquelas disposições que, estando contidas no acôrdo que concede o exercício daquêles direitos, impeçam qualquer linha aérea designada no Artigo 2 de funcionar segundo o presente acôrdo.

ARTIGO 4

A fim de evitar práticas discriminatórias e de assegurar igualdade de tratamento, acorda-se em que:

(a) Qualquer das partes contratantes poderá impôr ou autorizar a imposição de taxas justas e razoáveis para a utilização de aeroportos públicos e de outros equipamentos sob a sua jurisdição. Cada uma das partes contratantes acorda, contudo, em que as taxas não deverão ser superiores às que seriam pagas pela utilização de tais aeroportos e equipamentos pela sua aviação nacional que efectue serviços internacionais semelhantes.

(b) Aos combustíveis, óleos lubrificantes e peças sobressalentes importados no território de uma das partes contratantes pela outra parte contratante, ou seus nacionais, e exclusivamente destinados a serem utilizados pelos aviões da outra parte contratante, será concedido pela outra parte contratante em cujo território entram êstes materiais, o tratamento nacional no que se refere a pagamentos de direitos aduaneiros, taxas de inspecção e outros direitos ou encargos.

(c) Os combustíveis, óleos lubrificantes, peças sobressalentes e equipamento normal e os abastecimentos existentes a bordo de aeronaves civis das linhas aéreas de uma parte contratante autorizada a explorar as rotas e serviços descritos no Anexo, serão, à chegada ou partida do território da outra parte contratante, isentos de direitos aduaneiros, taxas de inspecção ou direitos ou encargos semelhantes, mesmo quando tais coisas sejam utilizadas ou consumidas por aquelas aeronaves em vôos nêsse território.

ARTIGO 5

Os certificados de navegabilidade, certificados de competência e licenças passados ou validados por uma parte contratante serão reconhecidos como válidos pela outra parte contratante, para exploração das rotas e serviços descritos no Anexo. Cada parte contratante reserva-se, todavia, o direito de recusar o reconhecimento no que respeita a vôos sôbre o seu território, dos certificados de competência e licenças passados aos seus nacionais por outro Estado.

ARTIGO 6

(a) As leis e regulamentos duma parte contratante relativos à entrada ou saída do seu território, de aeronaves que fazem o serviço aéreo internacional, ou relativos ao emprêgo e navegação de tais aeronaves enquanto dentro do seu território, serão aplicados às aeronaves da outra parte contratante, e deverão ser observados por estas aeronaves, à chegada, à partida e durante a permanência no território da mesma parte contratante.

(b) As leis e regulamentos de uma parte contratante relativos à entrada ou saída do seu território de passageiros, tripulação ou carga de aeronaves, tais como regulamentos referentes a entrada, saída, imigração, passaportes, alfândega e quarentena, serão observados pelos mesmos passageiros, tripulações e consignatários das mercadorias da outra parte contratante ou por quem os representar, à

chegada, partida ou durante a permanência no território da primeira parte contratante.

ARTIGO 7

Cada parte contratante reserva-se o direito de suspender ou revogar um certificado ou licença dada a uma linha aérea da outra parte, sempre que se verifique que a propriedade substancial e a fiscalização efectiva não pertencem a nacionais de qualquer das partes contratantes, ou no caso de falta de cumprimento por uma linha aérea das leis do Estado sôbre o qual ela opera, nos termos do Artigo 6, ou ainda no de deixar de cumprir as obrigações resultantes dêste acôrdo.

ARTIGO 8

Êste acôrdo e todos os contratos dêle emergentes devem ser registados na Organização Provisória Internacional da Aviação Civil.

ARTIGO 9

Se qualquer das partes contratantes pretender modificar as rotas ou as condições estabelecidas no Anexo a êste acôrdo, deverão realizar-se conversas entre as autoridades competentes de ambas as partes contratantes, as quais começarão dentro de sessenta dias a partir da data do pedido de modificação.

Quando as referidas autoridades chegarem a acôrdo sôbre novas condições ou modificações que afectem o Anexo junto, as suas recomendações sôbre a matéria entrarão em vigor depois de confirmadas por troca de notas diplomáticas.

ARTIGO 10

Sem prejuízo do Artigo 3, qualquer das partes contratantes poderá fazer cessar êste acôrdo ou qualquer dos direitos nêle concedidos para serviços de transportes aéreos, mediante comunicação feita com um ano de antecedência à outra parte contratante.

ARTIGO 11

O presente acôrdo, incluindo as disposições do Anexo junto, entrará em vigor no dia da sua assinatura.

Feito em Lisboa, em duplicado, em Português e Inglês, tendo cada texto igual valor, aos seis dias de Dezembro de mil novecentos e quarenta e cinco.

Pelo Govêrno de Portugal

Pelo Govêrno dos Estados
Unidos da América

OLIVEIRA SALAZAR

HERMAN B. BARUCH

[SEAL]

ANEXO AO ACÔRDO DE TRANSPORTES AÉREOS ENTRE PORTUGAL E OS ESTADOS UNIDOS DA AMÉRICA

A. Às linhas aéreas dos Estados Unidos da América autorizadas nos termos do presente acôrdo são concedidos os direitos de trânsito e de escala para fins não comerciais no território português. É concedido o direito de embarcar e desembarcar tráfego internacional de

passageiros, carga e correio nos Açores, Lisboa e Macau, nas seguintes rotas:

1. Estados Unidos para os Açores, Lisboa e além, para (a) Londres e (b) Barcelona e pontos subseqüentes; em ambos os sentidos.
2. Estados Unidos para Lisboa (a linha aérea que explorar esta rota terá direito a escala, para fins não comerciais, nos Açores), daí para Madrid e pontos subseqüentes; em ambos os sentidos.
3. Estados Unidos, via pontos intermediários no Pacífico, para Macau e daqui para Hong Kong (e/ou Cantão); em ambos os sentidos.

B. Às carreiras portuguesas autorizadas nos termos do presente acôrdo são concedidos direitos de trânsito e escala, para fins não comerciais, no território dos Estados Unidos, bem como o direito de embarcar e desembarcar tráfego internacional de passageiros, carga e correio, em Nova York, na seguinte rota:

1. Lisboa, via Açores, Bermuda, para Nova York; em ambos os sentidos.

The American Ambassador to the Portuguese Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Lisbon, December 6, 1945

EXCELLENCY:

I have the honor to refer to the Air Transport Agreement between the United States and Portugal which was concluded today and in connection therewith to inform Your Excellency that my Government understands that all American aircraft flying over the territory of metropolitan Portugal will be required to land at Lisbon, unless consent to overfly in special cases has been obtained in advance by the air carrier from the Portuguese Government.

I avail myself of this opportunity to express to Your Excellency the renewed assurances of my highest consideration.

HERMAN B. BARUCH

His Excellency

DR. ANTONIO DE OLIVEIRA SALAZAR,
Minister for Foreign Affairs,
Lisbon.

The Portuguese Minister for Foreign Affairs to the American Ambassador

MINISTERIO DOS NEGÓCIOS ESTRANGEIROS

LISBOA, 6 de Dezembro de 1945.

SENHOR EMBAIXADOR

Tenho a honra de acusar a recepção da Nota de Vossa Excelência desta data, comunicando-me o seguinte:

“Tenho a honra de referir-me ao Acôrdo de Transportes Aéreos hoje assinado entre os Estados Unidos e Portugal e de em relação

ao mesmo comunicar a Vossa Excelência que o meu Governo concorda em que tôdas as aeronaves americanas que sobrevoem o território metropolitano de Portugal deverão descer em Lisboa, a menos que uma permissão para sobrevôo em casos especiais seja previamente obtida do Governo Português pela carreira aérea.”

Ao tomar devida nota da referida comunicação informo igualmente Vossa Excelência de que o “tratamento nacional” mencionado no Acôrdo que hoje assinamos sôbre navegação aérea não deverá ser menos favorável do que o tratamento concedido à nação mais favorecida, mas em caso contrário seria aplicável aos Estados Unidos da América o tratamento que fôsse mais favorável.

Aproveito esta oportunidade para apresentar a Vossa Excelência os protestos da minha mais alta consideração.

OLIVEIRA SALAZAR

A Sua Excelência

O Senhor Dr. HERMAN BARUCH
& & &

Translation

MINISTRY OF FOREIGN AFFAIRS

LISBON, *December 6, 1945*

MR. AMBASSADOR:

I have the honor to acknowledge receipt of Your Excellency's note of this date, communicating to me the following:

Ante, p. 1853.

[See note of December 6, 1945 from the American Ambassador to the Portuguese Minister for Foreign Affairs.]

Taking due note of the communication referred to, I likewise inform Your Excellency that the “national treatment” mentioned in the Agreement which we signed today on air navigation is not to be less favorable than the treatment granted to the most-favored nation, but in a contrary case the treatment which would be most favorable would be applicable to the United States of America.

I avail myself of this opportunity to present to Your Excellency the assurances of my highest consideration.

OLIVEIRA SALAZAR

His Excellency

HERMAN BARUCH
& & &

Agreement between the United States of America, the United Kingdom of Great Britain and Northern Ireland, and Yugoslavia, respecting the provisional administration of Venezia Giulia. Signed at Belgrade June 9, 1945.

June 9, 1945
[E. A. S. 501]

1. The portion of the territory of Venezia Giulia west of the line on the attached map [1] which includes Trieste, the railways and roads from there to Austria via Gorizia, Caporetto, and Tarvisio, as well as Pola and anchorages on the west coast of Istria will be under the Command and control of the Supreme Allied Commander.

2. All Naval, Military and air forces west of the line on the attached map [1] will be placed under his command from the moment at which this agreement comes into force. Yugoslav forces in the area must be limited to a detachment of regular troops not exceeding 2000 of all ranks. These troops will be maintained by the Supreme Allied Commander's administrative services. They will occupy a district selected by the Supreme Allied Commander west of the dividing line and will not be allowed access to the rest of the area.

3. Using an Allied Military Government, the Supreme Allied Commander will govern the areas west of the line on the attached map [1], Pola and such other areas on the west coast of Istria as he may deem necessary. A small Yugoslav Mission may be attached to the Headquarters of the Eighth Army as observers. Use will be made of any Yugoslav civil administration which is already set up and which in the view of the Supreme Allied Commander is working satisfactorily. The Allied Military Government will, however, be empowered to use whatever civil authorities they deem best in any particular place and to change administrative personnel at their discretion.

4. Marshal Tito will withdraw the Yugoslav regular forces now in the portion of Venezia Giulia west of the line on the attached map [1] as well as those in the town and vicinity of Pola by 08 hours GMT, June 12th 1945. Arrangements for the retention of the Yugoslav detachment referred to in paragraph 2 will be worked out between the Supreme Allied Commander and the Yugoslav High Command.

5. Any irregular forces in this area will, according to the decision of the Supreme Allied Commander in each case, either hand in their arms to the Allied Military authorities and disband, or withdraw from the area.

6. The Yugoslav Government will return residents of the area whom they have arrested or deported with the exception of persons who possessed Yugoslav nationality in 1939, and make restitution of property they have confiscated or removed.

¹[A copy of this map is attached to the inside back cover of this volume.]

7. This agreement in no way prejudices or affects the ultimate disposal of the parts of Venezia Giulia west of the line. Similarly the military occupation and administration by Yugoslavia of the parts of Venezia Giulia east of the line in no way prejudices or affects the ultimate disposal of that area.

Signed at Belgrade, June 9, 1945.

Dr Ivan Subasic R. C. Skrine Stevenson. Richard C Patterson Jr.

*Minister of
Foreign Affairs*

H. B. M. Ambassador

U. S. Ambassador

*Surrender by Germany.*¹ *Terms between the United States of America and the other Allied Powers and Germany. Signed at Rheims May 7, 1945, and at Berlin May 8, 1945; effective May 8, 1945.*

May 7, 8, 1945
[E. A. S. 502]

¹The texts of the surrender terms printed herein were reproduced photographically from the signed originals.

Only this text in English is authoritative

ACT OF MILITARY SURRENDER

1. We the undersigned, acting by authority of the German High Command, hereby surrender unconditionally to the Supreme Commander, Allied Expeditionary Force and simultaneously to the Soviet High Command all forces on land, sea, and in the air who are at this date under German control.

2. The German High Command will at once issue orders to all German military, naval and air authorities and to all forces under German control to cease active operations at 2301 hours Central European time on 8 May and to remain in the positions occupied at that time. No ship, vessel, or aircraft is to be scuttled, or any damage done to their hull, machinery or equipment.

3. The German High Command will at once issue to the appropriate commanders, and ensure the carrying out of any further orders issued by the Supreme Commander, Allied Expeditionary Force and by the Soviet High Command.

4. This act of military surrender is without prejudice to, and will be superseded by any general instrument of surrender imposed by, or on behalf of the United Nations and applicable to GERMANY and the German armed forces as a whole.

5. In the event of the German High Command or any of the forces under their control failing to act in accordance with this Act of Surrender, the Supreme Commander, Allied Expeditionary Force and the Soviet High Command will take such punitive or other action as they deem appropriate.

Signed at *Rheims 40241* on the *7th* day of May, 1945.
France

On behalf of the German High Command.

IN THE PRESENCE OF

On behalf of the Supreme Commander,
Allied Expeditionary Force.

On behalf of the Soviet
High Command.

-2-

Major General, French Army
(Witness)

ACT OF MILITARY SURRENDER

1. We the undersigned, acting by authority of the German High Command, hereby surrender unconditionally to the Supreme Commander, Allied Expeditionary Force and simultaneously to the Supreme High Command of the Red Army all forces on land, at sea, and in the air who are at this date under German control.

2. The German High Command will at once issue orders to all German military, naval and air authorities and to all forces under German control to cease active operations at 2301 hours Central European time on 8th May 1945, to remain in the positions occupied at that time and to disarm completely, handing over their weapons and equipment to the local allied commanders or officers designated by Representatives of the Allied Supreme Commands. No ship, vessel, or aircraft is to be scuttled, or any damage done to their hull, machinery or equipment, and also to machines of all kinds, armament, apparatus, and all the technical means of prosecution of war in general.

3. The German High Command will at once issue to the appropriate commanders, and ensure the carrying out of any further orders issued by the Supreme Commander, Allied Expeditionary Force and by the Supreme High Command of the Red Army.

4. This act of military surrender is without prejudice to, and will be superseded by any general instrument of surrender imposed by, or on behalf of the United Nations and applicable to GERMANY and the German armed forces as a whole.

5. In the event of the German High Command or any of the forces under their control failing to act in accordance with this Act of Surrender, the Supreme Commander, Allied Expeditionary Force and the Supreme High Command of the Red Army will take such punitive or other action as they deem appropriate.

6. This Act is drawn up in the English, Russian and German languages. The English and Russian are the only authentic texts.

Signed at *Berlin* on the *8.* day of May, 1945

Heidebrin *Keitel* *Stumpp*
On behalf of the German High Command

IN THE PRESENCE OF:

Anders
On behalf of the
Supreme Commander
Allied Expeditionary Force

On behalf of the
Supreme High Command of the
Red Army *V. Kory*

At the signing also were present as witnesses:

J. d. Pallen-Samirny
General Commanding in Chief
First French Army

Carl Spaatz
General, Commanding
United States Strategic Air Forces

АКТ О ВОЕННОЙ КАПИТУЛЯЦИИ.

1. Мы, ниже подписавшиеся, действуя от имени Германского Верховного Командования, соглашаемся на безоговорочную капитуляцию всех наших вооруженных сил на суше, на море и в воздухе, а также всех сил, находящихся в настоящее время под немецким командованием, - Верховному Главнокомандованию Красной Армии и одновременно Верховному Командованию Союзных Экспедиционных сил.

2. Германское Верховное командование немедленно издает приказы всем немецким командующим сухопутными, морскими и воздушными силами и всем силам, находящимся под германским командованием, прекратить военные действия в 23-01 час по Центрально-Европейскому времени 8 мая 1945 года, остаться на своих местах, где они находятся в это время, и полностью разоружиться, передав все их оружие и военное имущество местным союзным командующим или офицерам, выделенным представителями Союзных Верховных Командований, не разрушать и не причинять никаких повреждений пароходам, судам и самолетам, их двигателям, корпусам и оборудованию, а также машинам, вооружению, аппаратам и всем вообще военно-техническим средствам ведения войны.

2.

3. Германское Верховное Командование немедленно выделит соответствующих командиров и обеспечит выполнение всех дальнейших приказов, изданных Верховным Главнокомандованием Красной Армии и Верховным Командованием Союзных Экспедиционных сил.

4. Этот акт не будет являться препятствием к замене его другим генеральным документом о капитуляции, заключенным Об'единенными Нациями или от их имени, применимым к Германии и германским вооруженным силам в целом.

5. В случае, если немецкое Верховное Командование или какие-либо вооруженные силы, находящиеся под его командованием, не будут действовать в соответствии с этим актом о капитуляции, Верховное Командование Красной Армии, а также Верховное Командование Союзных Экспедиционных сил, предпримут такие карательные меры, или другие действия, которые они сочтут необходимыми.

6. Этот акт составлен на английском, русском и немецком языках. Только английский и русский тексты являются аутентичными.

8.-

Подписано 8 мая 1945 года в гор. БЕРЛИНЕ.

От имени Германского Верховного Командования:

Heinrich Himmler В присутствии:

По уполномочию Верховного
Командующего Экспедиционными
силами Союзников

ГЛАВНОГО МАРШАЛА АВИАЦИИ

ТЕДДЕРА

W. Tedder

По уполномочию Верховного
Главнокомандования Красной
Армии

МАРШАЛА СОВЕТСКОГО СОЮЗА

Г. БУКОВА

G. B. Bukov

При подписании также присутствовали в качестве
свидетелей:

Командующий Стратегическими
Воздушными силами США

ГЕНЕРАЛ

СПААТС

Carl Spaatz

Главнокомандующий Французской
Армией

ГЕНЕРАЛ ДЕЛАТР

де ТАССИНЫ

J. de Lattre-Tassigny

KAPITULATIONSERKLAERUNG.

1. Wir, die hier Unterzeichneten, handelnd in Vollmacht fuer und im Namen des Oberkommandos der Deutschen Wehrmacht, erklaren hiermit die bedingungslose Kapitulation aller am gegenwaertigen Zeitpunkt unter deutschem Befehl stehenden oder von Deutschland beherrschten Streitkrafte auf dem Lande, auf der See und in der Luft gleichzeitig gegenueber dem Obersten Befehlshaber der Alliierten Expeditions Streitkrafte und dem Oberkommando der Roten Armee.

2. Das Oberkommando der Deutschen Wehrmacht wird unverzueglich allen Behoerden der deutschen Land-, See- und Luftstreitkrafte und allen von Deutschland beherrschten Streitkraeften den Befehl geben, die Kampfhandlungen um 2301 Uhr Mitteleuropaeischer Zeit am 8 Mai einzustellen und in den Stellungen zu verbleiben, die sie an diesem Zeitpunkt innehaben und sich vollstaendig zu entwaffnen, indem sie Waffen und Geraete an die oertlichen Alliierten Befehlshaber beziehungsweise an die von den Alliierten Vertretern zu bestimmenden Offiziere abliefern. Kein Schiff, Boot oder Flugzeug irgendeiner Art darf versenkt werden, noch duerfen Schiffsruempfe, maschinelle Einrichtungen, Ausruestungsgegenstaende, Maschinen irgendwelcher Art, Waffen, Apparaturen, technische Gegenstaende, die Kriegszwecken im Allgemeinen dienlich sein koennen, beschaedigt werden.

3. Das Oberkommando der Deutschen Wehrmacht wird unverzueglich den zustaendigen Befehlshabern alle von dem Obersten Befehlshaber der Alliierten Expeditions Streitkrafte und dem Oberkommando der Roten Armee erlassenen zusaetzlichen Befehle weitergeben und deren Durchfuehrung sicherstellen.

4. Diese Kapitulationserklaerung ist ohne Praejudiz fuer irgendwelche an ihre Stelle tretenden allgemeinen Kapitulationsbestimmungen, die durch die Vereinten Nationen und in deren Namen Deutschland und der Deutschen Wehrmacht auferlegt werden moegen.

5. Falls das Oberkommando der Deutschen Wehrmacht oder irgendwelche ihm unterstehende oder von ihm beherrschte Streitkrafte es versaeumen sollten, sich gemaess den Bestimmungen dieser Kapitulations-Erklaerung zu verhalten,

-2-

werden der Oberste Befehlshaber der Alliierten Expeditions Streitkrafte und das Oberkommando der Roten Armee alle diejenigen Straf- und anderen Massnahmen ergreifen, die sie als zweckmaessig erachten.

6. Diese Erklarung ist in englischer, russischer und deutscher Sprache abgefasst. Allein massgebend sind die englische und die russische Fassung.

Unterzeichnet zu *Wien* am *8* Mai 1945

Kurt
v. Diederichs *Stumpp*

Fuer das Oberkommando der Deutschen Wehrmacht.

In Gegenwart von:

Anders

Fuer den Obersten Befehlshaber
der Alliierten Expeditions-
Streitkrafte.

Fuer das Oberkommando
der Roten Armee

Kishko

Bei der Unterzeichnung waren als Zeugen
auch zugegen:

J. de Lattre
General, Oberstkommandierender
der Ersten Franzoesischen Armee

Carl Spaatz
Kommandierender General
der Strategischen
Luftstreitkrafte der
Vereinigten Staaten

August 14, 24, 1945
[E. A. S. 503]

Agreement between the United States of America and Haiti respecting reciprocal customs privileges. Effected by exchange of notes signed at Port-au-Prince August 14 and 24, 1945; effective August 24, 1945.

The American Ambassador to the Haitian Secretary of State for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 459

Port-au-Prince, Haiti, August 14, 1945.

EXCELLENCY:

I have the honor to inform Your Excellency that the United States Government would view with favor an arrangement for the extension of the free importation privileges on a strict basis of reciprocity, to American Consular officers and clerks in the Mission and Consular offices, assigned to Haiti; and to Haitian Consular officers and clerks in the Mission and Consular offices, assigned to the United States.

It is proposed that, in addition to the free entry of personal baggage and effects upon arrival and upon return to their posts in the United States after visits abroad, which Haitian consular officers already enjoy, such officers and the clerks in the Mission and Consular offices, who are Haitian nationals and not engaged in any private occupation for gain, on a basis of reciprocity, would be accorded the privilege of importing free of duty articles for their personal use at any time during the period that they exercise essential government functions in the United States, on the understanding that no article, the importation of which is prohibited by the laws of the United States, should be imported by them.

The arrangement would likewise provide that American Consular officers and clerks in the Mission and Consular offices, who are nationals of the United States and not engaged in any private occupation for gain, would be accorded in Haiti the privileges as set forth above.

Accept, Excellency, the renewed assurances of my highest consideration.

ORME WILSON

His Excellency

M. GÉRARD LESCOT,

Secretary of State for Foreign Affairs,

Port-au-Prince.

The Haitian Minister for Foreign Affairs to the American Ambassador

SECRETARIERIE D'ETAT
DES
RELATIONS EXTERIEURES

E. U. No. 4460

PORT-AU-PRINCE, le 24 Août 1945.

MONSIEUR L'AMBASSADEUR,

Me référant à la note de Votre Excellence No. 459 datée du 14 de ce mois, j'ai l'honneur de L'informer que le Gouvernement Haitien accueille favorablement la suggestion de celui des Etats-Unis concernant l'extension réciproque de la franchise douanière à leurs agents consulaires ainsi qu'aux employés de leurs missions diplomatiques et de leurs consulats respectifs.

En conséquence, à partir de cette date, les agents consulaires américains ainsi que les employés de la mission diplomatique et des consulats américains en Haiti, à condition qu'ils soient des nationaux des Etats-Unis et ne soient pas engagés dans des affaires commerciales rapportant des bénéfices, sont autorisés à importer librement en Haiti, sans paiement d'aucun droit, tous articles destinés à leur usage personnel dont l'importation n'est pas prohibée par les lois haitiennes. Les dispositions du paragraphe 13249 du tarif douanier haitien concernant l'importation de tels articles par les agents diplomatiques étrangers seront applicables aux agents consulaires et employés américains sus-mentionnés.

Il est entendu que réciproquement, les agents consulaires haitiens ainsi que les employés de la mission diplomatique et des consulats haitiens aux Etats-Unis, à condition qu'ils soient des citoyens haitiens et ne soient pas engagés dans des affaires commerciales rapportant des bénéfices, sont autorisés à importer librement aux Etats-Unis, sans paiement d'aucun droit, tous articles destinés à leur usage personnel dont l'importation n'est pas prohibée par les lois américaines.

Je saisis cette occasion pour renouveler à Votre Excellence, Monsieur l'Ambassadeur, les assurances de ma très haute considération.

GERARD LESCOT

Son Excellence

Monsieur ORME WILSON,

Ambassadeur Extraordinaire

& Plénipotentiaire des Etats-Unis d'Amérique.

Port-au-Prince.

Translation

OFFICE OF THE SECRETARY OF STATE
FOR
FOREIGN AFFAIRS

U. S. No. 4460

PORT-AU-PRINCE, *August 24, 1945.*

MR. AMBASSADOR:

Referring to Your Excellency's note no. 459 dated the fourteenth of this month, I have the honor to inform You that the Haitian Government approves the suggestion made by the United States Government concerning reciprocal extension of free importation privileges to their consular agents, as well as to the clerks of their respective diplomatic missions and consulates.

Consequently, from this date, American consular agents, as well as clerks of the American diplomatic mission and consulates in Haiti, provided that they are nationals of the United States and are not engaged in commercial transactions for profit, are authorized to import freely into Haiti, without payment of any duty, all articles intended for their personal use the importation of which is not prohibited by Haitian laws. The provisions of Paragraph 13249 of the Haitian customs tariff relative to the importation of such articles by foreign diplomatic agents shall be applicable to the above-mentioned American consular agents and clerks.

It is understood that, on a reciprocal basis, Haitian consular agents, as well as clerks of the Haitian diplomatic mission and consulates in the United States, provided that they are Haitian citizens and are not engaged in commercial transactions for profit, are authorized to import freely into the United States, without payment of any duty, all articles intended for their personal use the importation of which is not prohibited by American laws.

I avail myself of this opportunity to renew to you, Mr. Ambassador, the assurances of my very high consideration.

GERARD LESCOT

His Excellency

ORME WILSON,

*Ambassador Extraordinary and Plenipotentiary
of the United States of America,
Port-au-Prince.*

Agreement between the United States of America and Panama respecting cooperative education. Effected by exchange of notes signed at Panamá November 13 and 14, 1944.

November 13, 14, 1944
[E. A. S. 504]

The American Ambassador to the Panamanian Minister for Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA

Panamá, November 13, 1944

No. 94

EXCELLENCY:

I have the honor to refer to Resolution No. XXVIII adopted by the Conference of Ministers and Directors of Education of the American Republics held at Panamá in September and October, 1943.

Under the authority of that Resolution a series of conversations has been held recently between a representative of the Embassy, accompanied by visiting officials of the United States Government, and the Minister of Education of Panama and his advisers relative to the consideration of certain proposed educational activities to be undertaken jointly by our two Governments.

I am pleased to inform Your Excellency that my Government is prepared to collaborate with the Government of Panama in a cooperative educational program in the event that the Government of Panama is disposed to indicate its interest in such a program. If Your Excellency will be so good as to confirm your approval of this general proposal, it will be understood that the details of the program will be the subject of further discussions and agreements between the Ministry of Education, acting in behalf of the Government of the Republic of Panama, and a representative of the Inter-American Educational Foundation, Inc., acting in behalf of the Government of the United States of America.

Accept, Excellency, the renewed assurances of my highest consideration.

AVRA M. WARREN

His Excellency

Señor don SAMUEL LEWIS, Jr.,
Minister for Foreign Affairs.

The Panamanian Minister for Foreign Affairs to the American Ambassador

SECRETARIA DE RELACIONES EXTERIORES
DEPARTAMENTO DIPLOMATICO

D.P. N° 1599

PANAMÁ, 14 de noviembre de 1944.

SEÑOR ENBAJADOR:

Tengo a honra referirme a la atenta nota de Vuestra Excelencia N° 94, de fecha 13 de noviembre actual, por medio de la cual tiene a

bien comunicarme que el ilustrado Gobierno de los Estados Unidos ha manifestado los deseos de colaborar con el Gobierno de Panamá en un programa cooperativo en asuntos de educación, y solicita se le informe si mi Gobierno estaría dispuesto a aprobar un programa basado en las conversaciones habidas entre representantes del Gobierno de los Estados Unidos y representantes del Ministerio de Educación de Panamá.

Es con particular agrado que llevo a conocimiento de Vuestra Excelencia que mi Gobierno acepta gustoso la colaboración que el ilustrado Gobierno de Vuestra Excelencia le ofrece.

El Ministerio de Educación, al cual se le ha comunicado este ofrecimiento, está dispuesto a iniciar inmediatamente las conversaciones para acordar el programa cooperativo que se proyecta.

El señor Ministro de Educación me ha solicitado hacer llegar, por el digno conducto de Vuestra Excelencia, al Gobierno de los Estados Unidos el más sentido agradecimiento por la valiosa cooperación que se nos ofrece.

Válgome de la oportunidad para reiterar a Vuestra Excelencia las seguridades de mi más alta y distinguida consideración.

S LEWIS

SAMUEL LEWIS,

Ministro de Relaciones Exteriores.

Su Excelencia

Señor DON AVRA M. WARREN,

Embajador Extraordinario y

Plenipotenciario de los

Estados Unidos de América,

Ciudad.—

Translation

MINISTRY OF FOREIGN AFFAIRS
DIPLOMATIC SECTION

D. P. 1599

PANAMÁ, *November 14, 1944.*

MR. AMBASSADOR:

I have the honor to refer to Your Excellency's courteous note No. 94 of the 13th of this month in which you are so good as to inform me that the illustrious Government of the United States has manifested a desire to collaborate with the Government of Panama in a cooperative program in matters of education, and in which you request to be informed whether my Government would be disposed to approve a program based on the conversations which took place between representatives of the Government of the United States and representatives of the Ministry of Education of Panama.

It is with particular pleasure that I inform Your Excellency that my Government is happy to accept the collaboration offered it by Your Excellency's illustrious Government.

The Ministry of Education, to which this offer has been communicated, is prepared to initiate immediately conversations for arranging the cooperative program which is in project.

The Minister of Education has requested me to convey to the Government of the United States, through Your Excellency's good offices, his deepest gratitude for the highly esteemed cooperation which is offered us.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

S LEWIS

SAMUEL LEWIS

Minister for Foreign Affairs.

His Excellency

AVRA M. WARREN,

Ambassador Extraordinary and

Plenipotentiary of the

United States of America,

City

February 11, 1945
[E. A. S. 505]

Agreement between the United States of America and the Union of Soviet Socialist Republics respecting liberated prisoners of war and civilians. Signed in the Crimea February 11, 1945; effective February 11, 1945.

AGREEMENT RELATING TO PRISONERS OF WAR AND CIVILIANS LIBERATED BY FORCES OPERATING UNDER SOVIET COMMAND AND FORCES OPERATING UNDER UNITED STATES OF AMERICA COMMAND

The Government of the United States of America on the one hand and the Government of the Union of Soviet Socialist Republics on the other hand, wishing to make arrangements for the care and repatriation of United States citizens freed by forces operating under Soviet command and for Soviet citizens freed by forces operating under United States command, have agreed as follows:—

Article 1.

Maintenance of
liberated citizens.

All Soviet citizens liberated by the forces operating under United States command and all United States citizens liberated by the forces operating under Soviet command will, without delay after their liberation, be separated from enemy prisoners of war and will be maintained separately from them in camps or points of concentration until they have been handed over to the Soviet or United States authorities, as the case may be, at places agreed upon between those authorities.

Protection of camps,
etc.

United States and Soviet military authorities will respectively take the necessary measures for protection of camps, and points of concentration from enemy bombing, artillery fire, etc.

Article 2.

Repatriation repre-
sentatives.

The contracting parties shall ensure that their military authorities shall without delay inform the competent authorities of the other party regarding citizens of the other contracting party found by them, and will at the same time take the necessary steps to implement the provisions of this agreement. Soviet and United States repatriation representatives will have the right of immediate access into the camps and points of concentration where their citizens are located and they will have the right to appoint the internal administration and set up the internal discipline and management in accordance with the military procedure and laws of their country.

Facilities will be given for the despatch or transfer of officers of their own nationality to camps or points of concentration where liberated members of the respective forces are located and there are insufficient officers. The outside protection of and access to and from the camps or points of concentration will be established in accordance

with the instructions of the military commander in whose zone they are located, and the military commander shall also appoint a commandant, who shall have the final responsibility for the overall administration and discipline of the camp or point concerned.

The removal of camps as well as the transfer from one camp to another of liberated citizens will be effected by agreement with the competent Soviet or United States authorities. The removal of camps and transfer of liberated citizens may, in exceptional circumstances, also be effected without preliminary agreement provided the competent authorities are immediately notified of such removal or transfer with a statement of the reasons. Hostile propaganda directed against the contracting parties or against any of the United Nations will not be permitted.

Hostile propaganda prohibited.

Article 3.

The competent United States and Soviet authorities will supply liberated citizens with adequate food, clothing, housing and medical attention both in camps or at points of concentration and en route, and with transport until they are handed over to the Soviet or United States authorities at places agreed upon between those authorities. The standards of such food, clothing, housing and medical attention shall, subject to the provisions of Article 8, be fixed on a basis for privates, non-commissioned officers and officers. The basis fixed for civilians shall as far as possible be the same as that fixed for privates.

Food, clothing, etc.

Post, p. 1876.

The contracting parties will not demand compensation for these or other similar services which their authorities may supply respectively to liberated citizens of the other contracting party.

Article 4.

Each of the contracting parties shall be at liberty to use in agreement with the other party such of its own means of transport as may be available for the repatriation of its citizens held by the other contracting party. Similarly each of the contracting parties shall be at liberty to use in agreement with the other party its own facilities for the delivery of supplies to its citizens held by the other contracting party.

Transport.

Article 5.

Soviet and United States military authorities shall make such advances on behalf of their respective governments to liberated citizens of the other contracting party as the competent Soviet and United States authorities shall agree upon beforehand.

Advances.

Advances made in currency of any enemy territory or in currency of their occupation authorities shall not be liable to compensation.

In the case of advances made in currency of liberated non-enemy territory, the Soviet and United States Governments will effect, each for advances made to their citizens necessary settlements with the Governments of the territory concerned, who will be informed of the amount of their currency paid out for this purpose.

Article 6.

Employment of ex-prisoners of war and civilians.

Ex-prisoners of war and civilians of each of the contracting parties may, until their repatriation, be employed in the management, maintenance and administration of the camps or billets in which they are situated. They may also be employed on a voluntary basis on other work in the vicinity of their camps in furtherance of the common war effort in accordance with agreements to be reached between the competent Soviet and United States authorities. The question of payment and conditions of labour shall be determined by agreement between these authorities. It is understood that liberated members of the respective forces will be employed in accordance with military standards and procedure and under the supervision of their own officers.

Article 7.

Evacuation to rear.

The contracting parties shall, wherever necessary, use all practicable means to ensure the evacuation to the rear of these liberated citizens. They also undertake to use all practicable means to transport liberated citizens to places to be agreed upon where they can be handed over to the Soviet or United States authorities respectively. The handing over of these liberated citizens shall in no way be delayed or impeded by the requirements of their temporary employment.

Article 8.

The contracting parties will give the fullest possible effect to the foregoing provisions of this Agreement, subject only to the limitations in detail and from time to time of operational, supply and transport conditions in the several theatres.

Article 9.

This Agreement shall come into force on signature.

Done at the Crimea in duplicate and in the English and Russian languages, both being equally authentic, this eleventh day of February, 1945.

For the Government of the United
States of America

JOHN R DEANE
Major General, U.S.A.

For the Government of the Union
of Soviet Socialist Republics

Генерал-Лейтенант
Грызлов [1]

¹[Romanization: Lieutenant General Gryzlov.]

СОГЛАШЕНИЕ

ОТНОСИТЕЛЬНО ВОЕННОПЛЕННЫХ И ГРАЖДАНСКИХ ЛИЦ, ОСВОБОЖДЕННЫХ ВОЙСКАМИ, НАХОДЯЩИМИСЯ ПОД СОВЕТСКИМ КОМАНДОВАНИЕМ, И ВОЙСКАМИ, НАХОДЯЩИМИСЯ ПОД КОМАНДОВАНИЕМ СОЕДИНЕННЫХ ШТАТОВ АМЕРИКИ.

Правительство Соединенных Штатов Америки, с одной стороны, и Правительство Союза Советских Социалистических Республик, с другой стороны, желая договориться об обращении с советскими гражданами, освобожденными войсками, находящимися под командованием Соединенных Штатов, и об их репатриации, а также об обращении с гражданами Соединенных Штатов, освобожденными войсками, находящимися под советским командованием, и об их репатриации, условились о нижеследующем:

Статья 1.

Все советские граждане, освобожденные войсками, действующими под командованием Соединенных Штатов, и все граждане Соединенных Штатов, освобожденные войсками, действующими под советским командованием, будут, незамедлительно после их освобождения, отделяться от вражеских военнопленных и содержаться отдельно от них в лагерях или сборных пунктах до момента передачи их соответственно советским или американским властям в пунктах, согласованных между этими властями.

Американские и советские военные власти примут необходимые меры для защиты лагерей и сборных пунктов от вражеских бомбардировок, артиллерийских обстрелов и т. п.

Статья 2.

Договаривающиеся Стороны обеспечат, чтобы их военные власти незамедлительно сообщали компетентным властям другой Сто-

роны об обнаруженных ими гражданах другой Договаривающейся Стороны, принимая одновременно меры для выполнения условий настоящего Соглашения. Советские и американские уполномоченные по репатриации будут немедленно допускаться в сборные лагеря и пункты размещения граждан своей страны, и они будут иметь право назначать там внутреннюю администрацию и устанавливать внутренний распорядок и управление в соответствии с воинскими порядками и законодательством их страны.

Будет предоставлена возможность для отправки или перевода офицеров соответствующей национальности в те лагеря или сборные пункты, в которых содержатся освобожденные военнопленные соответствующих войск и где будет не хватать офицеров. Наружная охрана и охрана доступа в лагеря и сборные пункты и выхода из них будет установлена в соответствии с инструкциями военного начальника, в зоне которого расположены эти лагеря или сборные пункты, и этот военный начальник будет также назначать коменданта, который будет нести ответственность за общую администрацию и дисциплину в соответствующем лагере или сборном пункте.

Перемещение лагерей, равно как и перевод из одного лагеря в другой освобожденных граждан, будет производиться по договоренности между компетентными советскими и американскими властями. Перемещение лагерей и перевод освобожденных граждан может, в исключительных случаях, производиться и без предварительной договоренности, однако, с немедленным уведомлением компетентных властей о таком перемещении с изложением мотивов. Враждебная пропаганда, направленная против Договаривающихся Сторон или против любой из Объединенных Наций, не будет разрешаться.

Статья 3.

Компетентные американские и советские власти будут снабжать освобожденных граждан соответствующим питанием, одеждой, жилищем и медицинским обслуживанием как в лагерях или сборных пунктах, так и в пути следования, а также транспортом до момента передачи их соответственно советским или американским властям в пунктах, установленных по договоренности между этими властями. Такое обеспечение питанием, одеждой, жилищем и медицинским обслуживанием должно быть, с учетом положений статьи 8, установлено по нормам для рядовых, младшего командного состава и офицеров. Нормы обеспечения гражданских лиц должны быть, насколько это возможно, такими же, как и нормы для солдат.

Договаривающиеся Стороны не будут требовать компенсации за эти или другие аналогичные услуги, которые их власти могут предоставить освобожденным гражданам другой Договаривающейся Стороны.

Статья 4.

Каждая из Договаривающихся Сторон будет иметь право использовать, по согласованию с другой Стороной, также из ее собственных средств транспорта, которые окажутся доступными для репатриации своих граждан, содержащихся у другой Договаривающейся Стороны. Точно также каждая из Договаривающихся Сторон будет иметь право использовать, по согласованию с другой Стороной, свои собственные средства для доставки снабжения своим гражданам, содержащимся у другой Договаривающейся Стороны.

Статья 5.

Советские и американские военные власти будут выдавать

от имени их соответствующих Правительств освобожденным гражданам другой Договаривающейся Стороны такие ссуды, о которых компетентные советские и американские власти предварительно договорятся.

Ссуды, выданные в валюте какой-либо вражеской территории или в валюте советских или американских оккупационных властей, не будут подлежать возмещению.

В случае выдачи ссуд в валюте освобожденной невражеской территории, Советское Правительство и Правительство Соединенных Штатов произведут, каждое по ссудам, выданным его гражданам, необходимое урегулирование с правительствами соответственных территорий, которые будут информированы о количестве их валюты, выданной для этой цели.

Статья 6.

Бывшие военнопленные и гражданские лица каждой из Договаривающихся Сторон могут, до их репатриации, быть использованы для управления и поддержания в порядке лагерей или сборных пунктов, в которых они находятся. Они также могут быть использованы на добровольных началах, в целях содействия объединенным военным усилиям, на таких работах вблизи их лагерей, о которых договорятся между собой компетентные советские и американские власти. Вопросы оплаты и другие условия труда должны определяться по соглашению между этими властями. Понимается, что использование освобожденных членов соответствующих вооруженных сил будет осуществляться в соответствии с военными порядками и под наблюдением своих офицеров.

Статья 7.

Договаривающиеся Стороны каждый раз, когда это будет необходимо, используют все возможные средства для того, чтобы

обеспечить эвакуацию в тыл этих освобожденных граждан. Они также обязуются использовать все доступные средства для перевозки освобожденных граждан в установленные по согласованию пункты, где они могут быть переданы соответственно советским или американским властям. Передача этих освобожденных граждан никоим образом не может быть задержана или отложена вследствие требований их временного использования.

Статья 8.

Договаривающиеся Стороны будут применять возможно более эффективно вышеизложенные положения настоящего Соглашения, допуская при этом ограничения временного порядка и лишь в отношении деталей, которые, время от времени, будут вызываться оперативной обстановкой или условиями снабжения и транспорта на различных театрах операций.

Статья 9.

Настоящее Соглашение вступает в силу немедленно по подписании.

Составлено в Крыму в двух экземплярах каждый на английском и русском языках. Оба текста являются аутентичными.

"11" февраля 1945 года.

ПО УПОЛНОМОЧИЮ
ПРАВИТЕЛЬСТВА СОЕДИНЕННЫХ
ШТАТОВ АМЕРИКИ

John B. Steane
Major General U.S.A.

ПО УПОЛНОМОЧИЮ
ПРАВИТЕЛЬСТВА СОЮЗА СОВЕТСКИХ
СОЦИАЛИСТИЧЕСКИХ РЕСПУБЛИК

Генерал-лейтенант
Григорьев

Agreement between the United States of America and the other United Nations respecting the Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization. Signed at London November 16, 1945; effective November 16, 1945.

November 16, 1945
[E. A. S. 506]

[SEAL]

INSTRUMENT

establishing a

PREPARATORY EDUCATIONAL, SCIENTIFIC AND CULTURAL COMMISSION

The Governments represented at the United Nations Educational and Cultural Conference in London,

Having determined that an international organisation to be known as the United Nations Educational, Scientific and Cultural Organisation shall be established, and

Having formulated the Constitution of the United Nations Educational, Scientific and Cultural Organisation,

Agree as follows:

1. Pending the coming into force of the Constitution and the establishment of the Organisation provided for therein, there shall be established a Preparatory Commission to make arrangements for the first Session of the General Conference of the Organisation, and to take such other steps as are indicated below.
2. For this purpose the Commission shall:—
 - (a) Convoke the First Session of the General Conference.
 - (b) Prepare the provisional agenda for the First Session of the General Conference and prepare documents and recommendations relating to all matters on the agenda including such matters as the possible transfer of functions, activities and assets of existing international agencies, the specific arrangements between this Organisation and the United Nations Organisation, and arrangements for the Secretariat of the Organisation and the appointment of its Director-General.
 - (c) Make studies and prepare recommendations concerning the programme and the budget of the Organisation for presentation to the General Conference at its First Session.
 - (d) Provide without delay for immediate action on urgent needs of educational, scientific, and cultural reconstruction in devastated countries as indicated in Paragraphs 6 and 7.
3. The Commission shall consist of one representative of each of the Governments signatory to this Instrument.
4. The Commission shall appoint an Executive Committee composed of fifteen members to be selected at the first meeting of the Commission. The Executive Committee shall exercise any or all powers of the Commission as the Commission may determine.
5. The Commission shall establish its own rules of procedure and shall appoint such other committees and consult with such specialists as may be desirable to facilitate its work.
6. The Commission shall appoint a special technical sub-committee to examine the problems relating to the educational, scientific and cultural needs of the countries devastated by the war, having regard to the information already collected and the work being done by other

Preparatory Commission.

Executive Committee.

international organisations, and to prepare as complete a conspectus as possible of the extent and nature of the problems for the information of the Organisation at the First Session of the Conference.

7. When the technical sub-committee is satisfied that any ameliorative measures are immediately practicable to meet any educational, scientific or cultural needs it shall report to the Commission accordingly and the Commission shall, if it approves, take steps to bring such needs to the attention of governments, organisations, and persons wishing to assist by contributing money, supplies or services in order that co-ordinated relief may be given either directly by the donors to the countries requiring aid or indirectly through existing international relief organisations.

8. The Commission shall appoint an Executive Secretary who shall exercise such powers and perform such duties as the Commission may determine, with such international staff as may be required. The staff shall be composed as far as possible of officials and specialists made available for this purpose by the participating Governments on the invitation of the Executive Secretary.

Executive Secretary.

9. The provisions of Articles 104 and 105 of the Charter of the United Nations Organisation concerning the legal status of that Organisation, its privileges and immunities shall apply in the same way to this Commission.

Anne, p. 1053.

10. The Commission shall hold its first meeting in London immediately after the conclusion of the present Conference and shall continue to sit in London until such time as the Constitution of the Organisation has come into force. The Commission shall then transfer to Paris where the permanent Organisation is to be located.

Place of meeting.

11. During such period as the Commission is in London, the expenses of its maintenance shall be met by the Government of the United Kingdom on the understanding:

Expenses.

- (1) that the amount of the expenses so incurred will be deducted from the contributions of that Government to the new Organisation until they have been recovered, and
- (2) that it will be open to the Commission, if circumstances so warrant, to seek contributions from other governments.

When the Commission is transferred to Paris, the financial responsibility will pass to the French Government on the same terms.

12. The Commission shall cease to exist upon the assumption of office of the Director-General of the Organisation, at which time its property and records shall be transferred to the Organisation.

Termination of Commission.

13. The Government of the United Kingdom shall be the temporary depositary and shall have custody of the original document embodying these interim arrangements in the English and French languages. The Government of the United Kingdom shall transfer the original to the Director-General on his assumption of office.

14. This Instrument shall be effective as from this date, and shall remain open for signature on behalf of the States entitled to be the original Members of the United Nations Educational, Scientific and

Date effective.

Ante, p. 1885.

Cultural Organisation, until the Commission is dissolved in accordance with paragraph 12.

In faith whereof, the undersigned representatives having been duly authorised for that purpose, have signed this Instrument in the English and French languages, both texts being equally authentic.

Done in London the Sixteenth day of November, 1945, in a single copy, in the English and French languages, of which certified copies will be communicated by the Government of the United Kingdom to the Governments of all the States Members of the United Nations.

ARGENTINE REPUBLIC

CONRADO TRAVERSO

AUSTRALIA

BELGIUM

A. BUISSERET

BOLIVIA

C. SALAMANCA

BRAZIL

MONIZ DE ARAGAO

THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

CANADA

VINCENT MASSEY

CHILE

FRANCISCO WALKER LINARES

CHINA

HU SHIH

COLOMBIA

J. J. ARANGO

COSTA RICA

CUBA

LUIS MARINO PÉREZ

CZECHOSLOVAKIA

JAN OPOČENSKY

DENMARK

ALB. MICHELSEN

DOMINICAN REPUBLIC

A. PASTORIZA

ECUADOR

ALB. PUIG

EGYPT

A. FATTAH AH. AMR

EL SALVADOR

ETHIOPIA

FRANCE

GREECE

TH. AGHNIDES

GUATEMALA

M. GALICH

HAITI

LÉON LALEAU

HONDURAS

INDIA

JOHN SARGENT

IRAN

A. A. HEKMAT

IRAQ

NAJI AL ASIL

LEBANON

CAMILLE CHAMOUN

LIBERIA

J. W. PEARSON

LUXEMBOURG

A. ALS

MEXICO

J. T. BODET

THE NETHERLANDS

V. D. LEEUW

NEW ZEALAND

ARNOLD E. CAMPBELL

NICARAGUA

ERNESTO SELVA

NORWAY

NILS HJELMTVEIT

PANAMA

E. A. MORALES

PARAGUAY

PERU

E. LETTS

THE PHILIPPINES

MAXIMO M. KALAW

POLAND

BERNARD DRZEWIESKI

SAUDI ARABIA

HAFIZ WAHBA

SYRIA

N. ARMANAZI

TURKEY

YÜCEL

THE UKRAINIAN SOVIET SOCIALIST REPUBLIC

THE UNION OF SOUTH AFRICA

G. HEATON NICHOLLS

THE UNIONS OF SOVIET SOCIALIST REPUBLICS

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTH-
ERN IRELAND

ELLEN WILKINSON

THE UNITED STATES OF AMERICA

ARCHIBALD MACLEISH

URUGUAY

R. E. MACÉACHEN

VENEZUELA

A. RODRIGUEZ AZPURUA

YUGOSLAVIA

Dr. LJUBO LEONTIC

Certified a true copy:

[SEAL] D. A. BIGBY

LONDON.
31 Jan 1946

*Acting Librarian and Keeper of
the Papers at the Foreign Office.*

[SEAL]

ARRANGEMENT PROVISoire
INSTITUANT UNE COMMISSION PREPARATOIRE
POUR L'EDUCATION, LA SCIENCE ET
LA CULTURE

Les Gouvernements représentés à la Conférence des Nations Unies pour l'Éducation et la Culture, à Londres,

Ayant décidé d'établir une organisation internationale portant le nom d'Organisation des Nations Unies pour l'Éducation, la Science et la Culture,

Ayant rédigé la Convention qui institue l'Organisation des Nations Unies pour l'Éducation, la Science et la Culture,

Conviennent de ce qui suit:

1. – En attendant l'entrée en vigueur de la Convention et l'établissement de l'Organisation prévue par cette Convention, il est établi une Commission Préparatoire chargée de prendre toutes dispositions pour la première session de la Conférence générale de l'Organisation et telles autres mesures qui sont indiquées ci-après:

2. – A cette fin, la Commission

a) Convoquera la première session de la Conférence générale,

b) Préparera l'ordre du jour provisoire de cette session et tous documents et recommandations relatifs aux questions inscrites à l'ordre du jour, y compris des questions telles que le transfert éventuel des fonctions, activités et avoirs des organisations internationales existantes, les accords particuliers à intervenir entre ladite Organisation et l'Organisation des Nations Unies et les dispositions relatives au secrétariat de l'Organisation et à la nomination de son Directeur Général.

c) Entreprendra des études et préparera des recommandations concernant le programme et le budget de l'Organisation pour les soumettre à la Conférence générale au cours de sa première session.

d) Prendra sans délai des mesures immédiates pour faire face aux nécessités urgentes de reconstruction, en pays dévastés, dans les domaines de l'éducation, de la science et de la culture, conformément aux dispositions des paragraphes 6 et 7.

3. – La Commission comprendra un représentant de chacun des Gouvernements signataires du présent Arrangement.

4. – La Commission nommera un Comité exécutif composé de quinze membres qui seront désignés au cours de la première séance de la Commission. Le Comité Exécutif exercera tout pouvoir que la Commission lui aura délégué.

5. – La Commission établira son règlement intérieur, nommera les comités et consultera les spécialistes susceptibles de l'aider dans sa tâche.

6. – La Commission désignera un sous-comité technique spécial chargé d'étudier les problèmes relatifs aux besoins des pays ravagés par la guerre dans les domaines de l'éducation, de la science et de la culture, en tenant compte des renseignements déjà rassemblés et des

travaux poursuivis par d'autres organisations internationales, et de préparer un exposé d'ensemble, aussi complet que possible, de l'étendue et de la nature de ces problèmes, pour le soumettre à l'Organisation au cours de la première session de la Conférence générale.

7.—Lorsque le sous-comité technique se sera assuré que des améliorations quelconques peuvent être immédiatement apportées dans les domaines de l'éducation, de la science ou de la culture, il présentera un rapport dans ce sens à la Commission; il appartiendra à la Commission, si elle le juge bon, de prendre des mesures pour attirer sur ces besoins l'attention des gouvernements, des organisations et des personnalités qui désirent contribuer à cette œuvre à l'aide de fonds, de fournitures ou de services, afin que les donateurs puissent apporter une assistance coordonnée aux pays qui en ont besoin, soit directement, soit indirectement par l'intermédiaire des organisations internationales de secours existantes.

8.—La Commission nommera un Secrétaire exécutif, celui-ci avec le personnel international nécessaire, exercera les pouvoirs et remplira les fonctions qui seront déterminés par la Commission. Le personnel sera composé, dans la mesure du possible, de fonctionnaires ou de spécialistes autorisés à cette fin par les Gouvernements des Etats Membres su l'invitation du Secrétaire exécutif.

9.—Les dispositions des articles 104 et 105 de la Charte de l'Organisation des Nations Unies relatives au statut juridique de cette Organisation, à ses privilèges et immunités, s'appliquent également à la présente Commission.

10.—La Commission tiendra sa première séance à Londres immédiatement après la clôture de la présente Conférence et continuera de siéger à Londres jusqu'au moment où la Convention créant l'Organisation sera entrée en vigueur. La Commission sera alors transférée à Paris, où siègera l'Organisation permanente.

11.—Tant que la Commission siègera à Londres, ses frais seront couverts par le Gouvernement du Royaume-Uni, sous réserve

- (1) que le montant des dépenses ainsi engagées soit déduit des contributions à verser par ce Gouvernement à la nouvelle Organisation, jusqu'à ce qu'il ait été récupéré;
- (2) qu'il soit loisible à la Commission, si les circonstances le justifient, de solliciter les contributions d'autres gouvernements.

Lorsque la Commission sera transférée à Paris, ces charges financières seront supportées par le Gouvernement français aux mêmes conditions.

12.—La Commission cessera d'exister au moment où le Directeur Général de l'Organisation entrera en fonctions; à ce moment, les biens et archives de la Commission seront transférés à l'Organisation.

13.—Le Gouvernement du Royaume-Uni aura provisoirement la garde du document original contenant ces dispositions transitoires en langues anglaise et française. Le Gouvernement du Royaume-Uni remettra le document original au Directeur Général lorsque celui-ci entrera en fonctions.

14. — Le présent Arrangement prendra effet à la date de ce jour et restera ouvert à la signature des représentants des Etats qualifiés pour être Membres originaires de l'Organisation des Nations Unies pour l'Éducation, la Science et la Culture, jusqu'à ce que la Commission soit dissoute en application du paragraphe 12.

En foi de quoi, les représentants soussignés, dûment autorisés à cette fin, ont signé le présent Arrangement dans les langues anglaise et française, les deux textes faisant également foi.

Fait à Londres le 16 Novembre 1945, en un seul exemplaire dans les langues anglaise et française. Des copies dûment certifiées conformes seront remises par le Gouvernement du Royaume-Uni aux gouvernements de tous les Etats membres des Nations Unies.

REPUBLIQUE ARGENTINE

CONRADO TRAVERSO

AUSTRALIE

BELGIQUE

A. BUISSERET

BOLIVIE

C. SALAMANCA

BRESIL

MONIZ DE ARAGAO

REPUBLIQUE SOVIETIQUE SOCIALISTE DE BIELORUSSIE

CANADA

VINCENT MASSEY

CHILI

FRANCISCO WALKER LINARES

CHINE

HU SHIH

COLOMBIE

J. J. ARANGO

COSTA RICA

CUBA

LUIS MARINO PÉREZ

TCHECHOSLOVAQUIE

JAN OPOČENSKY

DANEMARK

ALB. MICHELSEN

REPUBLIQUE DOMINICAINE

A. PASTORIZA

EQUATEUR

ALB. PUIG

EGYPTE

A. FATTAH AH. AMR

SALVADOR

ETHIOPIE

FRANCE

GRECE

TH. AGHNIDES

GUATEMALA

M. GALICH

HAITI

LÉON LALEAU

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ARABIE SAOUDITE

HAFIZ WAHBA

SYRIE

N. ARMANAZI

TURQUIE

YUČEL

REPUBLIQUE SOVIETIQUE SOCIALISTE D'UKRAINE

UNION SUD-AFRICAINE

G. HEATON NICHOLLS

UNION DES REPUBLIQUES SOVIETIQUES SOCIALISTES

ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE DU
NORD

ELLEN WILKINSON

ETATS-UNIS D'AMERIQUE

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LONDON

31 Jan 1946

INDEX

A			
Abarca, Feli S. , payment to.....	725	Alaska Native Brotherhood, Camp No. 1,	Page
Abbott, George M. , reimbursement for loss of personal property.....	689	Sitka, Alaska , payment to.....	728
Adams, Herschel , payment to estate of..	739	Albemarle Hospital , payment to.....	826
Adkins, Ansel , payment to.....	716	Albro, Benjamin Allen , payment to.....	725
Aerial Navigation, International Sanitary Convention for, 1944	991	Alexander, Winfred , payment to; condi- tion.....	781
Afghanistan:		Alien Enemies:	
Agreements respecting—		Control of, revocation of certain regu- lations, proclamation.....	889
Air services transit.....	1693	Removal of, additional and supple- mental regulations, proclamation..	870, 880
Air transport.....	1701	Aliens, Relief of Bondsmen , payment to Mrs. Rose Schiffer.....	703
Aviation, international civil.....	1516	Allemannia Fire Insurance Company , payment to.....	725
Agostini Brothers Building Corporation , payment to.....	725	Allen, G. F. , credit in accounts.....	683, 684, 685, 691, 796
Agreements. See International Agree- ments Other Than Treaties; Trea- ties.		Allen, Jennie C. , payment to estate of...	821
Agricultural Experiment Station , agree- ment with Guatemala.....	1471	Allen, Leslie O. , consideration of claim...	796
Agricultural Workers, Costa Rican, Tem- porary Migration of , agreement with Costa Rica.....	1275	Allen, Percy , payment to.....	819
Agriculture, Department of , citizenship requirement for employees, exception in payment of June I. Gradijan.....	708	Allied Expeditionary Force, Supreme Commander , agreement for surrender by Germany.....	1857
Agriculture, Postwar Plans for , printing of additional copies of House com- mittee hearings.....	841	Altaffer, Leland C. , reimbursement for loss of personal property.....	689
Aid, Mutual:		Alton, Edwin , payment to.....	806
Agreements with—		Alton, Helen , payment to.....	806
Belgium.....	1642	American Automobile Fire Insurance Company, Detroit, Mich. , payment to.....	791
France.....	1304	American Automobile Insurance Com- pany , payment to.....	725
French Committee of National Lib- eration.....	1666	American Central Insurance Company , payment to.....	724
Iraq.....	1535	Anderson, Charles W. , payment to.....	825
Netherlands.....	1627	Anglo-American Committee of Inquiry , agreement with Great Britain.....	1729
Turkey.....	1476	Appropriations:	
Air Force Day, 1945 , proclamation.....	871	Baldwin Brothers Paving Company, payment of claim.....	706
Air Services Transit , multilateral agree- ment.....	1693	Credit in designated accounts.....	684
Air Transport:		Foreign Service officers, designated, reimbursement.....	758
Multilateral agreement.....	1701	Foreign Service officers and employ- ees, designated, reimbursement for loss of personal property.....	689
Portugal, agreement with.....	1846	Gillin, William J., payment to.....	797
Air Transport Services:		Harland Bartholomew and Associates, payment of claim.....	746
Agreements with—		Lawrence Motor Company, Inc., pay- ment of claim.....	706
Canada.....	1353	Link, Harold, payment to.....	797
Iceland.....	1464		
Ireland.....	1402		
Norway.....	1658		
Akin, Mrs. Joseph C. , payment to.....	779		

Belgium—Continued.			
Agreements respecting—Continued.			
Sugar, regulation of production and marketing.....	922	Bradley, Omar N. (Gen.), appointment as Administrator of Veterans' Affairs; status; pay, etc.....	741
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Brady, James A., credit in account.....	796
Beltz, Mrs. Minnie A., payment to.....	785	Braswell, Mary Ann, reimbursement for loss of personal property.....	689
Bermuda, Naval Operating Base, reimbursement of certain Navy personnel and former Navy personnel for loss of personal property at.....	787	Bratton, Sue Flippin, payment to legal guardian of.....	810
Best, Francis, payment to.....	725	Brazil:	
Beyer, Malcolm K. (Maj.), reimbursement for loss of personal property....	710	Agreements respecting—	
Biewer, Frances, payment to.....	712	Aviation, international civil.....	1516
Birds, Migratory, amendments of regulations relating to, proclamation.....	873	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883
Black, Boyd B., payment to.....	719	Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
Black, Harry Leon, payment to estate of..	816	Sugar, regulation of production and marketing.....	922
Blackmore, John R., payment to estate of..	804	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Blackmore, Mrs. Louise D., payment to..	804	Decorations, etc., tendered by, authorization for acceptance.....	683
Blexrud, H. J., payment to estate of.....	697	Brazil, Chesley, relief from citizenship requirement for Government employees.....	710
Bliss, Robert Woods and Mildred B., conveyance of Casa Dorinda Estate to.....	815	Brisbane, Australia, reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	772
Boardman, Daniel, Land Claim, title to certain land; issuance of patent.....	788	Brooks, Arthur R., payment to.....	752
Bolivia:		Brooks, Sara H., payment to.....	752
Aerial navigation, sanitary, convention respecting.....	991	Brown, Adell, payment to.....	712
Agreements respecting—		Brown, Alice, payment to.....	712
Air services transit.....	1693	Brown, Mattie Lee, payment to legal guardian of.....	799
Air transport.....	1701	Brown, Shirley M., payment to estate of.....	821
Aviation, international civil.....	1516	Brunette, Joseph, consideration of claim.....	718
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883	Bryan, Charles, payment to.....	814
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	Buhman, Hans, payment to.....	725
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Bunker Hill, Ind., Naval Air Station, reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	772
Bolstad, Mrs. Eugenie U., consideration of claim.....	827	Burnett, Mrs. Ellen C., payment to.....	729
Bonneville Power Administration, citizenship requirement for employees, exception in case of Chesley Brazil....	710	Burnett, John W., reimbursement for loss of personal property.....	689
Boston Maritime Control Area, discontinuance, proclamation.....	881	Byelorussian Soviet Socialist Republic:	
Bourbeau, Angelina, payment to.....	696	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Bowen, Austin Bruce, payment to.....	733	Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
Bowen, Clyde, payment to administratrix of estate of.....	702	Bywater, John A., reimbursement for loss of personal property.....	689
Bowen, Mrs. Sue B., payment to.....	702		
Bowers, Hattie, payment to.....	723		
Bowker, Henry, payment to.....	691		
Boylston, Mrs. Glenn T., payment to....	721		

C		Page	Page
Caballero, Salvador A. , payment to.....	725	Central of Georgia Railway Company and Employees , creation of emergency board to investigate dispute, proclamation.....	857
Calvert, Frederick , payment to administratrix of estate of.....	749	Central Vermont Railway, Inc. , payment to.....	725
Calvert, Ruby Doris , payment to.....	749	Chalker, Robert P. , reimbursement for loss of personal property.....	689
Camp Merritt, N. J. , payment of claims for rental and restoration of certain lands at.....	753	Chanslor-Canfield Midway Oil Company , conveyance of certain mineral rights by quitclaim deed to.....	835
Campbell, Arthur J. , reimbursement for loss of personal property.....	695	Chantler, Edwin R. , payment to.....	725
Campbell, Mrs. Bessie M. , payment to ..	829	Chapin, H. F. , payment for flood damages..	836
Campbell, Charles J. , payment to.....	829	Chapin, John H. , payment for flood damages.....	836
Canada:		Chapman, J. Holbrook , reimbursement for loss of personal property.....	689
Agreements respecting—		Charter of the United Nations	1031
Air services transit	1693	Cherry Point, N. C., Marine Corps Air Station , reimbursement of certain personnel and former personnel for loss of personal property.....	710
Air transport services	1353	Chicago, Milwaukee, Saint Paul and Pacific Railroad Company , payment to.....	725
Aviation, international civil	1516	Child Health Day, 1945 , proclamation....	864
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization	1883	Childers, Leona Connor , payment to administratrix of estate of.....	701
Preparatory Commission of the United Nations, interim arrangements respecting	1411	Chile:	
Sockeye salmon fisheries	1614	Agreements respecting—	
Surrender by Japan	1733	Air services transit	1693
Charter of the United Nations and Statute of the International Court of Justice	1031	Aviation, international civil	1516
Conventions respecting—		Health and sanitation program	1678
Aerial navigation, sanitary	991	Military service	1610
Double taxation, estate taxes, and succession duties	915	Naval mission	1505
Maritime navigation, sanitary	955	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization	1883
Medals, British Empire, acceptance by certain U. S. citizens authorized ..	816	Preparatory Commission of the United Nations, interim arrangements respecting	1411
Canal Dredging Company , payment to..	767	Charter of the United Nations and Statute of the International Court of Justice	1031
Cancer Control Month, 1945 , proclamation.....	861	China:	
Canty, George R. , reimbursement for loss of personal property.....	689	Agreements respecting—	
Cape Hatteras Maritime Control Area , discontinuance, proclamation.....	881	Air transport	1701
Caquias, Demetrio , payment to estate of..	736	Aviation, international civil	1516
Carren, Lily L. , payment to.....	761	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization	1883
Carrico, Ivan , credit in accounts.....	684	Preparatory Commission of the United Nations, interim arrangements respecting	1411
Carter, Frank, Jr. , payment to legal guardian of.....	765	Sugar, regulation of production and marketing	922
Casa Dorinda Estate, Santa Barbara County, Calif. , conveyance to Robert Woods Bliss and Mildred B. Bliss....	815	Surrender by Japan	1733
Casco Bay Maritime Control Area , discontinuance, proclamation.....	881		
Catholic Chancery Office, Inc. , payment to.....	747		
Central Leaf Tobacco Company, Inc. , Durham, N. C., payment to.....	790		

China—Continued.		Commercial Relations—Continued.	Page
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Agreements with—Continued.	
Conventions respecting—		Italy.....	1731
Aerial navigation, sanitary.....	991	Concentration Camps in Germany, Report on, printing of additional copies of Senate document.....	843
Maritime navigation, sanitary.....	955	Concurrent Resolutions:	
Ching, Kui T., payment to.....	791	Agriculture, postwar plans for, printing of additional copies of House committee hearings.....	841
Christensen, Hilde, payment to.....	725	Code, U. S., revision of title 18, printing of additional copies of bill and report.....	841
Ciniglio, Louis, payment to legal guardian of.....	716	Concentration camps in Germany, report on, printing of additional copies of Senate document.....	843
Citizenship Requirement, Government Employees, Exceptions:		Congress—	
Brazil, Chesley.....	710	Adjournment.....	844
Gradijan, June I.....	708	Adjournment sine die.....	849
Clay, Mrs. Bessie L., payment to.....	716	Electoral votes, proceedings for counting.....	839
Clements, David O. (Dr.), payment to estate of.....	690	Enrolled bills, etc., signing of, after adjournment.....	849
Clouse, Mrs. Emily G., payment to.....	698	Joint meeting of two Houses.....	839, 841, 842, 846
Clouse, Fred, payment to.....	698	Organization of, Joint Committee on, establishment, composition, duties, etc.....	839
Clow, Deloris, payment to.....	777	Federal income tax law, armed forces, printing of manuscript as public document.....	847
Coates, Elmer J., payment to.....	709	Fishery resources, report on survey of, printing as Senate document.....	843
Cobb, Candler, payment to.....	800	Food shortages, printing of additional copies of House committee hearings..	844
Code, United States, Revision of Title 18, printing of additional copies of bill and report.....	841	Freeman, L. W., consideration of claim, change in enrollment of bill.....	847
Coleman, Edwin S., reimbursement for loss of personal property.....	689	Full Employment Act of 1945, printing of additional copies of House committee hearings.....	848
Colombia:		Handbook for Servicemen, etc., printing of additional copies of House document.....	842
Agreements respecting—		Highway-construction program, effective date of certain appropriation authorizations.....	846
Aviation, international civil.....	1516	Merchant vessels, postwar disposition of, printing of additional copies of House committee hearings.....	844
Commercial relations.....	1815	Military training, universal—	
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization..	1883	House committee hearings, printing of additional copies.....	846
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	President's address, printing as a House document.....	847
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Missouri Valley Authority, printing of additional copies of Senate committee hearings.....	846
Colón, Republic of Panama:			
Railroad lots in, transfer, agreement with Panama.....	1290		
Waterworks at, transfer of, agreement with Panama.....	1289		
Colonel, Honorary Rank of, granted to Maj. Edward J. Kelly.....	706		
Colorado & Wyoming Railway Company and Employees, creation of emergency board to investigate dispute, proclamation.....	868		
Colorado River, utilization of waters, treaty with Mexico.....	1219		
Columbus Day, 1945, proclamation.....	882		
Commercial Relations:			
Agreements with—			
Colombia.....	1815		

Concurrent Resolutions—Continued.		Page	Constitution of the United States, proposed amendment on making of treaties, printing of additional copies of House committee hearings.....	Page
Oil and gas wells, tax deductions, declaration of Congress.....		844	of House committee hearings.....	841
"Our American Government: What is it? How does it function?" printing of revised edition as a public document.....		843	Continental Shelf, Natural Resources of, Policy of U. S., proclamation.....	884
Palestine, free entry of Jews into.....		848	Conventions. See also Treaties.	
Pearl Harbor attack, joint committee on investigation of, establishment, authority, etc.....		845	Canada, double taxation, estate taxes and succession duties.....	915
Report, extension of time for submission.....	849, 850		French Republic, double taxation.....	893
Physically Handicapped, Aid to, printing of additional copies of House committee hearings.....		848	Multilateral—	
Railroad Retirement Acts, etc., amendments, printing of additional copies of House committee hearings.....		843	Aerial navigation, sanitary.....	991
Revenue Act of 1945, analysis, printing of manuscript as a House document.....		847	Maritime navigation, sanitary.....	955
Small business, financial problems of, printing of additional copies of House committee hearings.....		846	Cooper, John T., credit in account.....	685
Treaties, making of, proposed amendment to the Constitution, printing of additional copies of House committee hearings.....		841	Corey Brothers, Charleston, W. Va., payment to.....	791
United Nations, invitation to locate seat of organization within United States.....		848	Cosson, Alfred Lewis, payment to estate of.....	801
Veterans and their dependents, historical statement of laws and regulations, printing as a House document.....		842	Cosson, Franklin D., payment to legal guardian of.....	801
"War, Further Prosecution of the," printing of additional copies of House document.....		842	Cosson, I. D., payment to legal guardian of.....	801
Congress:			Cosson, James M., payment to estate of.....	801
Adjournment.....		844	Cosson, James M., Jr., payment to estate of.....	801
Adjournment sine die.....		849	Cosson, Mrs. Pearl, payment to.....	801
Declaration of, regarding tax deductions for drilling costs, etc., of oil and gas wells.....		844	Cosson, Thomas, payment to legal guardian of.....	801
Electoral votes, proceedings for counting.....		839	Cosson, Winnie, payment to estate of.....	801
Enrolled bills, etc., signing of, after adjournment.....		849	Costa Rica:	
Joint meeting of two Houses to receive communications from President.....	839, 841, 842, 846		Agreements with—	
Organization of, Joint Committee on, establishment, composition, duties, etc.....		839	Agricultural workers, Costa Rican, temporary migration of.....	1275
Pearl Harbor Investigating Committee, establishment, authority, etc.....		845	Air services transit.....	1693
Report, time extension for submission.....	849, 850		Air transport.....	1701
Connors, Mrs. Hibernia I., payment to.....	791		Aviation, international civil.....	1516
Constan, Peter K., reimbursement for loss of personal property.....	689		Military mission.....	1682
			Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
			Charter of the United Nations and Statute of the International Court of Justice.....	1031
			Councilman, Roy S., payment to.....	819
			Cox, Mrs. Ruth, payment to.....	805
			Crago, Fred, payment to.....	758
			Craig, Clifford E., payment to.....	803
			Cramer, W. F., credit in accounts.....	684
			Criminal Code, Revision of, printing of additional copies of bill and report.....	841
			Crockenberg, Lyman J., payment to.....	725
			Cuba:	
			Agreements respecting—	
			Air services transit.....	1693
			Air transport.....	1701
			Aviation, international civil.....	1516
			Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883

DuBeau, Candide R. , reimbursement for loss of personal property.....	Page 689	Egypt—Continued.	Page
Duke, Harper Theodore, Jr. , payment to estate of.....	809	Agreements respecting—Continued.	
Duke Hospital , payment to.....	826	Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
Duncan, Rolla , payment to.....	797	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Dutch Harbor, Alaska , reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	772	Conventions respecting—	
		Aerial navigation, sanitary.....	991
		Maritime navigation, sanitary.....	955
		El Salvador:	
		Agreements respecting—	
		Air services transit.....	1693
		Air transport.....	1701
		Aviation, international civil.....	1516
		Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
		Charter of the United Nations and Statute of the International Court of Justice.....	1031
		Eldorado National Forest, Calif. , enlargement.....	854
		Electoral Votes , proceedings for counting.....	839
		Elison, Isabelo F. , payment to.....	725
		Emergency Period Defined in Section 124 of Internal Revenue Code , End of, proclamation.....	886
		Employment Act of 1945 , printing of additional copies of House committee hearings.....	848
		England. <i>See</i> Great Britain.	
		Epstein, Mrs. Lillian , payment to estate of.....	784
		Estigoy, Alejo , payment to.....	725
		Ethiopia:	
		Agreements respecting—	
		Air services transit.....	1693
		Air transport.....	1701
		Aviation, international civil.....	1516
		Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
		Charter of the United Nations and Statute of the International Court of Justice.....	1031
		Ethridge, J. D. , payment to.....	699
		European Central Inland Transport Organization , multilateral agreement concerning.....	1740
		European Inland Transport , multilateral agreement respecting.....	1359
		Evans, William Andrew , payment to.....	769
		Evans Funeral Home , payment to.....	826
		Executive Agreements. <i>See</i> International Agreements Other Than Treaties.	
Ecuador:			
Agreements respecting—			
Air services transit.....	1693		
Air transport.....	1701		
Aviation, international civil.....	1516		
Health and sanitation program.....	1590		
Military service.....	1598		
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883		
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411		
Charter of the United Nations and Statute of the International Court of Justice.....	1031		
Conventions respecting—			
Aerial navigation, sanitary.....	991		
Maritime navigation, sanitary.....	955		
Edmonds, Mrs. Bessie S. , payment to.....	834		
Edmondson, Ed , payment to administrator of estate of; condition.....	806		
Education, Cooperative:			
Agreements with—			
Guatemala.....	1271		
Panama.....	1871		
Education, International, Institute of , cooperation in fellowship program, United States-Peru.....	1594		
Educational, Scientific and Cultural Organization, United Nations, Preparatory Commission for the , multilateral agreement respecting.....	1883		
Edwards, Betty Ellen , reimbursement for travel expenses.....	737		
Effinger, Hugo , payment to.....	832		
Egan, Hugh , payment to.....	771		
Egypt:			
Agreements respecting—			
Air services transit.....	1693		
Aviation, international civil.....	1516		
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883		

F

	Page	Page
Fairview School District Numbered 90, Pratt County, Kans., payment to	818	
Farkas, Mrs. Ethel, payment to	744	
Farm-Safety Week, 1945, National, proclamation	867	
Farragut, Idaho, U. S. Naval Training Center, reimbursement of certain personnel for loss of personal property ..	692	
Farrell, John W., payment to	782	
Federal-Aid Highway Act of 1944, effective date of certain appropriation authorizations	846	
Federal Income Tax Law, Armed Forces, printing of manuscript as a public document	847	
Fellowship Program, Cooperative, agreement with Peru	1594	
Figgatt, Myrtle Withers, payment to trustee for	711	
Finck Cigar Company, San Antonio, Tex., payment to	830	
Fire Prevention Week, 1945, proclamation	879	
Fischer, Else, payment to	831	
Fischer, Eric, payment to	831	
Fisheries, Coastal, in Certain Areas, Policy of U. S., proclamation	885	
Fishery Resources, Survey of, printing of report as Senate document	843	
Fitzpatrick, A. F., payment to	827	
Flag Day, 1945, proclamation	869	
Fong Chuck, reimbursement for loss of personal property	689	
Food Shortages, Investigation of, printing of additional copies of House committee hearings	844	
Ford, Raymond W., payment to	775	
Foreign Service, Department of State:		
Jandrey, Fred W., payment to.....	758	
Park, Nelson R., relief from liability...	740	
Reimbursement of certain personnel for loss of personal property.....	689	
Spiker, Clarence J., payment to.....	758	
Forests, National. See National Forests.		
Fort Townsend, Wash., Naval Section Base, reimbursement of certain Navy personnel and former Navy personnel for loss of personal property	772	
France. See also French Committee of National Liberation.		
Agreements respecting—		
Aid, mutual.....	1304	
Air services transit.....	1693	
Aviation, international civil.....	1516	
European Central Inland Transport Organization.....	1740	
European inland transport.....	1359	
France—Continued.		
Agreements respecting—Continued.		
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	
Sugar, regulation of production and marketing.....	922	
Surrender by Japan.....	1733	
War criminals of European Axis, major, prosecution and punishment..	1544	
Charter of the United Nations and Statute of the International Court of Justice.....	1031	
Conventions respecting—		
Aerial navigation, sanitary.....	991	
Double taxation.....	893	
Maritime navigation, sanitary.....	955	
Franking Privilege, grant to Anna Eleanor Roosevelt	707	
Freeman, Etta Houser, repeal of Act conferring jurisdiction on Court to hear claim	792	
Freeman, L. W., Claim Arising Out of Death of:		
Consideration, change in enrollment of bill.....	847	
Jurisdiction of Court to hear.....	792	
French Committee of National Liberation, mutual aid in French North and West Africa, agreement respecting	1666	
French Republic. See France.		
Friedrich, Miss Jacqueline, reimbursement for travel expenses	832	
Fuel and Vegetable Oil, agreement with Argentina	1799	
Fuhrmann, Ernest L., payment to	768	
Full Employment Act of 1945, printing of additional copies of House committee hearings	848	
		G
Galipeau, Mary, payment to	804	
Gall, John J., payment to	802	
Garcia, Creencio L., payment to	791	
Garner, Charles, acceptance of foreign decoration, etc., authorized	683	
Gas Wells, Tax Deductions for Drilling Costs, Etc., declaration of Congress ..	844	
Gasaway, N. D., payment for flood damages	836	
Gaudet, Charles, confirmation of land claim	707	
Gause, F. L., payment to	693	
Gause, Helen, payment to legal guardian of	693	
Gause, Rosalind, payment to legal guardian of	693	
Gelb, Herman, payment to	754	

	Page		Page
General Exchange Insurance Corporation , payment to.....	725	Great Britain—Continued.	
General Pulaski's Memorial Day, 1945 , proclamation.....	886	Agreements respecting—Continued.	
General Transportation Casualty and Surety Company , prohibition on payment to in designated case.....	765	Armistice with—	
German Surrender ; appointment of day of prayer; proclamation.....	867	Hungary.....	1321
Germany:		Rumania.....	1712
Concentration camps in, report on, printing of additional copies of Senate document.....	843	Aviation, international civil.....	1516
Immigration quota for, proclamation..	883	European Central Inland Transport Organization.....	1740
Sugar, regulation of production and marketing, agreement and protocol respecting.....	922	European inland transport.....	1359
Surrender agreement by.....	1857	Japan, Yalta agreement regarding....	1823
Gerrish, Edward Alfred , payment to estate of.....	821	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization	1883
Gerrish, John E. , payment to guardian of.....	821	Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
Gerrish, Marian Anne , payment to guardian of.....	821	Prizes, jurisdiction over (India).....	1709
Gerrish, Roberta Mae , payment to estate of.....	821	Sugar, regulation of production and marketing.....	922
Gerrish, Rose M. , payment to estate of..	821	Surrender by Japan.....	1733
Gerrish, Virginia Mae , payment to estate of.....	820	Venezia Giulia, provisional administration of.....	1855
Gianquitti, Angelo , payment to.....	808	War criminals of European Axis, major, prosecution and punishment.....	1544
Gianquitti, George , payment to.....	808	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Giddings, Lochie Withers , payment to trustee for.....	711	Conventions respecting—	
Gien, Frank , payment to.....	764	Aerial navigation, sanitary.....	991
Gillin, William J. , payment to.....	797	Maritime navigation, sanitary.....	955
Glassell-Taylor Company, Robinson and Young , payment to.....	767	Greece:	
Goldstein, Harry , payment to.....	824	Agreements respecting—	
Goodman, Charles Clement , acceptance of foreign decoration, etc., authorized.....	683	Air services transit.....	1693
Gorham, Florence M. , payment to estate of.....	820	Aviation, international civil.....	1516
Gorham, Gordon T. , payment to estate of.....	820	European Central Inland Transport Organization.....	1740
Government, American, Information Booklet on , printing of revised edition as a public document.....	843	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883
Gradijan, June I. , relief from liability for payment of compensation to.....	708	Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
Graham, Lee , payment to.....	715	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Grandview Hospital , payment to.....	736	Conventions respecting—	
Gray, Cris Lee , cancellation of judgment against.....	806	Aerial navigation, sanitary.....	991
Great Britain:		Maritime navigation, sanitary.....	955
Agreements respecting—		Green, Rita Cauvin , marital status with respect to administration of Employees' Compensation Act.....	760
Air services transit.....	1693	Greensburg Land District, Livingston Parish, La. , title to designated land; issuance of patent.....	788
Anglo-American Committee of Inquiry.....	1729	Greenwood, Ben , payment to.....	807
		Greenwood, Dovie , payment to.....	807

Gregory, Hugh M. , validation of designated appointment; payment to.....	Page 734	Hamoaze House, Plymouth, Devon, England , reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	Page 786
Griggs, Oscar , payment to.....	688	Hancock, Rufus A. , payment to.....	828
Grigsby, J. B. , payment to.....	782	Handbook for Servicemen, Etc. , printing of additional copies of House document.....	842
Grim, Harold J. , payment to.....	731	Hanley, Francis A. , consideration of claim.....	794
Groves, H. Lawrence , reimbursement for loss of personal property.....	689	Hannan, Vina J. , payment to guardian of.....	821
Guatemala:		Hannon, Eleanore M. , payment to.....	813
Agreements respecting—		Hannon, Joseph A. , payment to.....	813
Agricultural experiment station.....	1471	Hardage, Mrs. Eunice C. , consideration of claim.....	833
Air services transit.....	1693	Harland Bartholomew and Associates , adjustment of claim; payment to.....	746
Air transport.....	1701	Harrington, Mrs. Ethel L. , payment to.....	724
Aviation, international civil.....	1516	Harris, Mrs. Harriette E. , payment to.....	741
Education, cooperative.....	1271	Harris, J. P. , payment to.....	703
Military aviation mission.....	1488	Harrowbeer Airport, Yelverton, South Devon, England , reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	771
Military mission.....	1392	Haselden and Huggins Company , payment to.....	757
Parcel post.....	1827	Hatcher, C. C. , payment to.....	724
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883	Haven, Richard B. , reimbursement for loss of personal property.....	689
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	Hawthorne, Carl O. , reimbursement for loss of personal property.....	689
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Head, Luther J. (Dr.) , payment to.....	689
Gullikson, Mrs. Freda , consideration of claim.....	722	Health and Sanitation Program:	
Gunnells, Mrs. Dezaree , payment to.....	756	Agreements with—	
Gunnells, Hugh P. , payment to.....	756	Chile.....	1678
		Ecuador.....	1590
		Haiti.....	1298
		Nicaragua.....	1673
		Hellenic Government, Royal. <i>See</i> Greece.	
		Hellstrand, William J. , payment to.....	725
		Herren, Ruben M. , payment to.....	688
		Herzog, Mrs. Mary Ellen Keegan , payment to.....	745
		Hicoek, Thomas A. , reimbursement for loss of personal property.....	689
		Hidde, Doris , payment to.....	826
		Hidde, Hannah , payment to.....	826
		Highway Construction Program , effective date of certain appropriation authorizations.....	846
		Highways. <i>See</i> Rio Hato Highway; Trans-Isthmian Highway.	
		Hiler, James M. , credit in account.....	692
		Hires Turner Glass Company , payment to.....	735
		Hockenberry, Margaret , payment to legal guardian of.....	761
		Holtz, Werner (Capt.) , payment to.....	805
		Home Insurance Company , payment to..	725

H

Haiti:

Agreements respecting—

Air services transit.....	1693
Air transport.....	1701
Aviation, international civil.....	1516
Customs privileges, reciprocal.....	1868
Health and sanitation program.....	1298
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
Rubber plantation, cooperative, investigations.....	1458
Sugar, regulation of production and marketing.....	922
Charter of the United Nations and Statute of the International Court of Justice.....	1031
Conventions respecting—	
Aerial navigation, sanitary.....	991
Maritime navigation, sanitary.....	955
Hames, John , payment to.....	809
Hamilton, Kate E. , payment to administratrix of estate of.....	726

Honduras:	Page	Income Tax Law, Federal, Armed Forces,	Page
Agreements respecting—		printing of manuscript as a public	
Air services transit	1693	document	847
Air transport	1701	India:	
Aviation, international civil	1516	Agreements respecting—	
Preparatory Commission of the		Air services transit	1693
United Nations, interim arrange-		Aviation, international civil	1516
ments respecting	1411	Preparatory Commission for the	
Charter of the United Nations and		United Nations Educational,	
Statute of the International Court		Scientific and Cultural Organi-	
of Justice	1031	zation	1883
Conventions respecting—		Preparatory Commission of the	
Aerial navigation, sanitary	991	United Nations, interim arrange-	
Maritime navigation, sanitary	955	ments respecting	1411
Hong Kong, Japanese Occupation, reim-		Prizes, jurisdiction over	1709
bursement of certain U. S. personnel		Sugar, regulation of production and	
for loss of personal property	695	marketing	922
Hooks, James M. (Dr.), payment to	780	Charter of the United Nations and	
Horn, Thomas S., reimbursement for loss		Statute of the International Court	
of personal property	689	of Justice	1031
Horton, Oscar L., payment to	791	Inglis Construction Company, payment to	776
Hoseley, Lee D., payment to	774	Inquiry, Anglo-American Committee of,	
Hudson, Robert A., payment to	811	agreement with Great Britain	1729
Huffman, Henry H., payment to	771	Institute of Inter-American Affairs:	
Huffman, Mrs. Marie J., payment to	771	Health and sanitation program, co-	
Hume, Clarence S., Jr., payment to estate		operation with—	
of	820	Chile	1678
Hume, Edna May, payment to estate of	820	Ecuador	1590
Hume, John William, payment to estate		Haiti	1298
of	820	Nicaragua	1673
Hungary:		Institute of International Education, co-	
Armistice agreement	1321	operation in fellowship program,	
Sugar, regulation of production and		United States-Peru	1594
marketing, agreement and protocol		Inter-American Affairs, Institute of. <i>See</i>	
respecting	922	Institute of Inter-American Affairs.	
Hunsucker, Mrs. Ruby H., payment to	765	Inter-American Educational Foundation,	
Hunt, Frederick D., reimbursement for		Inc., assistance to Guatemala	1271
loss of personal property	689	Internal Revenue Code, end of emergency	
Hutchinson, Earl L., payment to	725	period defined in section 124, procla-	
Hutchinson, Mrs. Ora R., payment to	777	mation	886
Hutson, G. E., payment for flood dam-		International Agreements Other Than	
ages	836	Treaties. <i>See also</i> Treaties.	
		Argentina, fuel and vegetable oil	1799
		Australia, marine transportation and	
		litigation	1499
		Belgium, mutual aid	1642
		Canada—	
		Air transport services	1353
		Sockeye salmon fisheries	1614
		Chile—	
		Health and sanitation program	1678
		Military service	1610
		Naval mission	1505
		Colombia, commercial relations	1815
		Costa Rica—	
		Agricultural workers, Costa Rican,	
		temporary migration of	1275
		Military mission	1682
		Ecuador—	
		Health and sanitation program	1590

I

"I Am An American Day," 1945, procla-
mation

860

Iceland:

 Agreements respecting—

 Air services transit

1693

 Air transport

1701

 Air transport services

1464

 Aviation, international civil

1516

 Armed forces in, relations between,
 agreement with Norway

1819

Illinico, Mrs. Ada Wert, payment to

735

Immigration Quotas for Austria and Ger-
many, proclamation

883

Imperial Assurance Company, payment
to

724

International Agreements Other Than Treaties—Continued.	Page	International Agreements Other Than Treaties—Continued.	Page
Ecuador—Continued.		Panama—	
Military service.....	1598	Education, cooperative.....	1871
France, mutual aid.....	1304	General relations.....	1289
French Committee of National Libera- tion, mutual aid in French North and West Africa.....	1666	Peru—	
Great Britain—		Fellowship program, cooperative....	1594
Anglo-American Committee of In- quiry.....	1729	Military service.....	1606
Prizes, jurisdiction over (India)....	1709	Portugal, air transport.....	1846
Guatemala—		Soviet Socialist Republics, Union of, liberated prisoners of war and civilians.....	1874
Agricultural experiment station....	1471	Turkey, mutual aid.....	1476
Cooperative education.....	1271	Venezuela, military service.....	1602
Military aviation mission.....	1488	International Civil Aviation Organization, Provisional, establishment.....	1516
Military mission.....	1392	International Court of Justice, Statute of the.....	1055
Parcel post.....	1827	International Load Lines Convention, rev- ocation of suspension in ports and waters of United States, proclama- tion.....	890
Haiti—		International Military Tribunal, provision for establishment, etc.....	1544
Customs privileges, reciprocal.....	1868	Correction in Charter.....	1586
Health and sanitation program.....	1298	International Pacific Salmon Fisheries Commission, recommendations..	1614, 1617
Rubber plantation, cooperative, in- vestigations.....	1458	Iran:	
Iceland, air transport services.....	1464	Agreements respecting—	
India, jurisdiction over prizes.....	1709	Air services transit.....	1693
Iraq, mutual aid.....	1535	Aviation, international civil.....	1516
Ireland, air transport services.....	1402	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organi- zation.....	1883
Italy, commercial relations.....	1731	Preparatory Commission of the United Nations, interim arrange- ments respecting.....	1411
Multilateral—		Charter of the United Nations and Statute of the International Court of Justice.....	1031
Air services transit.....	1693	Iraq:	
Air transport.....	1701	Agreements respecting—	
Armistice with Hungary.....	1321	Aid, mutual.....	1535
Armistice with Rumania.....	1712	Air services transit.....	1693
Aviation, international civil.....	1516	Aviation, international civil.....	1516
European Central Inland Transport Organization.....	1740	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organi- zation.....	1883
European inland transport.....	1359	Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
Japan, Yalta agreement regarding...	1823	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Preparatory Commission of the United Nations, interim arrange- ments respecting.....	1411	Ireland:	
Surrender by Germany.....	1857	Agreements respecting—	
Surrender by Japan.....	1733	Air transport services.....	1402
United Nations Educational, Scien- tific and Cultural Organization, Preparatory Commission for the..	1883	Aviation, international civil.....	1516
Venezia Giulia, provisional adminis- tration of.....	1855		
War criminals of European Axis, major, prosecution and punish- ment.....	1544		
Netherlands, mutual aid.....	1627		
New Zealand, jurisdiction over prizes..	1301		
Nicaragua, health and sanitation pro- gram.....	1673		
Norway—			
Air transport services.....	1658		
Armed forces in Iceland, relations between.....	1819		
Marine transportation and litigation..	1541		

Irvine Company, Tustin, Calif., payment to..... 820
 Isturis, Juan M., payment to..... 725
 Italy, agreement respecting commercial relations..... 1731

J

Jackson, Elsie Fowkes, payment to..... 730
 Jackson, Jabez Fenton (Dr.), payment to..... 759
 Jackson, Leonard D., payment to..... 730
 Jackson, Myrtle, payment to estate of... 788
 Jackson, Mrs. Narcissa Wilmans, payment to..... 759
 Jandrey, Fred W., payment to..... 758
 Japan:
 Multilateral agreement respecting..... 1823
 Surrender terms..... 1733
 Japanese Surrender; appointment of day of prayer; proclamation..... 878
 Jay Taylor Cattle Company, Amarillo, Tex., payment to..... 696
 Jefferds, Roy, payment to..... 825
 Jennette, Alaska D., reimbursement for loss of personal property..... 755
 Jennings, John R., payment to..... 773
 Jensen, Oliver, payment to..... 770
 Jews, Free Entry Into Palestine, resolution respecting..... 848
 Johnson, Mrs. C. E., payment for flood damages..... 836
 Johnson, Daniel B., payment to..... 729
 Johnson, Mrs. Evelyn, payment to..... 807
 Johnson, John August, jurisdiction of Court to hear claim..... 799
 Johnson, Paul, payment for flood damages..... 836
 Johnson, Mr. and Mrs. Walter M., payment to..... 727
 Johnston, W. W. (Dr.), payment to..... 826
 Joint Committee on Investigation of Pearl Harbor Attack:
 Establishment, authority, etc..... 845
 Report, time extension for submission. 849, 850
 Joint Committee on Organization of the Congress, establishment, composition, duties, etc..... 839
 Jones, Vonnice, payment to legal guardian of. 712
 Julian, W. A., credit in accounts... 684, 796, 797
 Justice, Statute of the International Court of..... 1055
 Justice, Mrs. W. V., payment to..... 700

K

Kabel, B. F., payment for flood damages... 836
 Kacprzyk, Patricia M., payment to..... 764
 Kaigler, Edgar, payment to..... 817
 Kanngiesser, O., credit in accounts..... 684
 Karalis, Mrs. Mary, payment to..... 714, 758
 Karsch, Blanche H., payment to..... 726

Page
 Keblinger, Wilbur J., reimbursement for loss of personal property..... 689
 Keegan, Francis James, payment to.... 745
 Keegan, John (Sgt.), payment to..... 745
 Keeler, Florentine H., payment to..... 801
 Keeler, Genevieve M., payment to..... 801
 Keeler, Harold S., payment to..... 801
 Keith, Robert W., payment to..... 729
 Keithley, Donald R., payment to legal guardian of..... 765
 Keithley Brothers Garage, payment to... 765
 Keller, Frank A., reimbursement for loss of personal property..... 689
 Kelly, Edward J. (Maj.), honorary rank of colonel granted to..... 706
 Kelly, James A., consideration of claim.. 709
 Kelly, James D., payment for flood damages..... 836
 Kelly, Patrick A., payment to..... 806
 Kenney, Lewis Hobart, acceptance of foreign decoration, etc., authorized... 683
 Kentucky and Indiana Terminal Railroad and Employees, creation of emergency board to investigate dispute, proclamation..... 856
 Ketcham, John B., reimbursement for loss of personal property..... 689
 Ketchum, Idaho, issuance of land patents to certain settlers of, time extension..... 817
 Key, D. W., payment to..... 745
 Key West Maritime Control Area, discontinuance, proclamation..... 881
 Kiernan, J. Dawson, reimbursement for loss of personal property..... 689
 King, Henry P., payment to..... 825
 Kirlew, Alfred, payment to..... 725
 Kiser, James U., nonapplicability of certain time limitations in Employees' Compensation Act with respect to death of..... 778
 Kiser, Mrs. Virginia M., consideration of claim; payment to..... 778
 Klau-Van Pietersom-Dunlap Associates, Inc., payment to..... 792
 Klockenkemper, Gus, payment to..... 825
 Kolb, Edward, payment to..... 777
 Krentz, Kenneth C., reimbursement for loss of personal property..... 689
 Kreuzler, Christian H., payment to..... 811
 Kuhnert, Julius P., payment for flood damages..... 836
 Kunze, Edward Lawrence, payment to... 719
 Kushner, Harry, reimbursement for loss of personal property..... 689
 Kuykendall, C. Porter, reimbursement for loss of personal property..... 689

L		Page	Loacker, Anne, payment of civil-service retirement annuity to.....	Page
Labas, Antoinette , payment to.....	724	Load Lines Convention, International , revocation of suspension in ports and waters of United States, proclamation.....	890	
Labor Disputes . See Railway Labor Disputes.		Lockhart, Frank P. , reimbursement for loss of personal property.....	689	
Lamb, Mr. and Mrs. J. L. , payment to....	822	Long, Linden A. , payment to.....	692	
Lams, Vernon , payment to.....	725	Lore, Frank , payment to.....	718	
Land Patents , issuance to certain settlers of Ketchum, Idaho, time extension..	817	Louisiana Lands , confirmation of claim of Charles Gaudet.....	707	
Lannon, Annie M. , payment to.....	800	Love, D. E. , credit in accounts.....	684	
Latimer, Murray B. , reimbursement for loss of personal property.....	697	Lower, Fred A. , payment to.....	713	
Laurie, Ida E. , payment to.....	750	Lubell Brothers, Inc., New York City, N. Y. , payment to.....	784	
Lawrence Motor Company, Inc. , payment to.....	706	Lund, Genevieve , payment to.....	811	
Lebanon:		Luxembourg:		
Agreements respecting—		Agreements respecting—		
Air services transit.....	1693	Air services transit.....	1693	
Air transport.....	1701	Aviation, international civil.....	1516	
Aviation, international civil.....	1516	European Central Inland Transport Organization.....	1740	
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883	European inland transport.....	1359	
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883	
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	
Lee, Frank C. , reimbursement for loss of personal property.....	689	Charter of the United Nations and Statute of the International Court of Justice.....	1031	
Lend-Lease . See Aid, Mutual.		Conventions respecting—		
Leontire, Alex D. , payment to.....	764	Aerial navigation, sanitary.....	991	
Lewis, Mrs. Addie S. , payment to.....	809	Maritime navigation, sanitary.....	955	
Lewis, Benjamin D. , consideration of claim.....	705			
Lewis, Carl , payment to.....	799	M		
Liberated Prisoners of War and Civilians , agreement with Union of Soviet Socialist Republics.....	1874	Maasdam, Steamship , reimbursement of certain Marine Corps personnel and former Marine Corps personnel for loss of personal property.....	797	
Liberia:		MacDonald, Madeline J. , reimbursement for travel expenses.....	728	
Agreements respecting—		Maddox, Donna Sue , payment to legal guardian of.....	762	
Air services transit.....	1693	Maddox, Saddle Inez , payment to legal guardian of.....	762	
Air transport.....	1701	Maddox, William W. , payment to.....	762	
Aviation, international civil.....	1516	Magasi, Christino , payment to.....	725	
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883	Magee, Florence V. , payment to.....	825	
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	Magee, John W. , payment to.....	825	
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Magwood, Lewis E. , jurisdiction of Court to hear claim; payment of judgment.....	760	
Lilly, Stanley J. , payment to.....	810	Mallardi, Joseph , payment to.....	824	
Link, Harold , payment to.....	797	Mallette, Mrs. Alma , payment to.....	716	
Little, Hazel M. , payment to estate of....	821			
Little, James , payment to estate of....	821			
Little, Nancy Lee , payment to estate of..	821			

Manier, Joe , payment to administratrix of estate of.....	Page 757	McLendon, Mr. and Mrs. Everett, Sr. , payment to.....	Page 770
Manier, Mrs. Lucile , payment to.....	757	McNaughten, Roland C. , payment to.....	724
Manila, P. I., Japanese Occupation , reimbursement of certain U. S. personnel for loss of personal property.....	695	Medals, Decorations, Etc.: Authorization for acceptance of foreign decoration, etc., by—	
Marchant, Charles Rex , acceptance of foreign decoration authorized.....	816	Bassett, Jack Veniss.....	816
Marggraf, Mary G. , payment to.....	721	Garner, Charles.....	683
Marine Corps , reimbursement of certain personnel and former personnel for loss of personal property- 687, 710, 787, 797		Goodman, Charles Clement.....	683
Marine Transportation and Litigation: Agreements with—		Kenney, Lewis Hobart.....	683
Australia.....	1499	Marchant, Charles Rex.....	816
Norway.....	1541	Robinson, Henry Charles.....	683
Maritime Control Areas, Designated , discontinuance, proclamation.....	881	Sasseen, Lorne E.....	816
Maritime Day, 1945, National , proclamation.....	862	Meersman, Margaret M. , reimbursement for travel expenses.....	715
Maritime Navigation, Sanitary , multilateral convention respecting.....	955	Meily, John J. , reimbursement for loss of personal property.....	689
Marlett, Mary A. , payment to.....	725	Memphis, Tenn., Naval Hospital , reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	772
Marlin-Rockwell Corporation , redetermination of excessive profits, extension of time for filing petition.....	727	Merchant Vessels, Postwar Disposition of , printing of additional copies of House committee hearings.....	844
Marquis, J. Clyde , reimbursement for transportation expenses.....	781	Merrill, Fred H. , payment to.....	725
Martin, Stewart, Jr. , payment to legal guardian of.....	738	Mexico: Agreements respecting—	
Masuret, Eugene A. , reimbursement for loss of personal property.....	689	Air services transit.....	1693
Mattas, Matthew , payment to.....	819	Air transport.....	1701
Mattil, Anna , payment to.....	777	Aviation, international civil.....	1516
Mattil, George , payment to.....	777	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883
Mattil, John A. , payment to.....	777	Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
Mattil, John H., Sr. , payment to.....	777	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Maurer, Gladys Elvira , payment to.....	818	Treaty respecting utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande.....	1219
Mayburg Chemical Company , payment to.....	724	Meyer, Paul W. , reimbursement for loss of personal property.....	689
McCleary, Jay H. , consideration of claim.....	812	Migration, Temporary, of Costa Rican Agricultural Workers , agreement with Costa Rica.....	1275
McCord, Frederick Matthews (Ensign) , reimbursement for loss of personal property.....	686	Migratory Birds , amendments of regulations relating to, proclamation.....	873
McCormack, Mrs. Ellen , payment to.....	709	Military Aviation Mission , agreement with Guatemala.....	1488
McCracken, L. S. , credit in accounts.....	684	Military Mission: Agreements with—	
McCrary, G. M. , payment for flood damages.....	836	Costa Rica.....	1682
McDonough, John T. , payment to.....	725	Guatemala.....	1392
McDuff, Ethel , payment for flood damages.....	836	Military Service: Agreements with—	
McGarroll, Thomas , payment to estate of.....	815	Chile.....	1610
McGhee, Mr. and Mrs. James E. , payment to.....	746	Ecuador.....	1598
McGuire, James , payment to estate of.....	821		
McKay, Osborne E. , payment to.....	745		
McKnight, Mrs. Amy , consideration of claim.....	686		
McLean, Alexander , payment to estate of.....	795		
McLean, Oscar N. , payment to.....	828		
McLendon, Everett, Jr. , payment to.....	770		

	Page		Page
New Zealand—Continued.		Norway—Continued.	
Agreements respecting—Continued.		Agreements respecting—Continued.	
Prizes, jurisdiction over.....	1301	Preparatory Commission of the	
Surrender by Japan.....	1733	United Nations, interim arrange-	
Charter of the United Nations and		ments respecting.....	1411
Statute of the International Court		Charter of the United Nations and	
of Justice.....	1031	Statute of the International Court	
Newton, Ethel, payment to.....	754	of Justice.....	1031
Nicaragua:			
Agreements respecting—		O	
Air services transit.....	1693	Ogdon, S. S., credit in accounts.....	684
Air transport.....	1701	O'Hara, George, payment to estate of....	836
Aviation, international civil.....	1516	Ohio Brass Company, Mansfield, Ohio,	
Health and sanitation program.....	1673	determination and payment of claim	
Preparatory Commission for the		authorized.....	823
United Nations Educational,		Oil, Fuel and Vegetable, agreement with	
Scientific and Cultural Organ-		Argentina.....	1799
ization.....	1883	Oil and Gas Wells, Tax Deductions for	
Preparatory Commission of the		Drilling Costs, Etc., declaration of	
United Nations, interim arrange-		Congress.....	844
ments respecting.....	1411	Olmedo, Samuel, payment to.....	725
Charter of the United Nations and		Olsen, Sigfried, payment to.....	723
Statute of the International Court		Omaha Beach, France, reimbursement of	
of Justice.....	1031	certain Navy personnel and former	
Conventions respecting—		Navy personnel for loss of personal	
Aerial navigation, sanitary.....	991	property.....	772
Maritime navigation, sanitary.....	955	Ordon, Sinforoso L., payment to.....	725
Nisselson, John, relief from liability for		Oregon Caves Resort, relief from liability	
designated sum; credit in account....	818	for certain franchise fees.....	774
Noel, James M., payment to.....	725	Ormsby, Richard, payment to legal	
Noland, Goldie, payment for flood		guardian of.....	777
damages.....	836	Ossa, Daniel, payment to.....	724
Norfolk, Va.:		"Our American Government: What Is It?	
Norfolk-Portsmouth Bridge, Inc., jurisd-		How Does It Function?" , printing of	
iction of Court to hear claim.....	734	revised edition as a public document..	843
Reimbursement of certain Navy per-		Owens, Z. D. (Dr.), payment to.....	826
sonnel, etc., for loss of personal or		Oxley, Lamar, payment to legal guardian	
privately owned property—		of.....	781
Naval Air Station.....	743	Oxley, N. Owen, payment to.....	781
Naval Operating Base.....	749, 772		
Navy Yard.....	751	P	
North Jersey Utilization and Sewerage		Pacific Salmon Fisheries Commission, In-	
Disposal Plant, Inc., payment to re-		ternational, recommendations... 1614, 1617	
ceiver of.....	753	Packard, Virginia, reimbursement for	
Norway:		travel expenses.....	817
Agreements respecting—		Palestine, Free Entry of Jews Into, reso-	
Air services transit.....	1693	lution respecting.....	848
Air transport services.....	1658	Panama:	
Armed forces in Iceland, relations		Agreements respecting—	
between.....	1819	Aviation, international civil.....	1516
Aviation, international civil.....	1516	Education, cooperative.....	1871
European Central Inland Transport		General relations.....	1289
Organization.....	1740	Preparatory Commission for the	
European inland transport.....	1359	United Nations Educational,	
Marine transportation and litigation..	1541	Scientific and Cultural Organ-	
Preparatory Commission for the		ization.....	1883
United Nations Educational,		Preparatory Commission of the	
Scientific and Cultural Organ-		United Nations, interim arrange-	
ization.....	1883	ments respecting.....	1411

Panama—Continued.		Philippine Commonwealth:	
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Agreements respecting—	
Panamá, Republic of Panama:		Air services transit.....	1693
Railroad lots in, transfer, agreement with Panama.....	1290	Aviation, international civil.....	1516
Waterworks at, transfer of, agreement with Panama.....	1289	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883
Paraguay:		Preparatory Commission of the United Nations, interim arrangements respecting.....	1411
Agreements respecting—		Sugar, regulation of production and marketing.....	922
Air services transit.....	1693	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Air transport.....	1701	Physically Handicapped, Aid to, printing of additional copies of House committee hearings.....	848
Aviation, international civil.....	1516	Physically Handicapped Week, National Employ the, 1945, proclamation.....	881
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	Pipe Line System, Petroleum, construction, etc., proclamation.....	872
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Platt, Herman, payment to.....	726
Parcel Post, agreement with Guatemala..	1827	Plumas National Forest, Calif., enlargement.....	853
Parisian, Edward, payment to.....	691	Plymouth, Devon, England, reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	786
Park, Nelson R., relief from liability.....	740	Poland:	
Payne, Greenfield, payment to estate of..	756	Agreements respecting—	
Pearl Harbor Investigating Committee:		Air services transit.....	1693
Establishment, authority, etc.....	845	Aviation, international civil.....	1516
Report, time extension for submission..	849, 850	European Central Inland Transport Organization.....	1740
Pendleton, Esther, payment to.....	826	Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883
Pendleton, Lloyd, payment to legal guardian of.....	826	Sugar, regulation of production and marketing.....	922
Perkins Gins, Memphis, Tenn., authorization for filing claim.....	693	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Peru:		Conventions respecting—	
Agreements respecting—		Aerial navigation, sanitary.....	991
Air services transit.....	1693	Maritime navigation, sanitary.....	955
Air transport.....	1701	Poos, L. K., payment for flood damages..	836
Aviation, international civil.....	1516	Port Hueneme, Calif., Eighty-third U. S. Naval Construction Battalion, reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	748
Fellowship program, cooperative....	1594	Portsmouth, N. H., Maritime Control Area, discontinuance, proclamation..	881
Military service.....	1606	Portugal:	
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....	1883	Agreements respecting—	
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	Air transport.....	1846
Sugar, regulation of production and marketing.....	922	Aviation, international civil.....	1516
Charter of the United Nations and Statute of the International Court of Justice.....	1031		
Conventions respecting—			
Aerial navigation, sanitary.....	991		
Maritime navigation, sanitary.....	955		
Perz, Myles, payment to estate of.....	724		
Petroleum Pipe Line System, construction, etc., proclamation.....	872		
Petroleum Resources of Continental Shelf, Policy of U. S., proclamation.....	884		

Portugal—Continued.	Page	Proclamations—Continued.	Page
Agreements respecting—Continued.		Denver and Rio Grande Western Rail-	
Sugar, regulation of production and		road Company and employees,	
marketing.....	922	creation of emergency board to	
Potter, H. R., payment to.....	791	investigate dispute.....	859
Potts, Margaret G., reimbursement for		Des Moines and Central Iowa Rail-	
travel expenses.....	698	road and employees, creation of	
Pow, Margaret J., consideration of claim..	720	emergency board to investigate	
Powell, Edith M., payment to.....	732	dispute.....	858
Preparatory Commission for the United		Eldorado National Forest, Calif., en-	
Nations Educational, Scientific and		largement.....	854
Cultural Organization, multilateral		Fire Prevention Week, 1945.....	879
agreement respecting.....	1883	Flag Day, 1945.....	869
Preparatory Commission of the United		General Pulaski's Memorial Day, 1945..	886
Nations, interim arrangements res-		German surrender; appointment of day	
pecting.....	1411	of prayer.....	867
President Franklin Delano Roosevelt,		"I Am An American Day," 1945.....	860
death of, day of mourning and prayer,		Immigration quotas for Austria and	
proclamation.....	864	Germany.....	883
President of the United States:		Internal Revenue Code, end of emer-	
Addresses, printing of.....	842, 847	gency period defined in section 124..	886
Bradley, Gen. Omar N., authorization		International Load Lines Convention,	
for appointment as Administrator		revocation of proclamation sus-	
of Veterans' Affairs.....	741	pending in ports and waters of	
Electoral votes for, proceedings for		United States.....	890
counting.....	839	Japanese surrender; appointment of	
Prisoners of War and Civilians, Liberated,		day of prayer.....	878
agreement with Union of Soviet		Kentucky and Indiana Terminal Rail-	
Socialist Republics.....	1874	road and employees, creation of	
Prizes, Jurisdiction Over:		emergency board to investigate	
Agreements with—		dispute.....	856
New Zealand.....	1301	Migratory birds, amendments of reg-	
United Kingdom of Great Britain and		ulations relating to.....	873
Northern Ireland for India.....	1709	Missouri Pacific Railroad Company and	
Proclamations:		employees, creation of emergency	
Air Force Day, 1945.....	871	board to investigate dispute.....	863
Alien enemies—		Mother's Day, 1945.....	865
Control of, revocation of certain reg-		National Employ the Physically Handi-	
ulations.....	889	capped Week, 1945.....	881
Removal of, additional and supple-		National Farm-Safety Week, 1945....	867
mental regulations.....	870, 880	National Maritime Day, 1945.....	862
Armistice Day, 1945.....	888	National Rehabilitation Week.....	866
Army Day, 1945.....	860	Natural resources of the subsoil and	
Cancer Control Month, 1945.....	861	sea bed of the continental shelf,	
Casco Bay, Portsmouth, N. H., Boston,		policy of the United States with re-	
Cape Hatteras, and Key West		spect to.....	884
Maritime Control Areas, discon-		Petroleum pipe line system, construc-	
tinuance.....	881	tion.....	872
Central of Georgia Railway Company		Plumas National Forest, Calif., en-	
and employees, creation of emer-		largement.....	853
gency board to investigate dispute..	857	Red Cross Month, 1945.....	855
Child Health Day, 1945.....	864	Roosevelt, Franklin Delano, death of,	
Coastal fisheries in certain areas of high		day of mourning and prayer.....	864
seas, policy of United States.....	885	Santa Rosa Island National Monument,	
Colorado and Wyoming Railway Com-		elimination of certain lands from..	877
pany and employees, creation of		Thanksgiving Day, 1945.....	888
emergency board to investigate dis-		Woman's Enfranchisement Day, 1945..	887
pute.....	868	Protocols. See also International Agree-	
Columbus Day, 1945.....	882	ments Other Than Treaties; Treaties.	
		French Republic, double taxation.....	909

Protocols—Continued.

Hungary, armistice agreement.....	1351
Mexico, utilization of waters of Colorado and Tijuana Rivers and of Rio Grande.....	1261
Multilateral—	
European Central Inland Transport Organization, effectuation of agreement.....	1388
European Inland Transport, Provisional Organisation for, transfer..	1789
Inland waterways, traffic on.....	1753
Rumania, armistice agreement.....	1726
Sugar, regulation of production and marketing.....	943, 949, 951
War Criminals, Prosecution of, correction in Charter of International Military Tribunal.....	1586
Proul, Aurelle, payment to.....	725
Provisional International Civil Aviation Organization, establishment.....	1516
Public Health Service, United States, supervision of health examinations of Costa Rican workers admitted to U. S.....	1284
Pugh, Jessie S., payment to.....	725
Pulaski's Memorial Day, 1945, proclamation.....	886
Pungo, Norfolk, Va., Naval Auxiliary Air Station, reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	774

Q

Quay, M. Elizabeth, reimbursement for travel expenses.....	732
---	------------

R

Radabaugh, Myrtle C., consideration of claim.....	833
Radcliffe, Franklin P., consideration of claim.....	834
Railroad Retirement Acts, Etc., Amendments, printing of additional copies of House committee hearings.....	843
Railway Labor Disputes:	
Emergency boards to investigate disputes, creation of, proclamation—	
Central of Georgia Railway Company and employees.....	857
Colorado & Wyoming Railway Company and employees.....	868
Denver and Rio Grande Western Railroad Company and employees..	859
Des Moines and Central Iowa Railroad and employees.....	858
Kentucky and Indiana Terminal Railroad and employees.....	856

Railway Labor Disputes—Continued.	Page
Emergency boards to investigate disputes, etc.—Continued.	
Missouri Pacific Railroad Company and employees.....	863
Raney, Ida M., payment to.....	812
Rankin, Karl L., reimbursement for loss of personal property.....	689
Realty Bond and Mortgage Company, payment to.....	729
Reams, R. Borden, reimbursement for loss of personal property.....	689
Red Cross Month, 1945, proclamation....	855
Reed, Mildred, payment to.....	777
Reese, Ralph V., payment to.....	725
Rehabilitation Week, National, proclamation.....	866
Renegotiation Act, provision for hearing petition of Marlin-Rockwell Corporation for redetermination of excessive profits under.....	727
Retirement, Civil-Service, payment of annuity to Anne Loacker.....	700
Reveley, Paul J., reimbursement for loss of personal property.....	689
Revenue Act of 1945, Analysis of, printing of manuscript as a House document...	847
Reynar, J. W., credit in accounts.....	684
Rhea, Mrs. C. J., Sr., payment to.....	731
Rhone, Donald, payment to estate of....	793
Richardson, W. Garland, reimbursement for loss of personal property.....	689
Richmond, Eli, payment to.....	828
Rickard, Zella, payment to.....	750
Riley, Mrs. Stuart B., payment to.....	808
Rinden, Robert W., reimbursement for loss of personal property.....	689
Ring, Mrs. Mildred, consideration of claim.....	702
Rio Grande, utilization of waters, treaty with Mexico.....	1219
Rio Hato Highway, assumption of cost by United States, agreement with Panama.....	1294
Ritter, Betty Jane, reimbursement for travel expenses.....	743
River Lines, The, San Francisco, Calif., payment to.....	791
Robertson, George J., Jr., payment to estate of.....	820
Robertson, George J., Sr., payment to...	821
Robertson, Rita M., payment to estate of..	820
Robertson, Wallace, restriction on claim against for certain payments.....	691
Robinson, Henry Charles, acceptance of foreign decoration, etc., authorized..	683
Robison, Harold D., reimbursement for loss of personal property.....	689
Rodgers, Dan C., payment to.....	768
Rodlun, Nita, payment to.....	748

	Page	Page
Roosevelt, Anna Eleanor , franking privilege granted to.....	707	
Roosevelt, President Franklin Delano , death of, day of mourning and prayer, proclamation.....	864	
Rosneath, Scotland:		
Reimbursement of certain Navy personnel and former Navy personnel for loss of personal property—		
Base dispensary, naval base squadron.....	772	
Naval Base Two.....	748	
Ross, George J. , payment to estate of.....	789	
Rosser, Arlethia , payment to.....	804	
Rouse, Charlie B. , payment to.....	814	
Rouse, Mrs. Louette , payment to.....	814	
Royal Insurance Company, Ltd., Seattle, Wash. , payment to.....	791	
Rubber Plantation, Cooperative, Investigations , agreement with Haiti.....	1458	
Ruiz, Antonio , payment to.....	720	
Ruiz, Estella , payment to legal guardian of.....	708	
Ruiz, Maria Manriquez , payment to.....	707	
Rumania , armistice agreement with.....	1712	
Russia . <i>See</i> Soviet Socialist Republics, Union of.		
Ryan, Mrs. Laura May , payment to.....	775	
S		
Saint Amant, Mr. and Mrs. Edmond J., Jr. , payment to.....	789	
Saint John, Marjorie , payment to legal guardian of.....	777	
Saint Vincent's Infirmary, Little Rock, Ark. , payment to.....	694	
Salmon Fisheries, Sockeye , agreement with Canada.....	1614	
Salmon Fisheries Commission, International Pacific , recommendations.....	1614, 1617	
Salvador . <i>See</i> El Salvador.		
Sanders, Jack (First Lt.) , reimbursement for loss of personal property.....	786	
Sanders, Mrs. Katie , payment to.....	831	
Sanders, Mr. and Mrs. Stephen E. , payment to.....	751	
Sanitary Aerial Navigation , multilateral convention respecting.....	991	
Sanitary Maritime Navigation , multilateral convention respecting.....	955	
Sanitation . <i>See</i> Health and Sanitation Program.		
Santa Rosa Island National Monument , elimination of certain lands from.....	877	
Sante, Mrs. Gisella , payment to.....	830	
Sasseen, Lorne E. , acceptance of foreign decoration authorized.....	816	
Saudi Arabia:		
Agreements respecting—		
Preparatory Commission for the United Nations Educational, Scientific and Cultural Organization.....		1883
Preparatory Commission of the United Nations, interim arrangements respecting.....		1411
Charter of the United Nations and Statute of the International Court of Justice.....		1031
Sawyer, Alexander , payment to.....	720	
Saxon, James J. , reimbursement for loss of personal property.....	695	
Scarborough, A. P. , payment to.....	699	
Scheetz, George C. , payment to.....	725	
Schiffer, Frieda , refund of bail bond posted for.....	703	
Schiffer, Mrs. Rose , payment to.....	703	
Schults, Emma , payment for flood damages.....	836	
Scott, Stanley Robert , payment to.....	725	
Scott, William B. , transportation of furniture; payment to.....	747	
Seattle, Wash., U. S. Naval Hospital , reimbursement of certain Navy personnel and former Navy personnel for loss of personal property.....	751	
Selective Training and Service Act of 1940:		
Application to foreign nationals residing in United States—		
Chilean.....		1610
Ecuadoran.....		1598
Peruvian.....		1606
Venezuelan.....		1602
Sells, Alan , payment to estate of.....	813	
Sells, Mrs. Alan , payment to.....	813	
Senate , consent required for appointment of Gen. Omar N. Bradley as Administrator of Veterans' Affairs.....	741	
Servaites, Francis X. , credit in account....	718	
Service Fire Insurance Company of New York , payment to.....	724	
Servicemen, Handbook for, Etc. , printing of additional copies of House document.....	842	
Sevilla, Eulogio , payment to.....	725	
Shaw, F. R. , credit in accounts.....	684	
Shields, Eleanor M. , reimbursement for loss of personal property.....	689	
Shouse, Paul N. , payment for flood damages.....	836	
Shows, Earl J. , consideration of claim....	757	
Shreve, W. D. , payment for flood damages.....	836	
Sicon, Alfredo , payment to.....	725	
Slade, Robert Lee , payment to.....	717	

	Page		Page
Small Business, Financial Problems of, printing of additional copies of House committee hearings.....	846	Soviet Socialist Republics, Union of—Con. Agreements respecting—Continued.	
Smallwood, Stanley E., payment to estate of.....	765	Surrender by—Continued.	
Smith, Catherine, payment to estate of....	788	Japan.....	1733
Smith, David B., payment to.....	724	War criminals of European Axis, major, prosecution and punish- ment.....	1544
Smith, Katherine, payment to.....	725	Charter of the United Nations and Statute of the International Court of Justice.....	1031
Smith, Ray L., consideration of claim....	699	Spain:	
Smith, Richard, payment to.....	777	Agreements respecting—	
Smith, Walter, reimbursement for loss of personal property.....	689	Air services transit.....	1693
Smoot, W. A., Inc., payment to.....	730	Aviation, international civil.....	1516
Smothers, W. F., payment to estate of....	822	Spaulding, Pearl, payment to.....	791
Snow, Frank P. (Lt. Col.), reimbursement for loss of personal property.....	687	Spencer, Tibbie, payment to estate of....	788
Sockeye Salmon Fisheries, agreement with Canada.....	1614	Spier, Susie, payment to legal guardian of..	777
Sokobin, Samuel, reimbursement for loss of personal property.....	689	Spiker, Clarence J., payment to.....	758
South Africa, Union of:		Springfield Co-operative Bank, Springfield, Mass., payment to.....	835
Agreements respecting—		Standley, Mr. and Mrs. Edward P., pay- ment to.....	780
Air services transit.....	1693	Stark, Ernest H. (Dr.), payment to.....	780
Aviation, international civil.....	1516	Starr, Anna Fritz, payment to.....	777
Preparatory Commission for the United Nations Educational, Sci- entific and Cultural Organiza- tion.....	1883	State, Department of, authorization for delivery of British Empire medals to Jack Veniss Bassett, Charles Rex Marchant, and Lorne E. Sasseen....	816
Preparatory Commission of the United Nations, interim arrange- ments respecting.....	1411	State Automobile Insurance Association, payment to.....	725
Sugar, regulation of production and marketing.....	922	Statute of the International Court of Justice.....	1055
Charter of the United Nations and Statute of the International Court of Justice.....	1031	Steinert, Oscar R., payment to.....	783
Conventions respecting—		Steintorf, Paul P., reimbursement for loss of personal property.....	689
Aerial navigation, sanitary.....	991	Stelmak, Gregory, payment to.....	813
Maritime navigation, sanitary.....	955	Stephenson, M. R., payment to.....	725
Southard, Addison, reimbursement for loss of personal property.....	689	Stewart, Wesley J., payment to.....	802
Southern Bitumen Company, Ensley, Ala., relief from certain claims.....	695	Stone, M. R., consideration of claim....	834
Soviet Socialist Republics, Union of:		Stone, Mrs. Ruth C., payment to.....	775
Agreements respecting—		Stonebarger, Carl E., payment to.....	724
Armistice with—		Stout, Mrs. Gladys, payment to.....	714
Hungary.....	1321	Stowell, Ralph A., payment to estate of...	704
Rumania.....	1712	Straka, Charles A., credit in accounts....	722
European Central Inland Transport Organization.....	1740	Strang, Mrs. Jane, payment to.....	740
Japan, Yalta agreement regarding....	1823	Strangio, Domenico, payment to.....	717
Preparatory Commission of the United Nations, interim arrangements respecting.....	1411	Strauss, A. M., settlement and adjustment of claim authorized; appropriation for payment.....	832
Prisoners of war and civilians, liber- ated.....	1874	Strauss, Alvin W. (Dr.), payment to.....	694
Sugar, regulation of production and marketing.....	922	Streeper, Robert S., reimbursement for loss of personal property.....	689
Surrender by—		Strickland, L. S., payment to.....	759
Germany.....	1857	Sugar, Regulation of Production and Marketing, multilateral agreement and protocol respecting.....	922
		Surmont, Charles E., payment to.....	734
		Surrender:	
		German, terms of.....	1857

Veterans' Administration , availability of appropriation for designated reimbursement to War Department, etc.	Page	Weir, Clifton R. , payment to legal guardian of.....	Page
Veterans' Affairs, Administrator of , appointment of Gen. Omar N. Bradley as.....	741	Weiss, Annarae , payment to.....	750
Veterans and Their Dependents , printing of historical statement as a House document.....	842	Wesley, Hazel , payment to.....	829
Veterans of World War I and Their Dependents, Handbook for, Etc. , printing of additional copies of House document.....	842	Wesley, John , payment to.....	725
Vice President of the United States , electoral votes for, proceedings for counting.....	839	Wheeler and Dusenberry , payment to.....	725
Vidotto, Elizabeth , payment to.....	718	Whitaker, Charles H. , reimbursement for loss of personal property.....	689
Visnovec, Helen , payment to.....	763	Whitcombe, L. V. , credit in accounts.....	684
Visnovec, John , payment to.....	763	White, Frank , credit in accounts.....	796
Visnovec, Rose , payment to.....	763	White, William Augustus (Lt., jg) , reimbursement for loss of personal property.....	773
W			
W. A. Smoot, Inc. , payment to.....	730	White Van Line, Inc. , payment to.....	736
Wadford, Samuel , payment to legal guardian of.....	733	Whitnah, H. A. , payment for flood damages..	836
Waggoner, Mrs. Beatrice Brown , payment to.....	743	Whitney, Frances , reimbursement for loss of personal property.....	689
Walker, Alice , payment to.....	738	Whittington, Mrs. J. B. , payment to.....	766
Walton, Sidney B. , payment to.....	714	Whittington, Mrs. Robert L. , payment to..	766
War, Further Prosecution of the , printing of additional copies of House document.....	842	Wilbert, Mrs. A. H. , payment for flood damages.....	836
War Criminals of European Axis, Major, Prosecution and Punishment , multilateral agreement respecting.....	1544	Williams, Ed , payment to.....	713
War Department:		Williams, L. A. , payment to.....	778
Damages incident to noncombat activities , payment of claims.....	724, 791	Willis, Elmer , payment for flood damages..	836
Reimbursement by Veterans' Administration , availability of appropriation.....	741	Wilson, Hobart , cancellation of judgment against.....	782
Reservation of certain lands for military purposes	877	Wilson, James Arthur , payment to estate of.....	753
War Manpower Commission , contracts for temporary migration of Costa Rican agricultural workers.....	1275	Winter, Madeline , payment to.....	754
War Shipping Administration , determination and payment of claim of Ohio Brass Company.....	823	Wisconsin Telephone Company , payment to.....	725
Ward, Robert S. , reimbursement for loss of personal property.....	689	Withers, Beatrice , payment to administratrix of estate of.....	711
Warren, Virginia , payment to estate of....	821	Withers, Mary Martha , payment to.....	711
WASP. See Women's Airforce Service Pilots.		Woman's Enfranchisement Day, 1945 , proclamation.....	887
Webb, George , payment to.....	696	Women's Airforce Service Pilots , candidates for, reimbursement for travel expenses of certain.....	698, 715, 728, 732, 737, 743, 744, 798, 817, 830, 832
Webb, Mr. and Mrs. John T., Sr. , payment to.....	794	Wong, Kenneth Q. N. , reimbursement for loss of personal property.....	695
		Woods, W. O. , credit in accounts.....	684, 796
		Wornhoff, Josephine , payment to.....	722
		Wornhoff, W. C. , payment to.....	722
		Wyzynski, Joseph , payment to.....	737
		Y	
		Yalta Agreement Regarding Japan	1823
		Yancey, William J. T. , payment to.....	725
		Yelverton, South Devon, England , reimbursement of certain Navy personnel and former Navy personnel for loss of personal property at Harrowbeer Airport.....	771
		Yorktown, Va., Naval Mine Depot , reimbursement of certain personnel for loss of personal property.....	687

Yugoslavia:

Agreements respecting—	
European Central Inland Transport Organization.....	1740
Preparatory Commission for the United Nations Educational, Sci- entific and Cultural Organiza- tion.....	1883
Preparatory Commission of the United Nations, interim arrange- ments respecting.....	1411
Sugar, regulation of production and marketing.....	922

Yugoslavia—Continued.	Page
Agreements respecting—Continued.	
Venezia Giulia, provisional adminis- tration of.....	1855
Charter of the United Nations and Statute of the International Court of Justice.....	1031
Z	
Zetterstrand, Rudolph E., reimbursement for loss of personal property.....	689
Zimmerman, Florence, consideration of claim.....	795

