

(b) In order to encourage the development of contemporary art and to effect the widest distribution and cultivation in matters of such art, the Regents are hereby authorized to solicit and receive funds from private sources, to acquire (by purchase or otherwise) and sell contemporary works of art or copies thereof, to employ artists and other personnel, award scholarships, conduct exhibitions, and generally to do such things and have such other powers as will effectuate the purposes of this subsection. Funds received by the Regents under this subsection shall be placed in a special deposit account with the Treasurer of the United States and may be expended by the Regents for the purposes enumerated in this subsection and for no other purposes: *Provided*, That the Regents shall not incur any obligations under this subsection in excess of the funds available therefor.

Powers of Regents.

Deposit and expenditure of funds.

*Proviso.*  
Limitation on obligations.

SEC. 5. The Director of Procurement, the Administrator of the Public Works Administration, and other agencies of the Government are authorized to donate to the Gallery any works of art now or hereafter under their control.

Donation of works of art by Government agencies.

SEC. 6. Such objects of art as the Government or the Smithsonian Institution now possess, or such as may hereafter be acquired, may be housed or exhibited in the Gallery, with the approval of and under such regulations as the Regents and Secretary of the Smithsonian Institution may prescribe.

Exhibition of objects of art.

SEC. 7. The Regents may appoint and fix the compensation and duties of a Director of the Gallery and may employ such other officers and employees as may be necessary for the efficient operation and administration of the Gallery.

Director; officers and other employees.

SEC. 8. There are hereby authorized to be appropriated annually such sums as may be necessary to maintain and administer the Gallery, including the salaries of the Director and of other necessary officers and employees, and for special public exhibitions at Washington and elsewhere.

Annual appropriation authorized.

Approved, May 17, 1938.

## [CHAPTER 243]

## AN ACT

To establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

May 17, 1938  
[H. R. 9218]

[Public, No. 528]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in addition to the tonnages of the United States Navy as agreed upon and established by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, and as authorized by the Act of March 27, 1934 (48 Stat. 503), as amended by the Act of June 25, 1936 (49 Stat. 1926), the authorized composition of the United States Navy in underage vessels is hereby increased by the following tonnages:

Navy.  
Increase in authorized composition in underage vessels.

43 Stat. 1655; 46 Stat. 2858.

48 Stat. 503; 49 Stat. 1926.

34 U. S. C. § 494; Supp. III, § 496.

Capital ships.

(a) Capital ships, one hundred and five thousand tons, making a total authorized underage tonnage of six hundred and thirty thousand tons: *Provided*, That vessels of tonnages in excess of thirty-five thousand tons each may be laid down if the President determines with respect to the tonnage of capital ships being built by other nations that the interests of national defense so require, in which event the authorized composition of the United States Navy of capital ships is hereby increased by one hundred and thirty-five thousand tons, making a total authorized underage tonnage of six hundred and sixty thousand tons;

*Proviso.*  
Vessels of tonnages in excess of thirty-five thousand tons.

(b) Aircraft carriers, forty thousand tons, making a total authorized underage tonnage of one hundred and seventy-five thousand tons;

Aircraft carriers.  
Post, p. 1143.

- Cruisers. (c) Cruisers, sixty-eight thousand seven hundred and fifty-four tons, making a total authorized underage tonnage of four hundred and twelve thousand five hundred and twenty-four tons;
- Destroyers. (d) Destroyers, thirty-eight thousand tons, making a total authorized underage tonnage of two hundred and twenty-eight thousand tons;
- Submarines. (e) Submarines, thirteen thousand six hundred and fifty-eight tons, making a total authorized underage tonnage of eighty-one thousand nine hundred and fifty-six tons.
- Building to authorized composition. SEC. 2. The President of the United States is hereby authorized to undertake such construction, including replacements, as is necessary to build the Navy to the total authorized underage composition as provided for in section 1 of this Act.
- Additional naval airplanes, etc. SEC. 3. The President of the United States is hereby authorized to acquire or construct additional naval airplanes, including patrol planes, and spare parts and equipment, so as to bring the number of useful naval airplanes to a total of not less than three thousand.
- Auxiliary vessels. SEC. 4. The President of the United States is hereby further authorized to acquire and convert or to undertake the construction of the following auxiliary vessels:
- Destroyer tender. (a) Three destroyer tenders, a total of twenty-seven thousand tons light displacement tonnage;
- Submarine tenders. (b) Two submarine tenders, a total of eighteen thousand tons light displacement tonnage;
- Seaplane tenders. (c) Three large seaplane tenders, a total of twenty-five thousand tons light displacement tonnage;
- (d) Seven small seaplane tenders, a total of eleven thousand five hundred and fifty tons light displacement tonnage;
- Repair ship. (e) One repair ship of nine thousand five hundred tons light displacement tonnage;
- Oil tankers. (f) Four oil tankers, a total of thirty-two thousand tons light displacement tonnage;
- Mine layer. (g) One mine layer of six thousand tons light displacement tonnage;
- Mine sweepers. (h) Three mine sweepers, a total of two thousand one hundred tons light displacement tonnage; and
- Fleet tugs. (i) Two fleet tugs, a total of two thousand five hundred tons light displacement tonnage.
- Appropriations authorized. SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this Act, which purposes shall include essential equipment and facilities at navy yards for building any ship or ships herein or heretofore authorized.
- Experimental vessels. SEC. 6. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000,000 to be expended at the discretion of the President of the United States for the construction of experimental vessels, none of which shall exceed three thousand tons standard displacement, and the sum of \$3,000,000 to be expended at the discretion of the President of the United States for the construction of a rigid airship of American design and American construction of a capacity not to exceed three million cubic feet either fabric covered or metal covered to be used for training, experimental, and development purposes.
- Appropriation for construction of, authorized. SEC. 7. The allocation and contracts for construction of the vessels herein authorized and the replacement thereof, as well as for the procurement and construction of airplanes and spare parts, shall be in accordance with the terms and conditions provided by the Act of March 27, 1934 (48 Stat. 503), as amended.
- Rigid airship.

Allocation and contracts for construction of vessels, procurement of airplanes, etc.

SEC. 8. For the purposes of this Act, the term "underage" shall be construed in accordance with the terms of the treaty signed at London, March 25, 1936.

"Underage" con-  
strued.  
50 Stat. 1363.

SEC. 9. The United States would welcome and support an international conference for naval limitations and in the event of an international treaty for the further limitations of naval armament to which the United States is signatory, the President is hereby authorized and empowered to suspend so much of its naval construction as has been authorized as may be necessary to bring the naval armament of the United States within the limitations so agreed upon, except that such suspension shall not apply to vessels and aircraft then actually under construction.

International con-  
ference for naval limi-  
tations favored.

SEC. 10. (a) The Secretary of the Navy is hereby authorized and directed to appoint a board consisting of not less than five officers to investigate and report upon the need, for purposes of national defense, for the establishment of additional submarine, destroyer, mine, and naval air bases on the coasts of the United States, its territories and possessions.

National defense.  
Appointment of  
board to investigate  
need for additional  
submarine, etc., bases.

(b) The Secretary of the Navy is further directed to cause the report of the board authorized by this section to be transmitted to the Speaker of the House of Representatives during the first session of the Seventy-sixth Congress.

Report to House of  
Representatives.

SEC. 11. That the Navy Department shall construct upon the Pacific coast of the United States such vessels as the President of the United States may determine to be necessary in order to maintain shipyard facilities upon the Pacific coast necessary and adequate to meet the requirements of national defense.

Naval construction  
on Pacific coast.

SEC. 12. The construction, alteration, furnishing, or equipping of any naval vessel authorized by this Act, or the construction, alteration, furnishing, or equipping of any naval vessels with funds from any appropriation available for such purposes, contracts for which are made after June 30, 1938, shall be in accordance with the provisions of Public Law 846, Seventy-fourth Congress, approved June 30, 1936, unless such course, in the judgment of the President of the United States, should not be in the interest of national defense.

Construction, etc.,  
contracts.

49 Stat. 2036.  
41 U. S. C., Supp.  
III, § 35.

Approved, May 17, 1938.

[CHAPTER 250]

AN ACT

To authorize the completion, maintenance, and operation of the Fort Peck project for navigation, and for other purposes.

May 18, 1938  
[S. 2650]  
[Public, No. 529]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purpose of improving navigation on the Missouri River, and for other purposes incidental thereto, the dam and appurtenant works now under construction at Fort Peck, Montana, and a suitable power plant for the production of hydroelectric power (which dam, power plant, and appurtenant works are hereinafter called Fort Peck project), shall be completed, maintained, and operated under the direction of the Secretary of War and the supervision of the Chief of Engineers, subject to the provisions of this Act relating to the powers and duties of the Bureau of Reclamation (hereinafter called the Bureau), as provided for in section 2 (a), respecting the transmission and sale of electric energy generated at said project. The Secretary of War shall provide, construct, operate, maintain, and improve at Fort Peck project such machinery, equipment, and facilities for the generation of electric energy as the Bureau may deem

Fort Peck project,  
Mont.  
General purposes  
declared.

Completion, main-  
tenance, and operation  
under Secretary of  
War.  
Administrative pro-  
visions respecting Bu-  
reau of Reclamation.