

Sites and buildings. laboratory buildings and facilities, and such buildings and facilities shall be known as the National Institute of Mental Health. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, or otherwise, a suitable and adequate site or sites, selected on the advice of the Surgeon General of the Public Health Service, in or near the District of Columbia for such buildings and facilities, and to erect thereon, furnish, and equip such buildings and facilities. The amount authorized to be appropriated in this section shall include the cost of preparation of drawings and specifications, supervision of construction, and other administrative expenses incident to the work: *Provided*, That the Federal Works Agency shall prepare the plans and specifications, make all necessary contracts, and supervise construction.

Plans and specifications.

Approved July 3, 1946.

[CHAPTER 539]

AN ACT

To authorize the appointment of additional Foreign Service officers in the classified grades.

July 3, 1946
[H. R. 5244]

[Public Law 488]

Foreign Service.
Authority to appoint additional officers.
Post, p. 999.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized under the provisions of this Act to appoint, by and with the advice and consent of the Senate, not to exceed two hundred and fifty persons to positions as Foreign Service officers. Each such appointment shall be by commission to a classified grade and shall be in addition to all other appointments of Foreign Service officers.

Commission.

SEC. 2. A person appointed under this Act may, under such regulations as the Board of Foreign Service Personnel for the Foreign Service may prescribe, be commissioned as a Foreign Service officer of any classified grade, depending upon his age, experience, and ability. Upon appointment, any such Foreign Service officer shall receive the lowest basic salary of the classified grade to which he or she is appointed.

Salary.

Eligibility for appointment.

SEC. 3. No person shall be eligible for appointment as a Foreign Service officer under this Act unless he or she—

(a) is an American citizen and has been such at least fifteen years; and

(b) has served (1) in the active military or naval service of the United States on or after September 16, 1940, and has been separated or released therefrom under honorable conditions after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty, or (2) in the merchant marine as such service is defined by section 1 of the Act of June 23, 1943 (57 Stat. 162; 50 U. S. C. 1471), or (3) since December 7, 1941, for not less than two years in a position or positions of responsibility as an officer or employee of the legislative, executive, or judicial branches of the United States Government, or of any corporation, wholly or partly owned by the United States, which is an instrumentality of the United States, whose service and experience can qualify him or her as a Foreign Service officer; and

(c) has been designated by the Secretary of State as a candidate for examination for appointment as a Foreign Service officer and has passed such examination as the Secretary may prescribe; and

(d) was at least thirty-one years of age at the time of application.

50 U. S. C., Supp.
V, app. § 1471.
Post, pp. 908, 945.

SEC. 4. No appointment under this Act shall be made after the expiration of two years after the date of enactment of this Act.

SEC. 5. The second paragraph of section 32 of the Act entitled "An Act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes", approved May 24, 1924 (46 Stat. 1214), as amended, is amended to read as follows:

"The correspondence and records of the Division of Foreign Service Personnel shall be confidential except to the President, the Secretary of State, the members of the Board of Foreign Service Personnel, the Assistant Secretary of State supervising the division, the legislative and appropriations committees of the Congress charged with legislating for and appropriating for the Department of State, or representatives duly authorized by such committees, and such employees of the Department of State as may be assigned to work on such correspondence and records."

Approved July 3, 1946.

Time limitation.

22 U. S. C. § 23h.
Post, p. 1039.
Confidential corre-
spondence and rec-
ords.

[CHAPTER 540]

AN ACT

To provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of certain international conventions, and for other purposes.

July 5, 1946
[H. R. 1654]
[Public Law 489]

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

Trade-marks.
Post, p. 568.

TITLE I—THE PRINCIPAL REGISTER

SECTION 1. The owner of a trade-mark used in commerce may register his trade-mark under this Act on the principal register hereby established:

(a) By filing in the Patent Office—

(1) a written application, in such form as may be prescribed by the Commissioner, verified by the applicant, or by a member of the firm or an officer of the corporation or association applying, specifying applicant's domicile and citizenship, the date of applicant's first use of the mark, the date of applicant's first use of the mark in commerce, the goods in connection with which the mark is used and the mode or manner in which the mark is used in connection with such goods, and including a statement to the effect that the person making the verification believes himself, or the firm, corporation, or association in whose behalf he makes the verification, to be the owner of the mark sought to be registered, that the mark is in use in commerce, and that no other person, firm, corporation, or association, to the best of his knowledge and belief, has the right to use such mark in commerce either in the identical form thereof or in such near resemblance thereto as might be calculated to deceive: *Provided*, That in the case of every application claiming concurrent use the applicant shall state exceptions to his claim of exclusive use, in which he shall specify, to the extent of his knowledge, any concurrent use by others, the goods or services in connection with which and the areas in which each concurrent use exists, the periods of each use, and the goods and area for which the applicant desires registration;

Application claim-
ing concurrent use.

(2) a drawing of the mark; and

(3) such number of specimens or facsimiles of the mark as actually used as may be required by the Commissioner.

(b) By paying into the Patent Office the filing fee.